

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI**

[Under Sections 18(1) read with Sections 14 & 15 of the
National Green Tribunal Act, 2010]

ORIGINAL APPLICATION NO.272 OF 2024

IN THE MATTER OF:-

DEEPANK KUMAR SHARMA & ORS. ... APPLICANT

Versus.

UNION OF INDIA & ORS. ... RESPONDENTS

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New Delhi

DATED: 15/07/25


[VISHWENDRA VERMA] & [SHIVALI]

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... Applicant

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... Respondents

**REPLY ON BEHALF OF THE APPLICANT TO THE ADDITIONAL
AFFIDAVIT DATED 01.07.2025 FILED BY THE RESPONDENT
NO. 8 ALONGWITH AFFIDAVIT**

MOST RESPECTFULLY SHEWETH:

1. That The Respondent no. 8 by filing the additional affidavit trying to mislead this Hon'ble Court as the case of illegally cutting the trees is admitted by the official Respondent, when they have filed their affidavit dated 07.08.2024 in which it is admitted that the Respondent No. 8 to 10 deliberately with an intent motive used acid and thereafter destroyed the trees in para 6 of the affidavit of Respondent no. 7 (Divisional Forest Officer, Bijnor). A copy of the same is attached herewith for kind reference as **ANNEXURE AAR7/01**.

That the Respondent No. 7, thereafter changed their stand with an intent motive and even the official Respondents undertook the same on affidavit cannot deny the same in any manner. The change of stand of the Respondent No. 7 even damaging the image of the government as Respondent No. 7 submitted the said affidavit in the capacity of an Officer whose sanctity is more than any person but change of stand create doubt on his sanctity and the same amounts to misconduct.

PARAWISE REPLY TO THE ADDITIONAL AFFIDAVIT

1. That the contents of para 1 of the parawise reply of the additional affidavit need no comments.
2. That the contents of para 2 of the parawise reply of the additional affidavit need no comments.
3. That the contents of para 3 of the parawise reply of the additional affidavit are wrong and denied. The submissions of the Respondent No. 8 changed at various times and they are trying to legalize their illegal acts and illegal cutting of trees.
4. That the contents of para 4 of the parawise reply of the additional affidavit are wrong and hence the same are denied for want of knowledge. The offences had already been committed by the Respondents and the same cannot be condoned in accordance with law. The penalty imposed by the Official Respondent UPPCB, wherein they only calculated penalty qua 79 trees while the Respondents cut 180 trees. Therefore, the calculation should go as per para 7 of the Additional Affidavit filed by Respondent No. 11 dated 30.04.2025. As per the formula per tree the environmental compensation was Rs.4,57,483.90/- and the total trees were 180. Thus, the total penalty comes 180 X Rs.4,57,483.90/- and the totaling of environmental compensation is Rs.8,23,47,102/- to be recovered from the Respondent Nos. 8 to 10 jointly and severally. The present matter has nothing to do how much trees have been planted by the Respondents. It is the duty of every citizen that they should plant maximum trees in the country but law does not permit to cut any tree in any manner. The same is an offence and invites sentence as well as environmental compensation for the said person.

Thus, an example should be set for this purpose that no one can take law in their own hands and do illegal acts in any manner. The said amount to be recovered from Respondent No. 8 to 10. The trees are freely available with the government and anyone may request with the forest department for planting trees and the forest department shall permit the same. It is worthwhile to state herein that our Worthy Prime Minister gave a slogan that "*EK PED MAA KE NAAM*" in such condition the Respondent Nos. 8 to 10 are cutting trees by using ACID.

5. That the contents of para 5 of the parawise reply of the additional affidavit are denied for want of knowledge and even though no substantial and acknowledgeable document or proof submitted by the Respondent No. 8. It is further a wrong statement given that the Certificate attached by the Respondent as RA-2. It is submitted by bare reading it is clear that handpicked document typed and even verification of the said document is doubtful. The government authorities issued the certificates in a proper format under the Government seal and letter head and thus so called forged certificate is denied and it is requested that a proper action should be taken against the said Respondent.
6. That the contents of para 6 of the parawise reply of the additional affidavit are wrong and denied by placing certain forged documents, the Respondent cannot fall within the shoes of environmentalist.
7. That the contents of para 7 of the parawise reply of the additional affidavit are wrong and denied. Illegally cutting trees by the Respondent cannot be called a nature loving person. Thus, proper and strict action should be taken in the

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penal form as well as environment compensation should be recovered from the Respondent No. 8, as per the Additional Affidavit filed by Respondent No. 11 dated 30.04.2025. As per the formula per tree the environmental compensation was Rs.4,57,483.90/- and the total trees were 180. Thus, the total penalty comes 180 X Rs.4,57,483.90/- and the totaling of environmental compensation is Rs.8,23,47,102/- to be recovered from the Respondent Nos. 8 to 10 jointly and severally.

8. That the contents of para 8 of the parawise reply of the additional affidavit are wrong and denied. It is submitted that the compensation is not in respect of the illegal acts to legalize the respondent No.8 to 10 acts. As per law it is required that the strict act should be taken against the respondent NO.7 for dereliction in the duties and also committed offences under the law in connivance with respondent No. 8 to 10 are liable to be punished in accordance with law accordingly.
9. That the contents of para 9 of the parawise reply of the additional affidavit are wrong and hence the same are denied.
10. That the contents of para 10 of the parawise reply of the additional affidavit are wrong and hence the same are denied. The admitted position is that the trees were cut illegally, therefore, no family issue or dispute can protect the Respondent Nos. 8 to 10. No prayer qua the family issue raised by the Applicant in the present O.A. All the prayers are confined only in accordance with law and for loss of environment and illegally cutting trees.

PRAYER

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It is therefore most respectfully prayed that this Hon'ble court may graciously be pleased to dismiss the prayer made in the additional affidavit dated 01.07.2025 with heavy and exemplary cost in the interest of justice.

It is prayed that the environmental compensation as per the calculation of the Respondent no. 11 to be recovered from Respondent Nos. 8 to 10, as per the formula per tree the environmental compensation was Rs.4,57,483.90/- and the total trees were 180. Thus, the total penalty comes 180 X Rs.4,57,483.90/- and the totaling of environmental compensation is Rs.8,23,47,102/- to be recovered from the Respondent Nos. 8 to 10 jointly and severally.

To grant any other and further orders which may be deemed fit and proper in the interest of the justice.

AND FOR THIS ACT OF KINDNESS THE APPLICANT, AS IN DUTY BOUND, SHALL EVER PRAY.

Signature of the Applicant

New Delhi
DATED: 15/07/25

[VISHWENDRA VERMA] & [SHIVALI]

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AFFIDAVIT

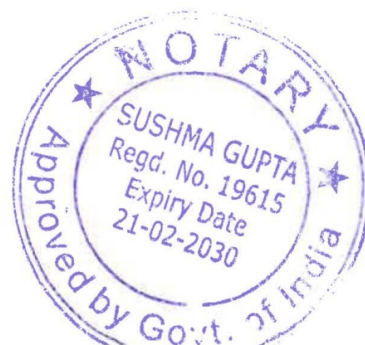
I, DEEPANK KUMAR SHARMA, S/o Shri Dinesh Kumar Sharma, aged about 36 years, R/o 1810, Mandi Railway road, Near Sarvodaya Inter College, Railway Road, Pilakhuwa, Tehsil Hapur, U.P., presently at New Delhi, do hereby solemnly affirm and state as under-

1. That I am the Applicant in the above mentioned matter and as such I am well conversant with the facts and circumstances of the case and hence I am competent to swear this affidavit.
2. That the contents of this reply has been drafted by my counsel as per instructions and I have been read over the contents thereof and I understood the same.

ATTESTED

S
NOTARY PUBLIC

15 JUL 2025



3. That the contents of this reply are true and correct to the best of my knowledge, information and belief, no part of it is false and no material has been concealed therefrom.

Deepank

DEPONENT

VERIFICATION:

Verified at Delhi on this the day of July, 2025 that the contents of the aforesaid affidavit are true and correct to the best of my knowledge, information and belief, no part of it is false and no material has been concealed therefrom.

Deepank

DEPONENT

Sushma Gupta
I identify the above person
has signed in my presence



ATTESTED
Sushma Gupta
NOTARY PUBLIC

15 JUL 2025

DEEPANK KUMAR SHARMA VS UNION OF INDIA & ANR

From: Vishwendra Verma (verma.vishwendra@yahoo.co.in)

To: secy_moef@nic.in; csup@nic.in; dmbij@nic.in; sdmbi-up@nic.in; spbjr-up@nic.in; sho-mandawar.bi@up.gov.in; sprabi-up@nic.in; dfosfbi-up@nic.in; roghaziabad@uppcb.com; akhileshsinghadvocate@gmail.com

Date: Monday 9 June, 2025 at 04:14 pm IST

Respected Sir/ma'am,

Please find the file attached herewith.

Thanking you,

Warm Regards,

Vishwendra Verma
Advocate

M/s. NSV LAW ASSOCIATES

Advocates, Solicitors & Consultants

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