

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

Original Application No. 496/2025

Ghulam Mohiuddin Shah & Ors

.... Applicant

Versus

Union of India & Ors.

..... Respondents

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Through

New Delhi

Dated: 18.12.2025

Gigi C George Adv.

Standing Counsel (UOI)

National Green Tribunal

Ch. No. 457, lawyers block

Delhi High Court, ND

M. 9810625315

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
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IN THE MATTER OF:

GHULAM MOHIUDIDIN SHAH & ORS

...APPLICANTS

VERSUS

UNION OF INDIA & ORS.

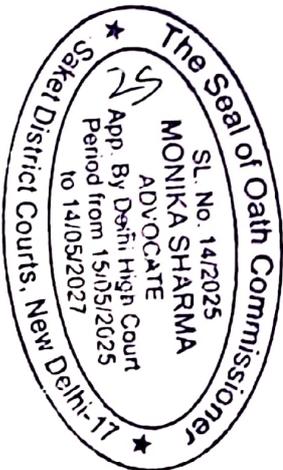
...RESPONDENTS

**REPLY BY WAY OF AFFIDAVIT ON BEHALF OF RESPONDENT
NO. 8 & 9 CENTRAL RESERVE POLICE FORCE**

MOST RESPECTFULLY SHOWETH:

I, Rakesh Sethi S/o Late Shri Vasdev Sethi, aged about 55 years, working as DIG(Adm) with O/o the IG, RAF HQRs, R.K. Puram New Delhi, do hereby solemnly affirm and declare as under: -

1. That I am competent to swear the present reply by way of affidavit on behalf of Respondent Nos. 8 and 9, i.e., Central Reserve Police Force, and I am aware of the facts and circumstances of the case based on the record.
2. That I have perused the content of the above captioned O.A. and I am duly authorised to depose by way of the present affidavit.
3. That the instant Original Application No. 496 of 2025 filed by the applicant under sections 14, 15 and 20 of the NGT Act, 2010 raising substantial questions arise regarding the environment, as the State authorities have begun constructing or clearing land for the proposed Battalion Camping Site for the 61st, 79th, 117th, and 132nd Battalions of the Central Reserve Police Force (CRPF) on an area of

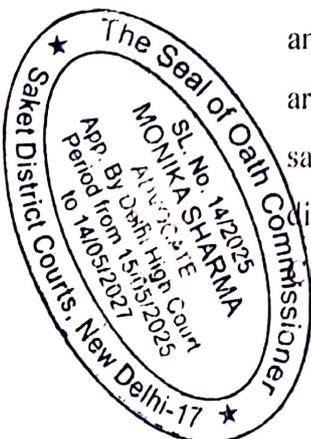


approximately 1324 Kanals at Brain, Tehsil Khanyar, District Srinagar. This site is not only the Applicant's home and primary source of livelihood but also an ecologically fragile zone, under environmental regulations, and prohibited for construction under applicable laws and the master plan in an area known as the Brain Nishat Conservation Reserve.

4. That the applicant had filed I.A. No. 651 of 2025 before the Hon'ble Court, seeking urgent interim relief restraining the Respondent from carrying out any levelling, tree felling, or construction activities in the Brain-Nishat Conservation Reserve, Srinagar.
5. That Hon'ble Tribunal by its order dated 25.09.2025, impleaded the answering respondent as Respondent Nos. 8 and 9 and issued notice and directed to file a response by way of affidavit and listed the matter for hearing on 24.11.2025.

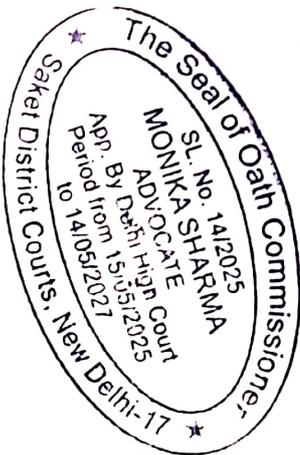
REPLY ON MERITS

6. That the contents of the Original Application are denied save and except those which are specifically admitted hereinafter. It is submitted that the present application is premature, misconceived, and based on speculative apprehensions, as the land in question has not yet been acquired by the Central Reserve Police Force (CRPF), and no construction activity has commenced.
7. That the establishment of a consolidated base camp for the 61st, 79th, 117th, and 132nd Battalions of the CRPF is an operational imperative and of paramount national security importance. That these battalions are deployed in the sensitive region of Jammu & Kashmir for public safety and security duties. That currently, they are operating from dispersed and often inadequate rented accommodations within Srinagar city, which poses significant logistical challenges, increases



vulnerability, and hinders effective operational deployment and training. That a consolidated base camp is essential for enhancing rapid response capabilities, ensuring troop welfare, and contributing significantly to regional stability and national security.

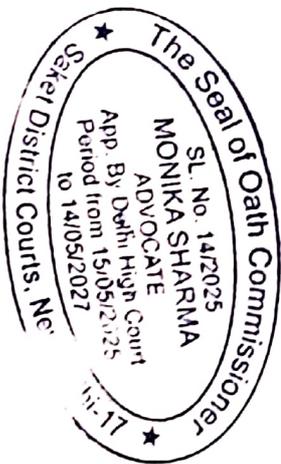
8. That the proposed project serves a larger public interest by ensuring peace, stability, and security in the region, which are vital prerequisites for economic development, tourism, and the overall well-being of the local populace. The Respondent No. 8 and 9's presence is crucial for maintaining law and order, countering insurgency, and protecting the lives and property of citizens. That the operational efficiency derived from a dedicated base camp directly translates into enhanced security for the residents of Jammu & Kashmir.
9. That it is reiterated that the Respondent No. 8 and 9 has only submitted an indent (initial request) to the civil authorities of Srinagar, Jammu, and Kashmir for the acquisition of land. That the land in question has not yet been acquired by the Respondent No. 8 and 9, and the entire land acquisition process is still pending with the concerned civil authorities. That the responsibility for identifying, processing, and formally allotting suitable land to the indenting department, after completing all necessary formalities, lies squarely with the State authorities.
10. That the CRPF, as a responsible instrumentality of the State, is fully committed to upholding all applicable laws, rules, and regulations, including those pertaining to environmental protection and sustainable development. That any activity undertaken, if and when the land is acquired, will be in strict consonance with the law and subject to prior approval of all competent authorities. That this commitment includes strict adherence to:



- i. The Jammu and Kashmir Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Re-Settlement (Social Impact Assessment and Consent) Rules, 2022.
- ii. Environmental protection regulations.
- iii. Urban development regulations, including the Srinagar Master Plan 2015-2035.
- iv. Rules and guidelines governing wildlife protection.

11. That the Respondent No. 8 and 9 pledges to ensure no adverse impact on the ecological and environmental significance of the area. That the acquisition process, if undertaken, will be transparent, lawful, and environmentally responsible. That all necessary permissions, clearances, and No Objection Certificates (NOCs) from relevant expert agencies and regulatory bodies, including the Forest Department, Wildlife Department, Lakes Conservation and Management Authority (LCMA), and State Pollution Control Board, will be obtained before the commencement of any major construction activity.

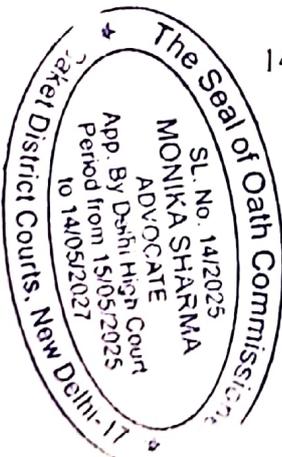
12. That in response to specific allegations concerning ecological fragility and the "Greenbelt" classification, the CRPF acknowledges that the subject area is classified as a "Greenbelt" and a "No Construction Zone" as per Hon'ble Court directions and statutory authorities including LCMA and the Master Plan 2015-2035. That however, the core defense remains that the land has not been acquired yet, and any future development will strictly adhere to the legal framework, seeking necessary approvals or relaxations for essential security infrastructure from competent planning authorities, if required, based on the overriding national security imperative.



13. That the CRPF is implementing comprehensive Environmental Management Plans (EMP), which include, but are not limited to:

- i. Compensatory afforestation for any unavoidable tree felling to ensure a net gain in green cover, along with scientific tree transplantation.
- ii. Installation of state-of-the-art solid and liquid waste management systems, including Sewage Treatment Plants (STPs) to prevent pollution.
- iii. Measures to minimize noise and air pollution during and after construction.
- iv. Integration of rainwater harvesting, efficient water usage, and groundwater recharge measures into the camp's design.
- v. Specific measures to protect local flora, fauna, and endangered species like the Hangul and Asiatic Black Bear, including maintaining adequate buffer zones and restricting activities in sensitive areas.
- vi. Incorporation of sustainable building materials and energy-efficient designs to minimize the carbon footprint of the establishment.

14. That comprehensive studies are being undertaken to ensure that the project does not negatively affect the hydrological regime or ecological balance of ecologically sensitive areas such as Dachigam National Park and Dal Lake. That the allegations regarding large-scale tree felling and adverse impact on wildlife are premature and speculative, as no such activities have commenced.

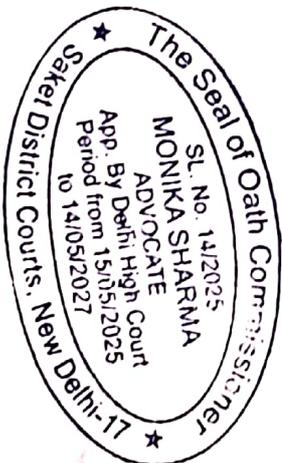


15. That regarding the seismological assessment, it is factually stated that no seismological assessment has been done before permitting the setting up of the CRPF Camp, as the land has not been acquired. That however, appropriate seismological assessments will be conducted, and any construction will adhere to the highest standards of seismic safety, considering the area's designation in Seismic Zones 4 & 5.

16. That the progress of land identification and survey is as follows:

- i. Initially, 583 Kanals of land were sought.
- ii. Subsequently, a whole chunk of approximately 1954 Kanals (1324 + 630) was considered.
- iii. A committee was formed for demarcation.
- iv. A Site Selection Committee found 1321 Kanals 09 Marlas suitable for the base camp.
- v. An indent for 1321 Kanals 09 Marlas was submitted (the earlier indent for 583 Kanals was cancelled).
- vi. The latest land measurement indicates 1668 Kanals identified for 09 Battalions and 01 DIG office, comprising State land, Shamilaat, and Mehfooz Kahcharie categories.
- vii. An Engineering, Topographical, and Survey (ETS) survey is approximately 60% complete, with funds allocated for the approach road survey.
- viii. A Preliminary Project Report for the approach road, costing Rs. 764.41 Lacs, is under consideration.

17. That the proposed site, while acknowledged to be within the broader Brain Nishat Conservation Reserve, was selected after careful



consideration and a thorough assessment of strategic operational requirements, logistical feasibility, accessibility, and land suitability. That the operational necessity for a consolidated and secure base camp, coupled with stringent environmental safeguards and planned mitigation measures, outweighs generalized objections.

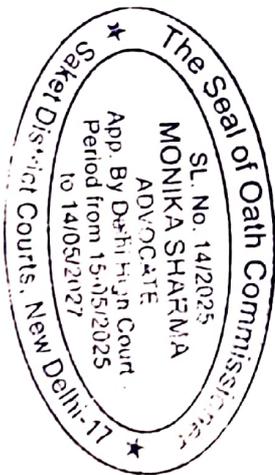
18. That the Respondent No. 8 and 9 considers the applicants' allegations regarding infringement of fundamental rights, large-scale tree felling, and adverse impact on the environment as baseless, misconceived, and untenable in law. That the acquisition, if it proceeds, is for a legitimate public purpose of national security, and the Respondent No. 8 and 9 denies specific knowledge of local community representations in the manner alleged.

19. That the Respondent No. 8 and 9 is committed to ensuring that the project, once approved and implemented, will be a model of sustainable development, balancing national security imperatives with ecological preservation. That the project will not only enhance the operational capabilities of the CRPF but also contribute to the overall well-being and security of the region.

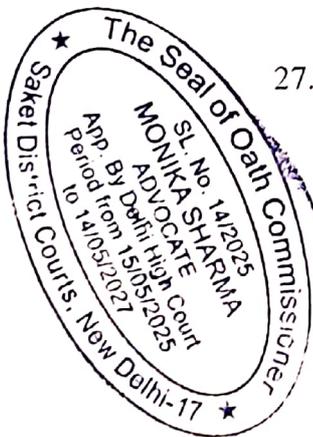
GROUNDS

20. That the establishment of the CRPF base camp is an operational necessity and of paramount national security importance for maintaining peace, stability, and law and order in the sensitive region of Jammu & Kashmir, thereby serving a larger public interest.

21. That the land in question has not yet been acquired by the Respondent No. 8 and 9, and the process is currently limited to the submission of an indent to the civil authorities, rendering the Applicant's concerns premature and speculative.



22. That the Respondent No. 8 and 9 is fully committed to strict adherence to all applicable laws, rules, and regulations, including environmental protection norms, and pledges to obtain all necessary statutory permissions and clearances from competent authorities before the commencement of any construction activity.
23. That the CRPF has formulated and committed to implementing comprehensive Environmental Management Plans (EMP), including compensatory afforestation, scientific waste management, water conservation, and protection of local flora and fauna, ensuring no adverse ecological impact.
24. That the allegations of large-scale tree felling, adverse impact on wildlife (Hangul, Asiatic Black Bear), and ecological fragility are currently baseless and speculative, as no such activities have commenced, and the Respondent No. 8 and 9 is committed to mitigating any potential impact.
25. That the appropriate seismological assessments will be conducted, and any construction will adhere to the highest standards of seismic safety, addressing the concerns raised by the Applicant.
26. That the site selection was a result of careful consideration and thorough assessment based on strategic operational requirements, logistical feasibility, and accessibility, justifying the chosen location despite its classification as a Greenbelt.
27. That the project, once completed, will significantly enhance the operational efficiency and welfare of CRPF personnel, who are currently operating from vulnerable and dispersed rented accommodations, thereby strengthening the security apparatus in the region.



28. That the National Green Tribunal, in various pronouncements, including *Diago Francis Rodrigues vs State Of Goa Through Captain Of Ports (2020)* and *Nizamuddin West Association vs Union Of India (2024)*, has consistently emphasised the need for environmental clearances and adherence to environmental norms for all projects, a principle to which the Respondent No. 8 and 9 is fully committed.
29. That the present application seeks to impede a project of national importance without concrete evidence of environmental non-compliance, relying instead on anticipatory fears, which are adequately addressed by the Respondent No. 8 and 9's commitments and planned mitigation measures.

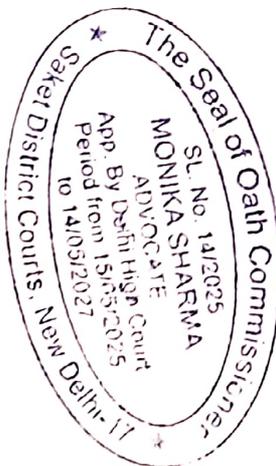
It is therefore prayed that this Hon'ble Tribunal may graciously be pleased to dismiss the present Original Application filed by the Applicant, being premature, misconceived, and devoid of merits.

And/Or

Allow Respondent Nos. 8 & 9 to proceed with the legitimate land acquisition process and subsequent development, subject to obtaining all necessary statutory clearances and adhering to the committed environmental safeguards.

And/Or

Pass any other order or direction as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the present case, in the interest of justice.



AND FOR THIS ACT OF KINDNESS, THE RESPONDENTS SHALL EVER PRAY.

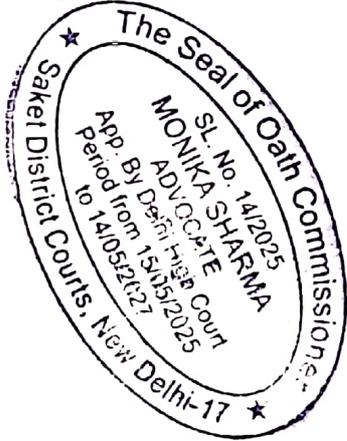
VERIFICATION

Verified at 18 DEC 2025 on _____ that the

contents of the above reply affidavit are true and correct to best of my knowledge and belief and/or are in the nature of legal submissions which I believe to be true and no material has been suppressed herewith.

18 DEC 2025

I identified the Executant/Deponent who has Signed in My presence.



[Signature]
18/12/25
Deponent

उप महानिरीक्षक (प्रशासन)
Dy. Inspector General (Adm)
ड.का. बल/के.रि.पु.बल, मुख्यालय नई दिल्ली
Rapid Action Force/CRPF Hqr., New Delhi

CERTIFIED THAT THE DEPONENT
Shri / Smt. / Km. Rakesh Sethi
S/o, W/o,
R/o
Identified by Shri / Smt. Ad. G. George
has solemnly affirmed before me at
Delhi as Si. No. 25.....
that the contents of the affidavit which
have been read & explained to me are
true and correct to his knowledge

[Signature]
Oath Commissioner, Delhi
MONIKA SHARMA
New Delhi