

BEFORE THE PRINCIPAL BENCH, NATIONAL GREEN
TRIBUNAL, NEW DELHI

ORIGINAL APPLICATION NO. 518 OF 2022

IN THE MATTER OF:

Vivek Verma

Appellant

Versus

State of Uttarakhand

Respondent



INDEX

- 1. REPLY/RESPONSE ON BEHALF OF THE
RESPONDENT/ NO. 7 (UTTARAKHAND
POLLUTION CONTROL BOARD)**

FILED BY
MUKESH VERMA, ADVOCATE
Phone No. 9810108098, 9312222131
Email Id: mvermadv@gmail.com

BEFORE THE PRINCIPAL BENCH, NATIONAL GREEN
TRIBUNAL, NEW DELHI

ORIGINAL APPLICATION NO. 518 OF 2022

IN THE MATTER OF:

Vivek Verma

Appellant

Versus

State of Uttarakhand

Respondent

REPLY/RESPONSE ON BEHALF OF THE RESPONDENT/

NO. 7 / Uttarakhand Pollution Control Board



I, Harish Chandra Joshi S/o Shri B.D. Joshi, aged 54
year, presently posted as Assistant Scientific Officer,
Regional Office, Uttarakhand Pollution Control Board,
Regional Office, Avas Vikas Colony, Haldwani, District

[Handwritten signature]

Nainital, Uttarakhand, do hereby solemnly affirm and declare as under:

1. That I am in the above noted capacity and as per records available in the department, I am fully conversant with the facts and circumstances of the case, hence competent to swear this counter affidavit on behalf of the answering Respondent.

2. That I have gone through and understood the contents of the Original Application and report filed by the Joint Committee. I deny each and every averment, except those which are admitted herein expressly.

REPLY:

1. That the field Inspection was carried out by the Joint Committee on 23 September, 2022 which was comprising of officials of Forest Department, Revenue Department and Uttarakhand Pollution Control Board. The report of Joint Committee dated 23.09.2022 is





already filed, before this Hon'ble Tribunal for consideration on 31.10.2022.

2. That, the Joint Committee observed illegal cutting of 08 trees near Aroma Hotel, Nainital. It is informed that forest offence report has been lodged against unknown under section-32/33 of the Indian Forest Act, 1927 & Municipal Bylaws by the Range Officer Nagar Palika, Nainital Forest Division on dated 13.01.2022. Further, the concerned Range Officer has proceeded to file FIR in Police Station, Mallital, Nainital.

3. That, girdling of 7 *Surai* trees in private land were also observed by the Joint Committee. Forest department has undertaken necessary treatment of those trees and also recovered Rs. 1.0 Lakh penalty under Municipal Bylaws, 1916 on dated 02.04.2022.

4. That, cutting of 02 trees (old pole crop) were also observed at Tiffin Top Landsand areas. The Committee





also visited the Sukhatal Parking area and it was informed that a total of 17 trees, out of which 16 trees were dead, were cut down with prior permission of Forest Department (as per law) for development of parking and recharge zone.

5. That, the Committee also observed illegal tree felling (11 No.) in private land near Snow compound and Holy Angel School. Forest offence report has been generated in this case and forest department has identified the culprit and undertaken compounding of the offence as per law.



6. That, it is evident from the observation of Joint Committee that illegal trees cutting and girdling of trees were done in the area in question. The same has been recorded duly by forest department and action taken in accordance of law.

[Handwritten signature]

7. That in view of the detailed averments made in the forgoing paragraphs, this Hon'ble Tribunal may pass any order as this Hon'ble Tribunal may deem fit in the facts and circumstances of the case.


Deponent

VERIFICATION:

I, the deponent above named do hereby verify and say that the contents of my above affidavit are true and correct to my knowledge, no part of it is false and nothing material has been concealed there from. The legal submissions are further true as per legal advice received and believed to be true and correct.

Verified at Haldwani on this 27 day of January, 2023


Deponent

Certified that Sri/Smt. Harish chandra Joshi
the deponent identified by SEH
& verified the contents of the
affidavit at Haldwani
on date 27/11/2023 time 4:10 P.M.
D. S. Bisht
Notary, Haldwani
Distt. Nainital U.K. India
27/11/2023

