

**BEFORE THE NATIONAL GREEN TRIBUNAL**  
**PRINCIPAL BENCH, NEW DELHI**  
**IN**  
**ORIGINAL APPLICATION NO. 272 OF 2024**

**IN THE MATTER OF:**

Deepank Kumar Sharma

...Applicant

Versus

Ministry of Environment, Forests

And Climate Change & Ors

....Respondents

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	determined for same nature of offence in other Forest Circles within State of UP	
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**THROUGH:**

*Ankit Verma*

**(ANKIT VERMA)**

**STANDING COUNSEL FOR STATE OF U.P.**

**A-15, FF, Nizamuddin East, New Delhi- 110013**

**MOB:- 0999080440 Email- ankit.scngtup@gmail.com**

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**ADDITIONAL AFFIDAVIT OF (RESPONDENT No.7)**

**DIVISIONAL FOREST OFFICER BIJNOR**

The Respondent Herein states as under

**MOST RESPECTFULLY SHOWETH:**

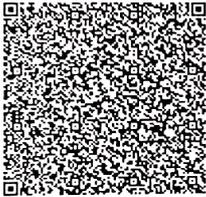
I, Arun Kumar Singh aged about 60 years, S/o Late Sh. Ganesh Pratap Singh presently posted as Divisional Forest Officer District Bijnor, Uttar Pradesh, the deponent, do hereby solemnly state and affirm as under: -



Government of Uttar Pradesh

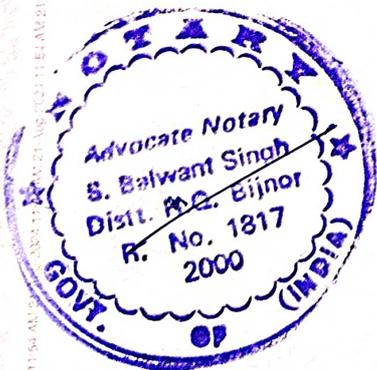
e-Stamp

Certificate No. : IN-UP53504981734049W  
 Certificate Issued Date : 21-Aug-2024 11:54 AM  
 Account Reference : NEWIMPACC (SV)/ up14152104/ BIJNOR SADAR/ UP-BIJNOR  
 Unique Doc. Reference : SUBIN-UPUP1415210403696417091882W  
 Purchased by : ARUN KUMAR SINGH SO GANESH PRATAP SINGH  
 Description of Document : Article 4 Affidavit  
 Property Description : Not Applicable  
 Consideration Price (Rs.) :  
 First Party : ARUN KUMAR SINGH SO GANESH PRATAP SINGH  
 Second Party : Not Applicable  
 Stamp Duty Paid By : ARUN KUMAR SINGH SO GANESH PRATAP SINGH  
 Stamp Duty Amount(Rs.) : 10  
 (Ten only)



Please write or type below this line

IN-UP53504981734049W



*S. Balwant Singh*  
 21/8/24  
 S. Balwant Singh  
 Advocate Notari  
 Dist. H.O. Bijnor (UP)  
 Reg. No.-1817/2000

Statutory Alert:

- The authenticity of this Stamp certificate should be verified at [www.stockholding.gov.in](http://www.stockholding.gov.in) or using e-Stamp Mobile App of Stock Holding Corporation of India. Any discrepancy in the details on this Certificate and the details on the website / Mobile App renders it invalid.
- The onus of checking the legitimacy is on the users of the certificate.
- In case of any discrepancy please inform the Competent Authority.

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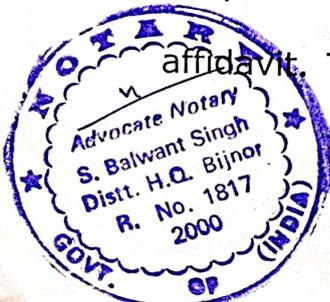
**DIVISIONAL FOREST OFFICER BIJNOR**

The Respondent Herein states as under

**MOST RESPECTFULLY SHOWETH:**

I, Arun Kumar Singh aged about 60 years, S/o Late Sh. Ganesh Pratap Singh presently posted as Divisional Forest Officer District Bijnor, Uttar Pradesh, the deponent, do hereby solemnly state and affirm as under: -

1. That I am abovementioned authorized officer of the answering Respondent and is duly competent to file the present additional affidavit. That the Deponent is well conversant with the facts



A handwritten signature in black ink, appearing to be "Arun Kumar Singh".

and circumstances of the instant case and is competent to swear this affidavit.

2. That the Deponent has read and understood the contents of the present additional affidavit. The averments made in the affidavit which are not specifically admitted hereunder must be considered to have been denied by the Deponent.
3. That the Respondent No.7 had earlier filed his reply affidavit 07.08.2024 in compliance with the order dated 12.03.2024 passed by this Hon'ble Tribunal. It is submitted that the contents of the reply may be deemed to be incorporated in and read as part and parcel of this Additional Affidavit and not being repeated herein for the sake of brevity.
4. That it is respectfully submitted that an averment was made in para 6 of the reply affidavit dated 07.08.2024 filed by the deponent that the trees were fell illegally by using acid. It is submitted that the said averment was copied from paragraph (III) of the Original Application wherein the applicant has alleged that the tree have been fell illegally by using acid. The said fact as alleged in the OA, never came to the knowledge of the deponent, hence it cannot be made by him. The inspection report as well as the denial order issued by the deponent office does not mention that the trees were fell illegally by using acid.

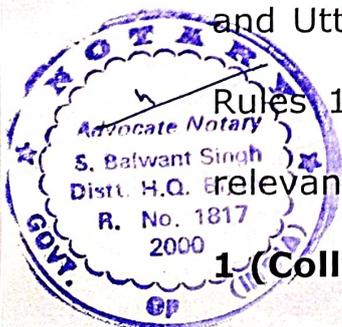


*[Handwritten signature]*

5. That the Section 16 of the UP- Tree Protection Act 1976 which reads as "***It shall be the duty of every Forest officer, ..... or any officer superior to them: to give immediate information coming to his knowledge, of any contravention of section 4 and of preparation to commit such contravention to the competent authority.***" Under the Act the Divisional Forest Officer himself is empowered to arrest the offender without warrant (under section 13) and further register preliminary offence report for committing an offence in contravention of the provisions as laid down under the UP-Tree Protection Act 1976.

6. That the deponent and his office has diligently performed their official duties and requisite immediate action has been taken against the Respondent 8 & 10, by following the provisions of Uttar Pradesh Tree Protection Act 1976. Preliminary Forest Offence Report was immediately registered, as soon the incident of illegal felling of trees came to the knowledge of the deponent in H-2 format as mentioned in page number 294 of The Forest Manual (VII) 273-C(B) and prompt action was taken as per provisions of Uttar Pradesh Tree Protection Act 1976 and Uttar Pradesh Transit of Timber and Other Forest Produce Rules 1978. A Copy of UP Tree Protection Act 1976 and the relevant para of the Forest Manual is annexed as **Annexure R-**

1-(Colly).



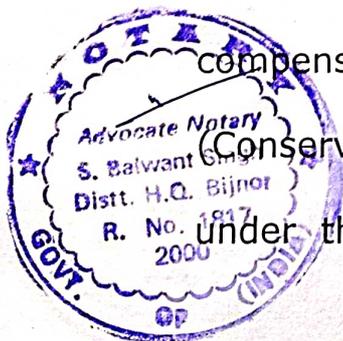
*ASJ*

7. That section 15 of the UP-Tree Protection lays down procedure for compounding of offences, which reads as- ***The State Government may by notification authorise any officers to accept from any person against whom there is reason to believe that he has committed an offence under this Act in respect of any tree other than a tree situated in a forest, grove or public premises, such sum of money not exceeding [Ten Thousand Rupees] by way of composition for the offence which such person is suspected to have committed.*** Since the land in question where the illegal felling of trees have occurred is not situated in forest, grove or public premises and is on the private own land which is recorded as Grade 1A (Sankramameeya Bhumdari) will transferrable rights, therefore the provision of section 15 of the Act will apply in the instant case.

8. That pursuant to the compensation imposed as per section 15 of the Act, upon the Respondent no.8 and other co -accused, compensation amount of Rupees 3,95,000/- (Three Lakhs Ninety-Five Thousand) was recovered for illegal felling of 79 Trees on privately owned land. The basis of the aforesaid compensation has been determined by the competent authority

(Conservator of Forests/Regional Director Moradabad Circle)

under the Tree Protection Act. As an exemplar a Copy of



*[Handwritten signature]*

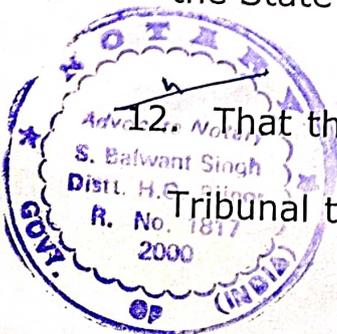
Recovery of Compensation called E-3 and prevalent compounding amount determined for same nature of offence in other Forest Circles such as Central Circle, Lucknow and nearby Meerut Circle issued by competent authority and copy of fine and compensation imposed by District Courts in same nature of offence are annexed herewith and marked as **Annexure R-2 (Colly)**.

9. That the proceedings which have been initiated against the respondent 8 are in consonance with the Uttar Pradesh Government's Notification no 24/81-5-2020-07-93 dated 07<sup>th</sup> of January 2020 referred in the Original Application and the same has been duly followed.

10. That it is further submitted that the deponent is not empowered to recover any environment compensation for illegal felling of trees under the UP-Tree Protection Act 1976 or any other State Legislation.

11. That the deponent and his office have discharged their official duties strictly adhering to the provisions of the UP-Tree Protection Act 1976 and other Government Orders issued by the State Government from time to time.

12. That the deponent most humbly submits before this Hon'ble Tribunal that he is very conscious and vigilant about the illegal



*[Handwritten signature]*

felling of trees if any occurs within his jurisdiction. He further undertakes before this Hon'ble Tribunal that he will leave no stone unturned in ensuring that prompt and strict penal action is taken against such persons in accordance with law.

13. That considering the foregoing position of law and facts and circumstances elaborated above, it is most respectfully prayed that this Hon'ble Tribunal may kindly be pleased to dismiss the instant OA as against the Respondent No.7 and further direct the deletion of Respondent No.7 from array of parties.

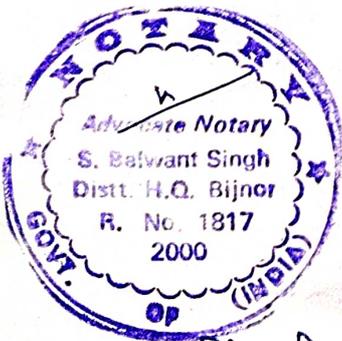


**Verification**

I, the deponent above named do hereby verify and state that the contents of the foregoing paragraphs of the above application are true to the best of my knowledge and belief, no part of it is false and nothing material has been concealed therefrom.

On this 21<sup>st</sup> day of August, 2024.

**DEPONENT**



*Dilpreet Kaur*  
ADVOCATE  
Regn. No 11044/13  
Collectorate; BIJNOR

Subscribed before me on this 21 day of 8 mo 24  
by Arun Kumar Singh  
who has been identified by D. P. Kaur  
who is personally known to me  
Whose Signature (s) is/are here to appended.

*S. Balwant Singh*  
S. Balwant Singh, Advocate  
NOTARY  
BIJNOR (U.P.)  
21/8/24

**DEPONENT**



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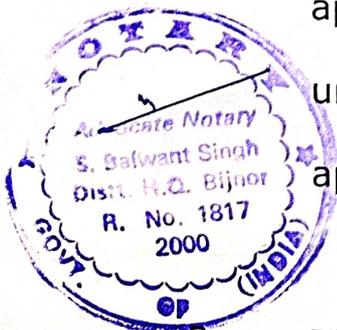
And Climate Change & Ors

....Respondents

**AFFIDAVIT**

I, Arun Kumar Singh aged about 60 years, S/o Late Sh. Ganesh Pratap Singh presently posted as Divisional Forest Officer District Bijnor, Uttar Pradesh, r/o House No,1584 Divisional Forest Officer Bijnor, Uttar Pradesh- 246701 do hereby solemnly affirm and state as under -

1. That I am fully acquainted with the facts, circumstances and records of the instant case.
2. That I further state that the averments made in the application have been thoroughly read and understood by me and thereby I declare that the application has been prepared on my instructions.



3. That the contents of the accompanying application are all true to my knowledge and the rest are on

information derived from papers of the case and believed by me to be true.

DEPONENT

**Verification:**

I, the deponent above named do hereby verify and state that the contents of the foregoing paragraphs of the above Affidavit are true to the best of my knowledge and belief, no part of it is false and nothing material has been concealed therefrom. Verified by me. on this                    day of                    ,

DEPONENT



Sworn before me on this 21 day of 8 2024  
by Arun Kumar Singh  
who has been identified by D. P. Kumbhkar  
who is personally known to me and  
whose signature is/are here to appended.

S. Balwant Singh, Advocate  
BIJNOR (U.P.)

Dilpreet Kaur  
ADVOCATE  
Regn. No 11044/13  
Collectorate; BIJNOR

## THE U.P. PROTECTION OF TREES ACT, 1976

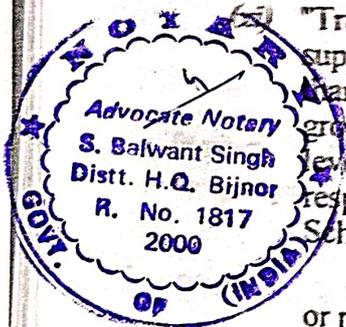
- (iv) "Divisional Forest Officer" means an officer-in-charge of a forest division and exercising jurisdiction over the area;
- (v) "Fell a tree", with its cognate expressions, means cutting, girdling, looping, pollarding or damaging a tree in any other manner;
- (vi) "Government garden" means a piece of land belonging to the Central or State Government used for growing flowers, fruit or vegetables or for planting or raising trees, and includes a grove land belonging to the Central or State Government;
- (vii) "Hill Areas" means the districts of Almora Pithoragarh, Garhwal, Chamoli, Tehri-Garhwal and Uttarkashi and the hill patties of District Naini Tal and areas of Chakrata Tahsil and Massoorie Municipal Board of Dehra Dun District but does not include any Cantonment area;
- (viii) "Holding" and "tenure holder" shall have the meaning assigned to them in the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950;
- (ix) "Public Premises" shall have the meaning assigned to it in the Uttar Pradesh Public Premises (Eviction of Unauthorised Occupants) Act, 1972;
- (x) "Revising Authority" means an authority appointed by the State Government as revising authority under this Act;
- (xi) "Tree" means any woody plant whose branches spring from and are supported upon a trunk or body and whose trunk or body is not less than five centimetre in diameter at height of thirty centimetres from the ground level and is not less than one metre in height from the ground level, and the expression 'timber trees' and 'fruit trees' means respectively the trees of the species specified in Schedule I and Schedule II respectively;

Provided that the State Government may by notification add to or modify the Schedules;

- (xii) "Urban Area" means an area (not being a hill area), which is included within the limits of a [Nagar Nigam] Municipal Board, (Notified-Area Committee, Town Area Committee), Cantonment Board or of a Development Authority;
- (xiii) "Words and expression" used in this Act and defined in the Indian Forest Act, 1927, as amended in its application to Uttar Pradesh, but not defined in this Act shall have the meaning respectively assigned to them in that Act.

4. Restriction on felling and removal of trees.—Except as provided in this Act or the rules made thereunder, no person shall—

1. Subs. by U. P. Act No. 12 of 1994 for the word "Nagar Mahapalika" (W.e.f. 30-5-1994)



MK

## THE U.P. PROTECTION OF TREES ACT, 1976

- (a) fell any tree standing on any land, whether included in a holding or not;
- (b) cut, remove or otherwise dispose of any tree other than a tree which is completely dead and has fallen without the aid of human agency on any such land.

**15. procedure for permission to fell remove trees.—**(1) Any person entitled to fell a standing tree or to cut, remove or otherwise dispose of a fallen tree, may make an application to such officer in such form as may be notified by the State Government, for permission to fell such standing tree or to cut, remove or otherwise dispose of such fallen tree and the officer to whom such application is made, shall, within twenty days after making such enquiry as he thinks fit, forward the application along with his report to the competent authority.

(2) The competent authority shall, within fifteen days from the date of receipt of the report under sub-section (1), grant or refuse the permission applied for :

Provided that the competent authority may, if he is not satisfied with the report made under sub-section (1), make such further enquiry as he thinks fit :

Provided further that such permission shall not be refused without affording the opportunity of hearing to the applicant;

Provided also that such permission shall not be refused if the tree constitutes danger to person or property :

Provided further that except in such areas as may be notified by the State Government in this behalf, such permission shall not be required for felling of any tree with a view to appropriating the wood or leaves thereof for *bona fide* use for purposes of fuel, fodder, agricultural implements or other domestic use :

Provided also that such immediate steps as are necessary to remove any obstruction or nuisance or to prevent any danger may be taken without such permission.

(3) Where the competent authority fails to take any decision under sub-section (2) within the time specified therefor, it shall be deemed that the permission applied for, has been granted.

(4) Every permission granted under this Act shall be subjects to such conditions, including taking of security for ensuring regeneration of the area and replanting of trees or otherwise, as may be specified from time to time by the State Government by notification.

**16. Representation against the decision of the Competent Authority.—**Any person aggrieved from the decision of the competent authority under Section 5 may make a representation within thirty days from the date of such decision to

1. Sections 5 and 6 Subs. by U.P. Act No. 12 of 2001 and Notif. No. 993/17-V-1-1(a)-5-2001, dated 30 April, 2001, published in U.P. Gazette, Extra., Part-1, Section (ka), dated 30 April 2001.

NS

the Revising Authority and the decision of the Revising Authority on such representation shall be final.]

**7. Obligation to plant trees.**—Every person to whom permission has been granted under this Act to fell, cut, remove or dispose of any trees, shall be bound to plant and tend two trees in place of every tree in the area, from whether such tree has been felled, cut, removed or disposed by him under such permission:

Provided that the competent authority may for reason to be recorded in writing, permit lesser number of trees to be planted, or trees to be planted in any different area, or exempt any person from the obligation to plant or tend any trees.

**8. Plantation of trees in blank area.**—(1) When the Divisional Forest Officer is of opinion, on the basis of the report of a revenue officer, not below the ranks of a Sub-Divisional Officer or a Horticulture Officer, not below the rank of a District Horticulture Officer or a Soil Conservation Officer not below the rank of Bhoomi Sanrakshan Adhikari or any forest officer not below the rank of Assistant Conservator of Forest, otherwise that tree should be planted in a blank area, he may issue a notice to owner, occupier or tenure-holder (hereinafter referred to as claimant) of such area to show-cause why trees should not be planted in such area as may be specified in such notice.

(2) The notice referred to in sub-section (1) shall be given in such form and shall contain such particulars and shall be served in such manner as may be prescribed.

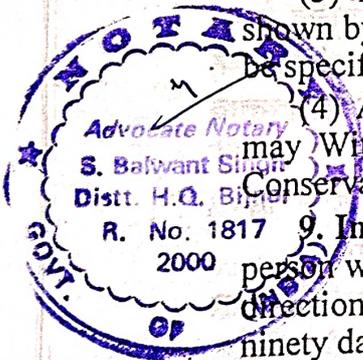
(3) The Divisional Forest Officer may, after considering the cause, if any, shown by the claimant, direct him to plant such number and class of trees as may be specified in the direction.

(4) Any person aggrieved from any direction given under sub-section (3) may within 30 days from the date of such direction, prefer an appeal to the Conservator of Forest concerned, whose decision shall be final.

**9. Implementation of directions given under Sections 7 and 8.**—(1) Every person who is under an obligation to plant trees under Section 7 or to whom any direction has been given under Section 8 shall start preparatory work within ninety days, from the date of the permission or the date of receipt of direction, as the case may be, and shall plant the trees in accordance with such direction in the next following rainy season or within such extended time as the Divisional Forest Officer concerned may allow.

(2) In case of default by such person the Divisional Forest Officer may cause trees to be planted and may recover the cost of plantation from such person in the prescribed manner.

**10. Penalty for felling or removal of trees in contravention of Section 4.**—Whoever fells or cause to be felled any standing tree, or cuts, removes or otherwise disposes of any fallen trees, in contravention of the provisions of Section 4, or contravenes and condition of any permission granted under this Act, shall be punished with imprisonment which may extend to six months or with fine which may extend to one thousand rupees or with both.



*[Handwritten signature]*

**14. Power of seize.**—(1) When there is reason to believe that any tree has been felled or cut to remove in contravention of the provisions of this Act, the wood of such trees, together with boat, vehicle carrier or cattle, if any used in such contravention may be seized by any Forest Officer not below the rank of a Forest Ranger or any police officer not below the rank of a Sub-Inspector or any other person empowered in this behalf by the State Government.

(2) Every seizure under this section shall be reported to the Magistrate having jurisdiction to try the offence on account of which the seizure has been made, and such timber, boat, vehicle, carrier or cattle shall, subject to the order of such Magistrate, be disposed of in the prescribed manner.

(3) Any Forest Officer or Police Officer who vexatiously and unnecessarily arrests or seizes any property on pretence of such property being liable to forfeiture under this Act shall be punishable with imprisonment for a term which may extend to six months or with fine which may extend to five hundred rupees or with both.

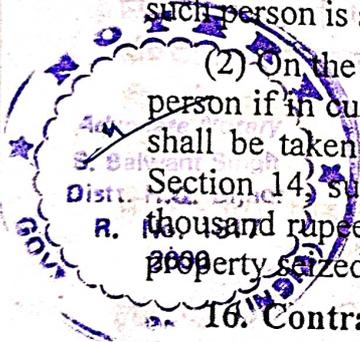
**15. Power to compound offences.**—(1) The State Government may, by notification authorise any officers to accept from any person against whom there is reason to believe that he has committed offence under this Act in respect of any tree other than a tree situate in a forest, grove or public-premises, such sum of money not exceeding Rs. 5,000 by way of composition for the offence which such person is suspected to have committed.

(2) On the payment of such sum of money to any such officer, the suspected person if in custody, shall be released and no further proceedings under this Act shall be taken against such person and notwithstanding anything contained in Section 14, such officer may on payment on such amount, not exceeding five thousand rupees as he may in the circumstances of the case think fit, release the property seized under this Act.

**16. Contravention of Act to be reported by certain officers.**—If shall be the duty of every Forest Officer, Lekhpal, Panchayat Secretary, Police Constable Assistant Horticulture Inspector or Assistant Soil Conservation Inspector or any officer superior to them:

- (a) to give immediate information comming to his knowledge, of any contravention of Section 4 and of preparation to commit such contravention to the competent authority, and
- (b) to take all reasonable measures in his power to prevent such contravention which he may know or have reason to believe that it is about or likely to be committed.

**17. Award of penalty or confiscation not to interfere with other punishment.**—The award of penalty or confiscation of any property under this Act shall not prevent the inflicting of any punishment to which the person affected thereby is liable under any other law.



*[Handwritten signature]*

been evaded, subject to maximum amount of rupees five hundred, or in the case of breaches of the rules regarding a fishing a maximum sum of rupees ten. On payment of the compensation demanded no further proceedings shall be taken against such person or property. All forest officers exercising powers under section 68 should enter all cases taken up by them with a view to disposal under that section in a register (In form no. III) which should show the following :

- (i) serial number ( by financial year),
  - (ii) name, percentage, and residence of the offender,
  - (iii) offence, section of the Forest Act, Value of the property in respect of which the offense has been committed,
  - (iv) date of report and of arrest, if made,
  - (v) Statement of the offender,
  - (vi) decision, with abstract of the facts and date of conclusion of case,
  - (vii) amount of compensation demanded, .
  - (viii) date on which paid or reasons for non- payment, ( item and number is quoted from the disburser's cash- book)
- (b) Conservator should make suitable arrangements for the inspection of this register and a request from the District Magistrate for the inspection of the register or for the submission to him of an extract relating to any particular case should be complied with.

1888 G.O. No  
324/ XIV - 215 dt  
June 18, 1902,  
Notification No.  
2658/ XVII- 179  
- 1958 dt. Nov. 2,  
1960.

F.M. (VII) 273  
(b)

F.M. (VII) 273- C

(C) In continuation of the foregoing instructions the following rules have been issued by the Government for the compounding of offences:

(a) No offence alleged to have been committed more than one month before the date of the first report regarding it may be compounded, except after a personal investigation by the D.F.O. or other officer duly empowered by law to compound offences.

F.M. (VII) 273  
C(a)

(b) Forest Guards and other subordinate Forest Officers, duly empowered, by virtue of their office, under section 2, I.F.A. i.e. to do all acts and exercise all powers that are provided in the said Act to be done or exercised by any Forest Officer are required to report to the officer in charge of the range the occurrence of any offence against the said Act within 24 hours ( in the Kumaun Circle within three days) from the time of detection of such offence. The report may be made either personally or in writing. If in writing, it shall be in the form attached to these rules, and if made in person the same form shall be prepared by the R.O., who shall cause it to be signed by the reporting officer. The R.O. receiving such a report or himself detecting an offence shall, within three days of such receipt or detection, and after such preliminary inquiry as he may think necessary, transmit the report duly serialled and with his remarks to the forest officer in charge of the division. This is known as the preliminary forest offence report and is entered in the divisional register and a divisional serial number is allotted to the case.

F.M. (VII) 273- C  
(b).

(c) The form used for forest offence reports (see sub-para(b) above) is H2 and a sample is appended below. A report is written in triplicate in this form. Two copies are forwarded to the R.O. by the subordinate making the offence report. The R.O. submits one copy of the report to the D.F.O. for information immediately upon receipt and uses the other copy for further inquiry and submission with the final report. The same procedure applies to the reports of cases initiated by the R.O.

F.M. (VII) 273-  
(c)



AY

वाक नं 34474/23

(देने वाले के लिये) गुनवार दीपल

पुस्तक सं०

5/10/3/29 F Act  
रखीव संख्या

गुनवार दीपल

1527063 कर. 2146

रु०

रुपये

श्री धनराशे (रु०

1000/-

) प्राप्त हुई।

दिनांक 2024 ई०

3

कं दिवरा कां 9

दस्तावेज।



(हस्ताक्षर) अध्यासीन पदाधिकारी

निर्वाह 3/10/24

8/13/24, 11:06 PM

Case Status : Search by Case Number

### Chief Judicial Magistrate Case Details

Case Type	: Warrant or Summons Criminal Case	
Filing Number	: 39472/2023	Filing Date: 19-12-2023
Registration Number	: 34474/2023	Registration Date: 19-12-2023
CNR Number	: UPBJ04-039475-2023	

### Case Status

First Hearing Date	: 15th January 2024
Decision Date	: 12th March 2024
Case Status	: Case disposed
Nature of Disposal	: Uncontested--LOKADALAT
Court Number and Judge	: 17-C.J.M.

### Petitioner and Advocate

1) State Government  
Advocate- apo

### Respondent and Advocate

1) munna topi

### Under Act(s)

### Acts

### Under Section(s)

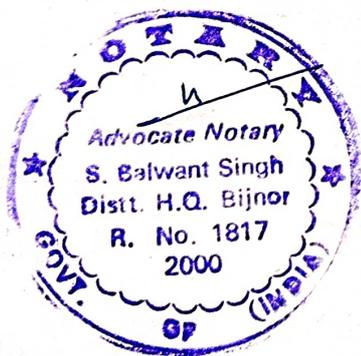
Indian Forest Act

4/10

### Case History

Registration Number	Judge	Business on Date	Hearing Date	Purpose of Hearing
34474/2023	C.J.M.			
34474/2023	C.J.M.		20-02-2024	Appearance
34474/2023	C.J.M.		22-02-2024	Appearance
34474/2023	C.J.M.		12-03-2024	Appearance
				Disposed

Order not uploaded by concerned court



कार्यालय वन संरक्षक/क्षेत्रीय निदेशक, सागाजिक यानिकी, मेरठ क्षेत्र, मेरठ।  
पत्रांक: 608/28-1, दिनांक, मेरठ, 3/8/2015

### कार्यालय आदेश

दिनांक 27.02.2015 को वृत्त कार्यालय, मेरठ में आयोजित मेरठ वृत्त के समस्त प्रभागीय निदेशक/वनाधिकारियों की बैठक में वृक्ष संरक्षण अधिनियम, 1978 के अंतर्गत निजी क्षेत्र के वृक्षों के अवैध पातन एवं अवैध अभिवहन पर वसूल किए जाने वाले प्रतिकर की धनराशि में एक रूपता रखने, निजी वृक्षों के अवैध पातन/अभिवहन को हतोत्साहित करने, अवैध पातन/अभिवहन पर नियंत्रण रखने एवं राजस्व संग्रहण हेतु निर्धारित लक्ष्यों की प्राप्ति के उद्देश्य से विस्तृत विचार-विमर्श किया गया। प्रभागीय निदेशक/वनाधिकारियों से विचार-संग्रहण उपरोक्त अधिनियम के अंतर्गत अपराधियों से वसूले जाने वाले न्यूनतम प्रतिकर के सम्बन्ध में निर्धारित किया गया :-

क्र. सं०	विवरण	वृक्ष प्रजातियों के नाम	वसूल की जाने वाली प्रतिकर की प्रस्तावित न्यूनतम धनराशि
1	ऐसी प्रजातियां जिनके कटान पर दिनांक 31.12.2010 तक प्रतिबन्ध है तथा अधिनियम में वर्णित विरोध परिस्थितियों में ही काटे जा सकते हैं।	साल, पीपल, बरगद/बड़, महुआ	रुपये 5,000 प्रति वृक्ष
2	ऐसी प्रजातियां जिनके कटान हेतु पातन अनुज्ञा प्राप्त करना आवश्यक है।	(अ) सागौन, शीशम, खैर, नीम (ब) गूलर, गूँ, असना, आम, पीजा साल आदि	(अ) रुपये 3,000 प्रति वृक्ष (ब) रुपये 2,000 प्रति वृक्ष
3	प्रतिबन्धित प्रजातियों का अवैध अभिवहन	-	(अ) रुपये 20,000 प्रति टुकड़ा (ब) रुपये 10,000 प्रति टुकड़ा
4	कृषकों को कृष्य एवं अकृष्य जोत भूमि में स्थित वृक्षों की ऐसी प्रजातियां जिनको इस वृत्त के अंतर्गत पातन अनुमति से छूट प्रदान की गई है परन्तु अभिवहन पास प्राप्त करना अनिवार्य है।	अगरस्त, अरु, उल्लीस, कैजूरिना, जंगल जलेबी, पोपलर, फराश, बकगयन, विलायती बबूल, बबूल, यूकेलिप्टस, रोयीनिया, वाटल, विला, सिरस, सुवबूल, अयार, कठयेर, खड़िक, जामुन/जमोआ डाक/पलाश, पेपर मलयेरी, देर, भीमल/भेकुला, भेहल, सहजन, शहतूत, आयला।	(अ) रुपये 10,000 प्रति टुकड़ा (ब) रुपये 5,000 प्रति टुकड़ा

उक्त प्रतिकर की वसूली निम्न शर्तों/उपबन्धों के अधीन की जावेगी :-

- 1- प्रशमन की धनराशि प्राप्त करने से पूर्व सक्षम अधिकारी का अनुमोदन प्राप्त किया जाना आवश्यक होगा।
- 2- बागों आदि के मामलों में अधिनियम के प्राविधानों के अनुसार प्रशमन मान्य नहीं होगा एवं ऐसे मामलों को मा० न्यायालय के समक्ष ही भेजा जाये।
- 3- समस्त आदतन अपराधियों अथवा द्वितीय बार/बार-बार मामले में नाम आने पर प्रशमन किया भी जा सकता है मान्य नहीं होगा। ऐसे मामलों को भी मा० न्यायालय के समक्ष ही भेजा जाये।
- 4- वृक्ष संरक्षण अधिनियम के अंतर्गत उपरोक्तानुसार न्यूनतम प्रतिकर वसूल किये जाने की कार्यवाही किया जाना सुनिश्चित करें तथा एच-2 केसों को प्रसमित किये जाने हेतु मूल में संस्तुति सहित इस कार्यालय को समय से प्रेषित करने का काट करें। उपरोक्त प्रस्तावित धनराशि न्यूनतम है तथा परिस्थिति विशेष में अधिक भी हो सकती है। जिसके लिए कोई प्रतिबन्ध नहीं होगा।

उपरोक्त आदेश तात्कालिक प्रभाव से लागू होंगे।

(एस.के.अवरेशी)  
वन संरक्षक/क्षेत्रीय निदेशक,  
त्या०या०, मेरठ क्षेत्र, मेरठ।



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कार्यालय, वन संरक्षक एवं क्षेत्रीय निदेशक, सामाजिक वानिकी, मुरादाबाद वृत्त।

पत्रांक - 1791/2-1 मुरादाबाद, दिनांक,

04-01-2019.

कार्यालय आदेश

मुरादाबाद वृत्त के सगरत प्रभागीय निदेशक/वनाधिकारियों की बैठक में वृक्ष संरक्षण अधिनियम-1976 के अन्तर्गत निजी क्षेत्रों के वृक्षों के अवैध पातन एवं अवैध अभिवहन पर वसूल किए जाने वाले प्रतिकर की धनराशि में एक रूपता रखने, निजी वृक्षों के अवैध पातन/अभिवहन को हतोत्साहित करने अवैध पातन/अभिवहन पर नियन्त्रण रखने एवं राजस्व संग्रहण हेतु निर्धारित लक्ष्यों की प्राप्ति के उद्देश्य से विस्तृत विचार-विमर्श किया गया। प्रभागीय निदेशक/वनाधिकारियों से विचारोपरान्त उपरोक्त अधिनियम के अन्तर्गत अपराधियों से वसूले जाने वाले न्यूनतम प्रतिकर के सम्बन्ध में इस कार्यालय के पत्रांक-509/2-1 दिनांक 06-08-2010 को जारी आदेश में संशोधन करते हुए निम्नानुसार निर्णय लिया जाता है :-

क्रम सं०	विवरण	वृक्ष प्रजातियों के नाम	वसूल की जाने वाले प्रतिकर की प्रति वृक्ष न्यूनतम धनराशि
1	ऐसी प्रजातियों जिनके कटान पर दिनांक 31-12-2020 तक प्रतिबन्ध है तथा अधिनियम में वर्णित विशेष परिस्थितियों में ही काटे जा सकते हैं।	साल, बीजासाल, पीपल, बरगद/बड़, महुआ, नीम	रुपये 5,000/-
2	ऐसी प्रजातियों जिनके कटान हेतु पातन अनुज्ञा प्राप्ता करना आवश्यक है।	(अ) खैर	(अ) रुपये 10,000/-
		(ब) आम (देशी, कलगी व तुकमी), व सागौन	(ब) रुपये 5,000/-
		(स) शीशम	(स) 5,000/-
		(द) अन्य प्रजातियों	(द) 2,000/-

वृक्ष संरक्षण अधिनियम 1976 के अन्तर्गत उपरोक्तानुसार प्रतिवृक्ष न्यूनतम प्रतिकर वसूल किये जाने की कार्यवाही की जाएगी। उक्त धनराशि न्यूनतम है विशेष परिस्थिति में कम प्रतिकर लेने की स्थिति में वन संरक्षक, मुरादाबाद से पूर्व अनुमति लेनी होगी।

उपरोक्त आदेश 04-01-2019 से लागू होंगे।



(आर० पी० वर्मा)  
वन संरक्षक एवं क्षेत्रीय निदेशक  
मुरादाबाद वृत्त, मुरादाबाद।

दिनांकित।  
प्रतिलिपि :- निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

- 1- संमस्त प्रभागीय निदेशक/वनाधिकारी, मुरादाबाद क्षेत्र, मुरादाबाद।
- 2- मुख्य वन संरक्षक रुहेलखण्ड जोन, उत्तर प्रदेश बरेली।

कार्यालय प्रभागीय निदेशक सांघात प्रभाग, बिजनौर  
पत्रांक 5008/ दिनांक 4/1/2019  
प्रतिलिपि उप प्रभागीय वनाधिकारी  
नजीबपुर/बिजनौर को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।  
प्रतिलिपि अगस्त 20 सांघात प्रभाग  
बिजनौर को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

(आर० पी० वर्मा)  
वन संरक्षक एवं क्षेत्रीय निदेशक  
मुरादाबाद वृत्त, मुरादाबाद।

Noted for  
Saurabh  
1.6  
गौरव कुमार

for  
रविन्द्र  
10/01/19

Dr 10-14/1318/03-24

उप प्रभागीय वनाधिकारी  
सां घा० प्रभाग, बिजनौर

वन विभाग, मुरादाबाद वृत्त, मुरादाबाद, उत्तर प्रदेश।

पुस्तक संख्या- .....

क्रम संख्या- ..... 4231

..... प्रभाग.....

श्री.....

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से मुबलिया रुपये (अंकों में)..... 165000 = 00 (शब्दों में).....

वावत.....

दिनांक..... 30/03/2024



हेतु प्राप्त किये।  
*[Signature]*

वनाधिकारी के हस्ताक्षर  
(नाम व पदनाम सहित)

*[Handwritten mark]*



