

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 1398 OF 2024

IN THE MATTER OF:

DHRAMPAL

.....APPLICANT(s)

VERSUS

STATE OF UTTAR PRADESH & ORS.

.....RESPONDENT

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THROUGH COUNSEL



BHANWAR PAL SINGH JADON

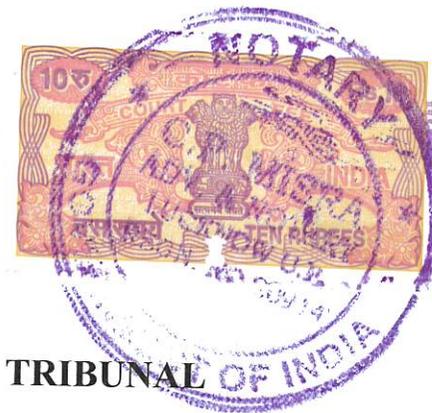
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DATE: 23.04.2025

PLACE: LUCKNOW



**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 1398/2024**

IN THE MATTER OF:

DHRAMPAL.....APPLICANT(s)

VERSUS

STATE OF UTTAR PRADESH & OTHERS.....RESPONDENT(s)



**JOINT COMMITTEE REPORT ON BEHALF OF PRINCIPAL CHIEF
CONSERVATOR OF FORESTS, U.P. IN COMPLIANCE OF THE
ORDER DT. 08.01.2025 PASSED BY THE HON'BLE NATIONAL GREEN
TRIBUNAL**

I, Sunil Choudhry aged about 57 years S/o Late Lashkari Ram R/o A-1 Forest Colony, 17 Rana Pratap Marg, Lucknow, presently posted as Principal Chief Conservator of Forest and Head of Department, U.P., Lucknow do hereby solemnly affirm and state on oath as under:

1. That in the present matter, the applicants have alleged that in forest land of various khasra numbers mentioned in extract of Khatoni filed as Annexure-6 page 33 of paper book, large number of trees have been cut illegally in collusion with forest authorities and they have not taken any preventive and prohibitive action for protection of trees against violators.
2. That vide order of the Hon'ble Tribunal dt. 08.01.2024, a Joint Committee was constituted comprising of:-

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C. P. MISHRA
ADV. & NOTARY
HQ LUCKNOW U.P. INDIA
REGN. NO. 20914

- i. Principal Chief Conservator of Forests (hereinafter referred to as "PCFF"), Uttar Pradesh;
- ii. District Magistrate, Baghpat;
- iii. Uttar Pradesh Pollution Control Board (hereinafter referred to as "UPPCB"); and
- iv. Regional Officer, Ministry of Environment, Forest and Climate Change (hereinafter referred to as "MoEF&CC"), Lucknow.

The Deponent was directed to act as a nodal authority in the Joint Committee.

The relevant portion of the order has been reproduced as under:-

"3. Accordingly, we constitute a joint Committee comprising Principal Chief Conservator of Forests (hereinafter referred to as "PCFF"), Uttar Pradesh; District Magistrate, Baghpat; Uttar Pradesh Pollution Control Board (hereinafter referred to as "UPPCB"); and Regional Officer, Ministry of Environment, Forest and Climate Change (hereinafter referred to as "MoEF&CC"), Lucknow.

4. PCCF shall be the nodal authority for coordination and compliance of this order.

5. The above joint Committee shall collect relevant information, verify facts stated in OA with regard to felling of trees and also nature of land and other relevant details and submit a factual report before Tribunal within one month."

3. Subsequently the Joint committee upon the directions of the Deponent conducted the inspection of the site in question on 17.02.2025, comprising of the following members :

• Ms. Vijaya Ratre - AIG(C)/Head of Office, MOEF&CC, Lucknow

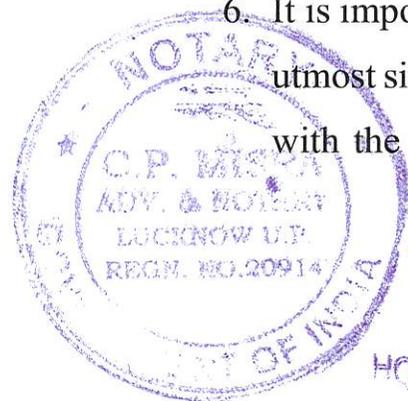


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 C. P. MISHRA
 ADV. & NOTARY
 HQ LUCKNOW U.P. INDIA
 REGN. NO. 20914

- Rajesh Kumar - DFO Meerut/Baghpat, UP Forest Department (PCCF Nominee)
- Amar Chand Verma - SDM (Collectrate Prabhari) Baghpat (DM Baghpat Nominee)
- Yogesh Mishra - AE, Regional Office, Meerut/Baghpat UPCCB

A Copy of the Joint Committee report dt. 17.02.2025 has been attached herewith as **ANNEXURE A-1**.

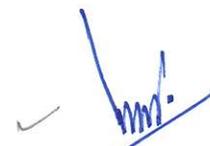
4. It is submitted that the Joint Committee inspected the notified Reserved Forest area near Shahpur Banganga Village and observed a few tree stumps, all of Prosopis juliflora species, with some being over 1-2 years old. As per the Forest Department's action taken report, 44 old and new stumps/branches were counted, with no further tree felling observed. Additionally, the committee found no evidence of encroachment after tree felling or clearing of vegetation.
5. That as per the aforementioned Joint Committee report, the following legal actions have been taken by the Forest Department:
 - Legal action was taken against culprits. Department case number 32/2023-24 and 14/2024-25 have been booked against culprits and sent for further proceedings to Honourable district court Baghpat .
 - DFO Baghpat suspended local forest guard/forest beat in charge for dereliction of duty and not taking effective actions .
Disciplinary proceedings have also been started against both forest guard and forester (forest section in charge).
6. It is important to mention here that the deponent has taken the matter with utmost sincerity and respect to this Hon'ble Tribunal and has duly complied with the directions given in order dated 08.01.2025. That onsite visit to



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ADV. & NOTARY
HQ LUCKNOW U.P. INDIA
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ascertain the real and current situation of the land in question has been completed by the Joint Committee under the supervision of the deponent for the kind convenience, consideration and perusal of this Hon'ble Tribunal.

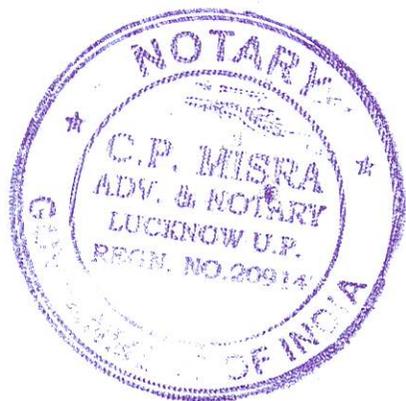
7. Hence, the present affidavit is being submitted for the kind perusal of this Hon'ble Tribunal. It is prayed that the same be taken on record.
8. That I state that everything stated above has been stated by me in my official capacity on and derived from the official records and I state that nothing material has been concealed therefrom.



DEPONENT

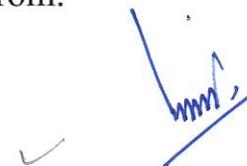
VERIFICATION

Verified at Lko. U.P. on this 16th day of April, 2025, that the contents of the above affidavit from paragraphs 1 to 8 are believed to be true and correct to the best of my knowledge and belief. No part of it is false and nothing material has been concealed therefrom.

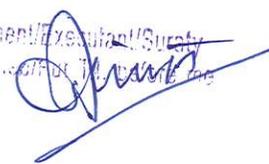


Sworn and Verified
Before me


16/4/2025
C. P. MISHRA
ADV. & NOTARY
HQ LUCKNOW U.P. INDIA
REGN. NO. 20914



DEPONENT

Identify the deponent/Executant/Surety


**Report of the Joint Committee constituted by Hon'ble NGT by
order dated 08/01/2025 in OA No 1398/2024 Dharampal vs
State of U.P. & Others case**

Hon'ble NGT vide order dated 08/01/2025 constituted a joint committee to verify facts mentioned in OA. The relevant para of the above order read as:

“3. Accordingly, We constitute a joint Committee comprising Principal Chief Conservator of Forest (hereinafter referred as “PCFF”) Uttar Pradesh ; District Magistrate Baghat ;Uttar Pradesh pollution control board (hereinafter referred as “UPCCB”) and Regional Officer Ministry of Environment , Forest and Climate Change (hereinafter referred as “MOEF&CC”) , Lucknow .

4. PCCF shall be the nodal authority for coordination and compliance of this order.

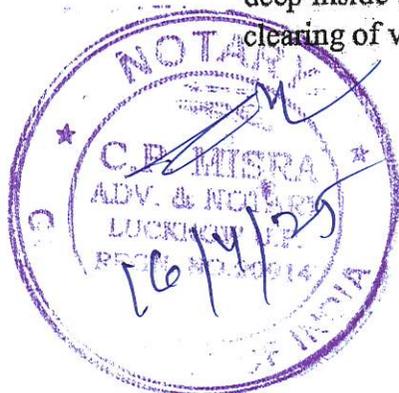
5. The above joint committee shall collect relevant information, verify facts stated in OA with regard to felling of trees and also nature of land and other relevant details and submit a factual report before Tribunal within one month”

In compliance of the above order four member joint committee was nominated by concerned department's/organisations.

1. Ms Vijaya Ratre AIG(C) /Head of Office, MOEF&CC , Lucknow
2. Rajesh Kumar DFO Meerut /Baghat , UP Forest department (PCCF Nominee)
3. Amar Chand Verma SDM (collectrate prabhari) Baghat (DM Baghat nominee)
4. Yogesh Mishra AE , Regional office Meerut/baghat UPCCB

Joint committee members did site inspection on 17/02/2025 of site mentioned in OA. Following are the field inspection observations of Committee: -

1. Nature of land: Notified Reserved Forest area- Sahpur banganga and kohinabad forest block nearby Shahpur banganga Village.
2. Felling of trees: Committee observed few stumps of tree felled as mentioned in OA. All stumps were found to be of only one species i.e. Prosopis juliflora and no felling of other species was observed. Prima facie few stumps were of more than 1-2 years old . As per the action taken report shown by Forest department Baghat total 44 old and new stumps/branches were counted by enquiry committee. No tree felling beyond this was observed during field visit.
3. Allegation about encroachment after illegal tree felling: All stumps were found deep inside the forest block & no evidence of encroachment after tree felling and clearing of vegetation was observed.



✓

4. Legal action taken by forest department baghpat: As per the records shared by Forest Department Social forestry division, baghpat complaint was made to forest department on 27th August 2024. DFO Baghpat ordered an enquiry vide letter number 343/28-3 dated 02/09/2024 to be conducted by Assistant Conservator of Forest, Social Forestry division Meerut to verify facts about illegal tree felling. DFO baghpat vide letter number 04/2-42(PC)/ Baghpat dated 05/09/2024 suspended local Forest Guard / Forest Beat incharge for dereliction of duty and not taking effective actions in the tree felling matter. Disciplinary proceedings have also been started against both Forest guard & Forester (Forest Section incharge) for not taking effective action. Legal action against the culprits is under process.

Overall as per field visit observations and official documents presented by Social forestry division Baghpat the timber/fuel value as per the UP Forest department scheduled rate has been assessed at Rs. 58,664/- . Appropriate disciplinary/ legal action was taken by Forest department as per fact finding report of ACF Meerut. Chargesheet has been served to both Forest Guard & Forester for lack of effective timely enforcement and forest protection.

To stop further such incidences forest department has taken few measures for forest protection like digging of trenches on the forest boundary, community awareness & mobilisation and posting of new staff.



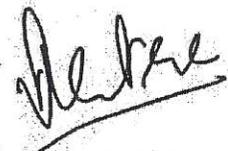
(Yogesh Mishra)
Assistant Environment Engineer
Representative of
UPCCB



(Amar Chand Verma)
SDM (Collectrate
Prabhari) Baghpat
(DM nominee)



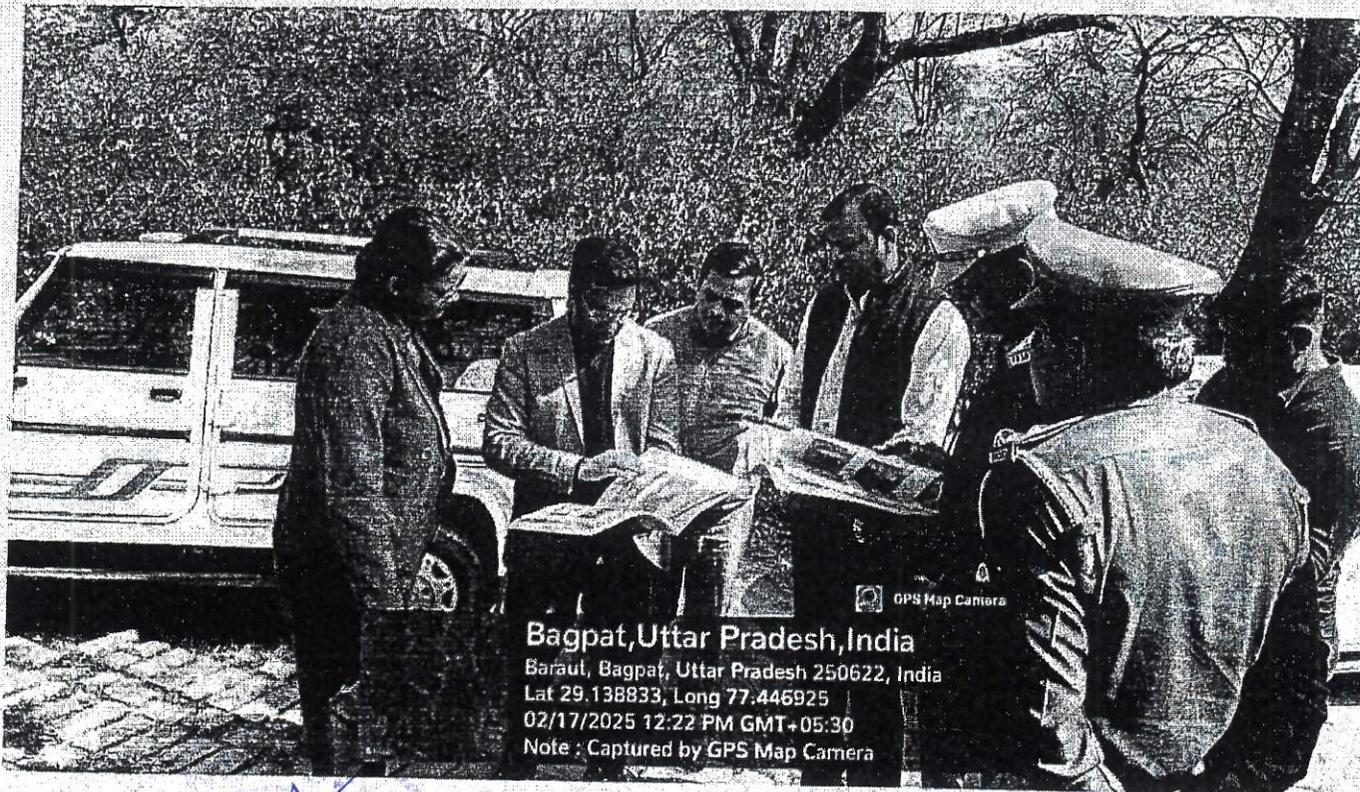
(Rajesh Kumar)
DFO Baghpat,
UP Forest department
(PCCF Nominee)



(Vijaya Ratre)
AIG(C)/Head of office
MOEF&CC,
Lucknow

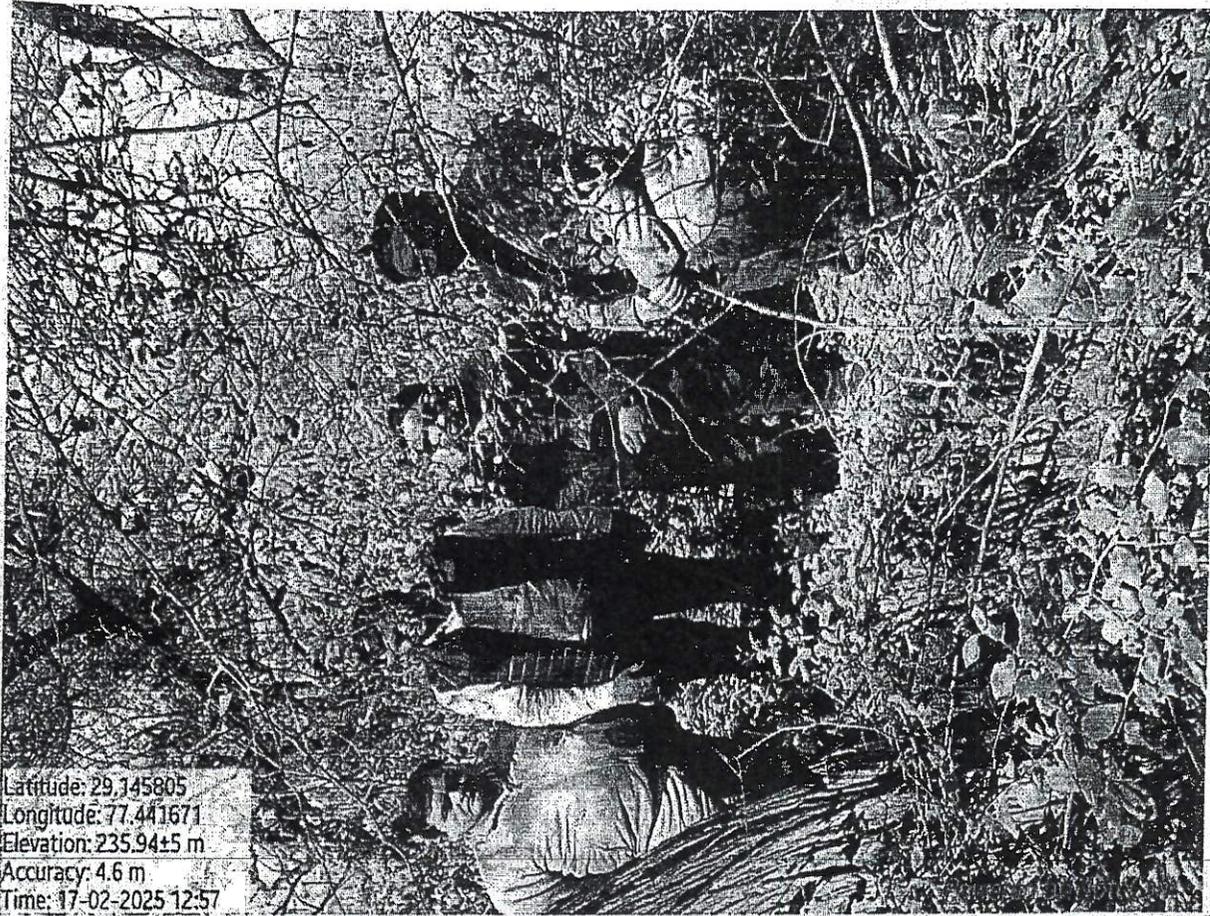



PHOTOGRAPHS OF JOINT COMMITTEE FIELD VISIT

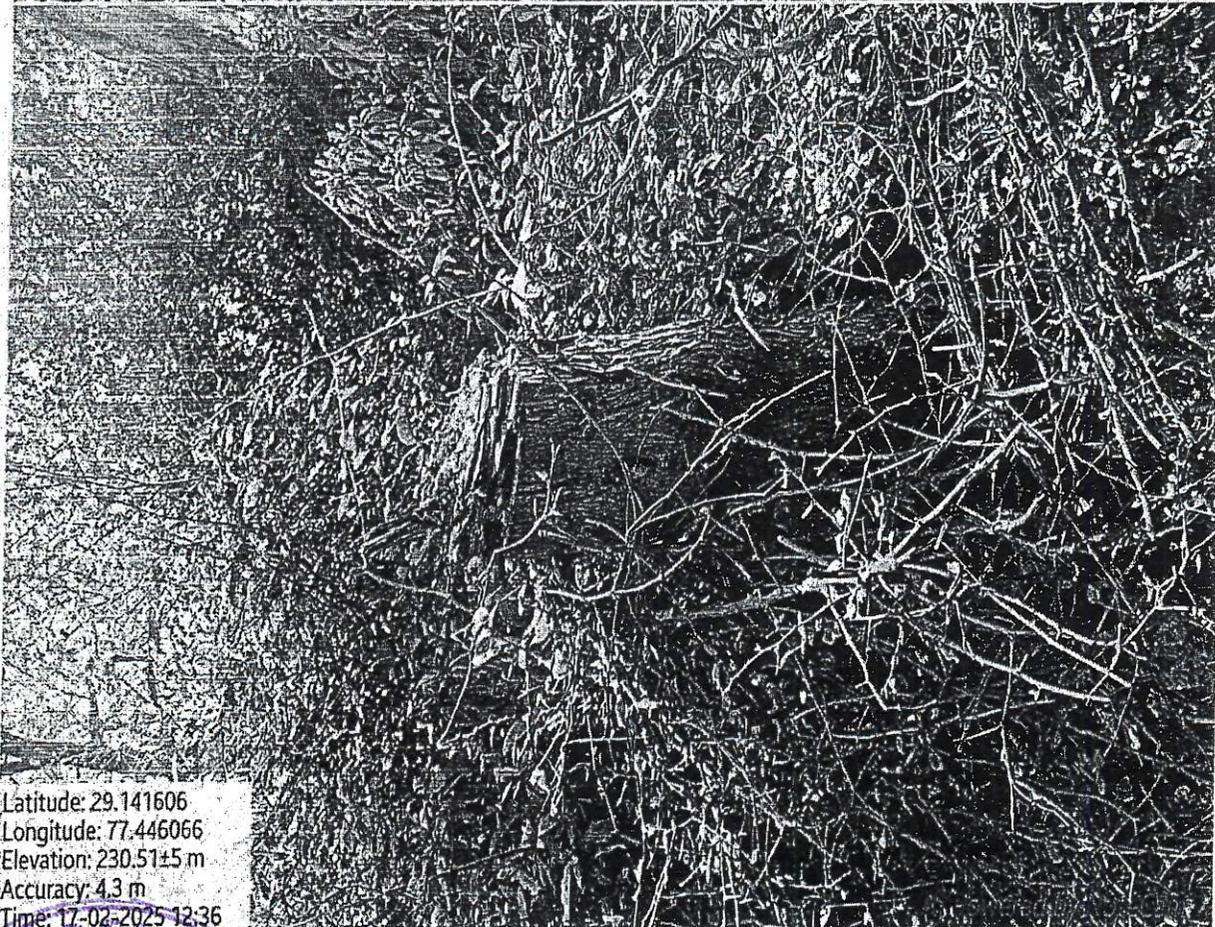


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mmr



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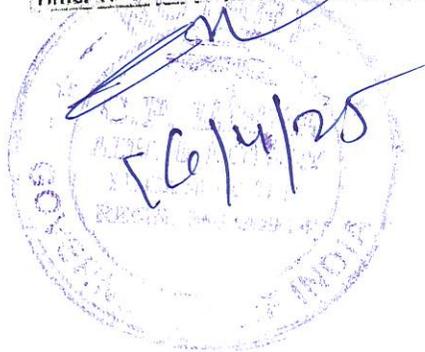
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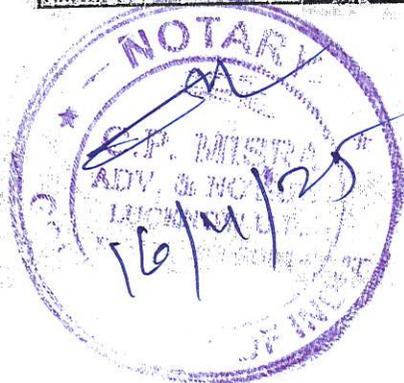
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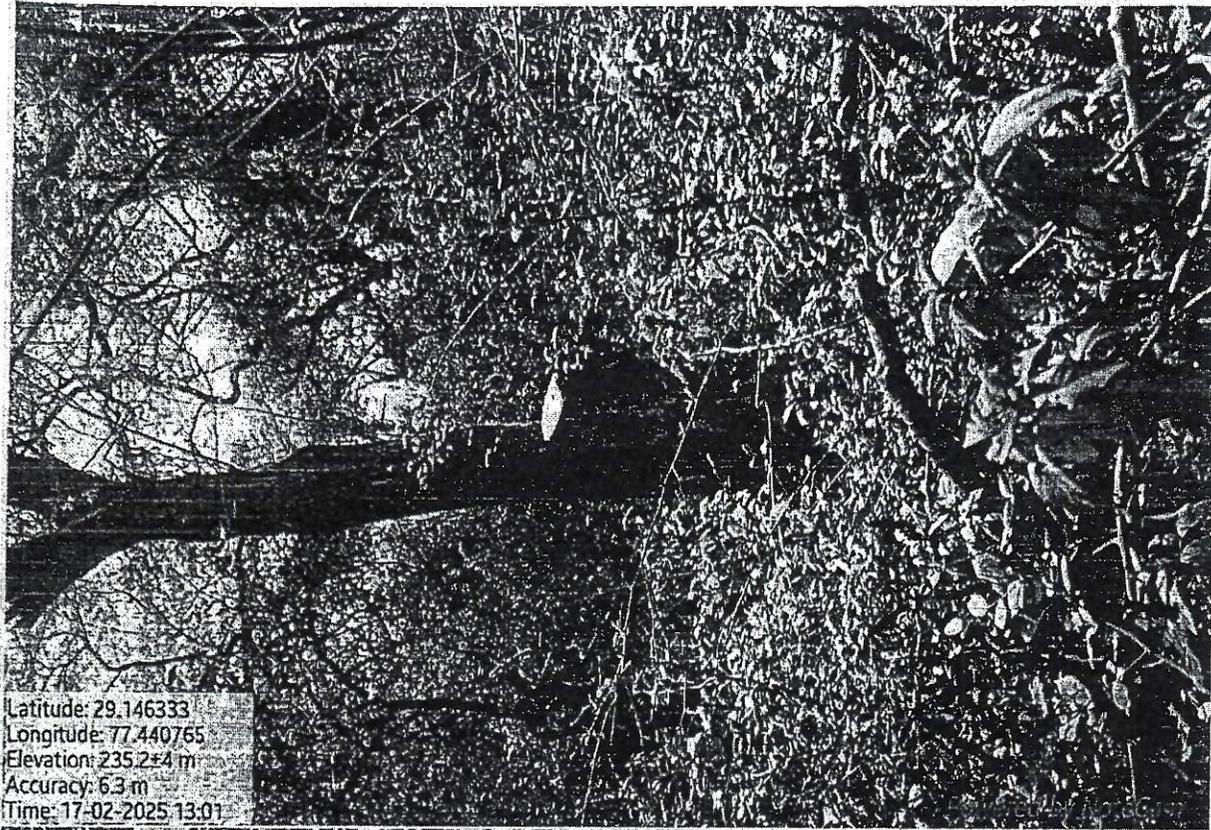
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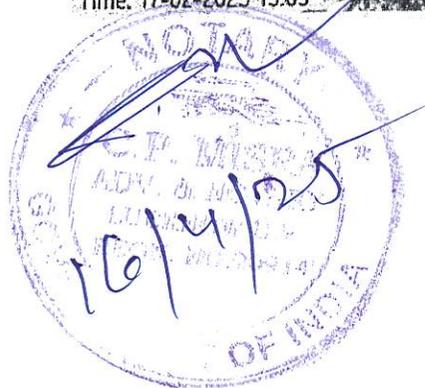
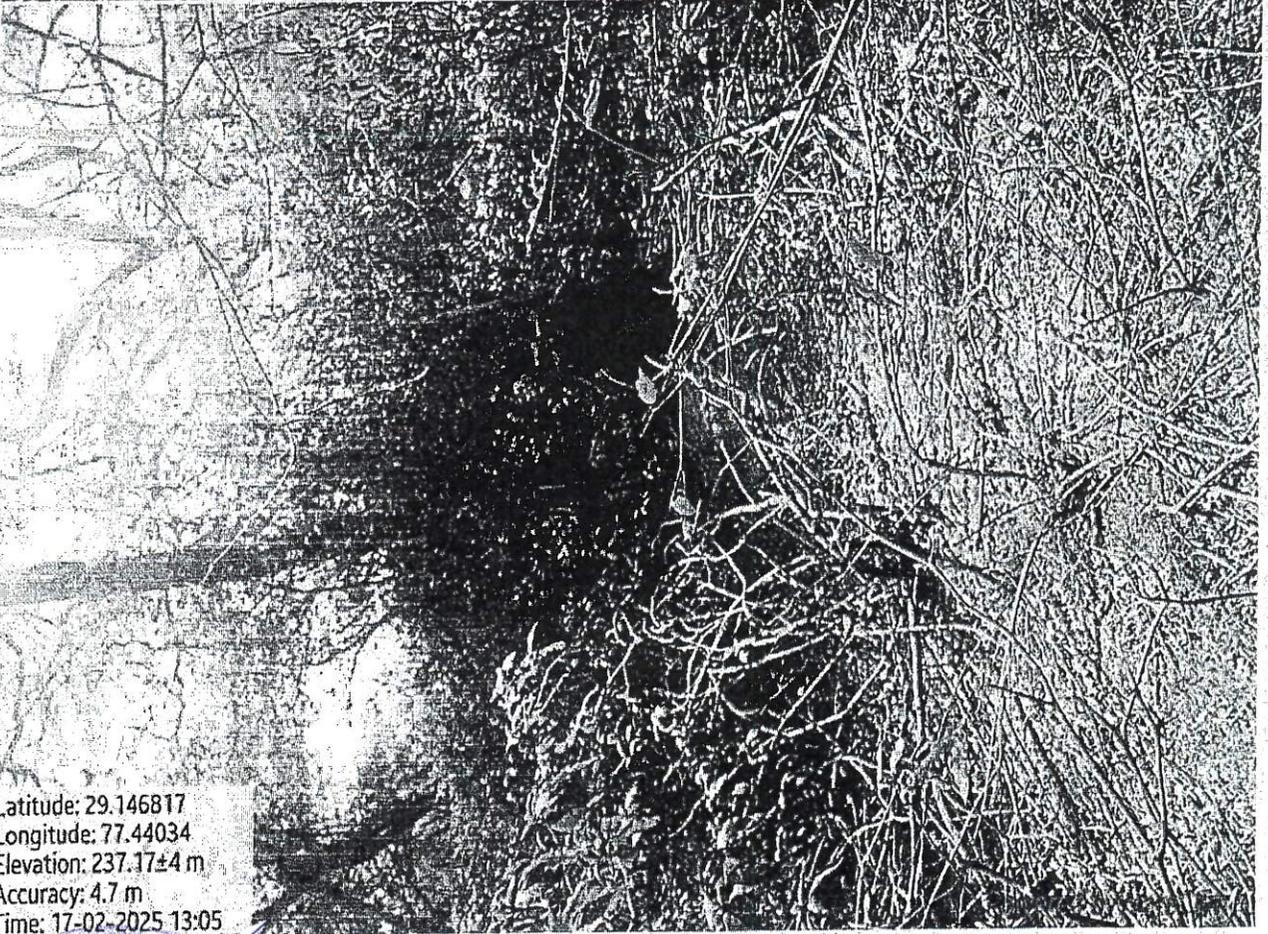
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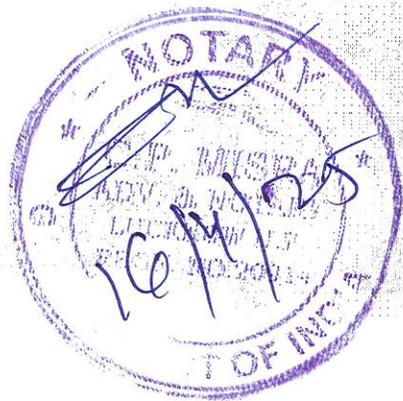
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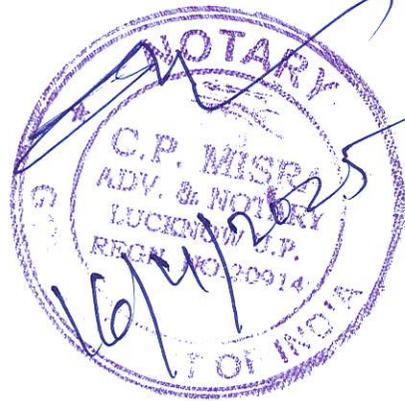
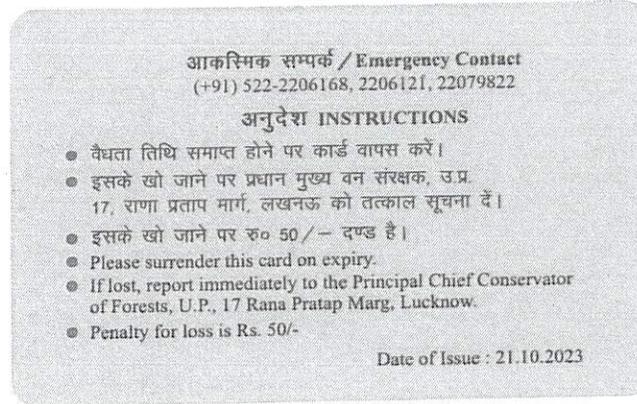
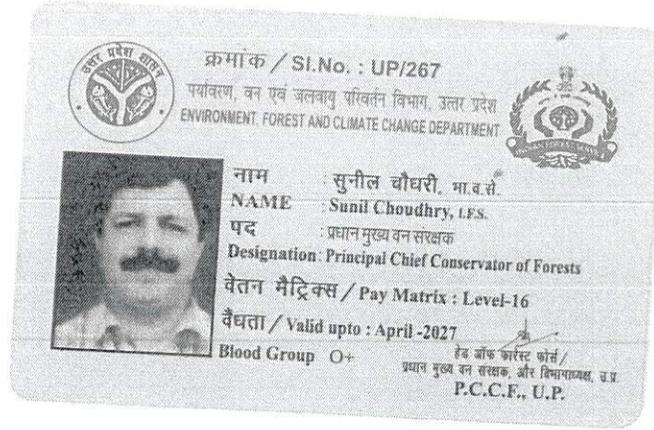
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