

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

Original Application No. 739 of 2023
Environment Protection Society (Regd.) S.A.S. Nagar & Anr.
...Applicant

Versus

Ministry of Environment Forest and Climate Change, Govt.
Of India & Ors.

...Respondents

INDEX

S.No.	Particular	Page No.
1	Short Reply in the shape of affidavit of Kanwar Deep Singh, IFS, Divisional Forest Officer, Sahibzada Ajit Singh Nagar, Punjab on behalf of respondent 2, 4 and 5.	1-5
2	Vakalatnama	

Place: MOHALI
Date: 14-03-2024

Savi Nagpal, Advocate,
(Government Pleader, Punjab)
Mobile No. 9953157024



14 MAR 2024

Divisional Forest Officer
S.A.S. Nagar

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

Original Application No. 739 of 2023

1. Environment Protection Society (Regd.) S.A.S. Nagar
Through its President Harabhan Singh Minhas, FIE, Chief
Engineer (Retd.) aged about 69 years, President of Society, #
637, Phase 3-A, Mohali-160059,
Email: environmentprotection.regd@gmail.com
Mobile: 9877821818, WhatsApp No. 9814793711.

2. Save My Trees Foundation (India) through its coordinator
Daljit Singh s/o S. Labh Singh aged 66 years, # 431, Phase
3-A, Mohali-160059
Mobile: 8054986766.

...Applicants

Versus

1. Ministry of Environment Forest and Climate Change, Govt.
Of India, Department of Environment Forest and Climate
Change, A-306, 3rd Floor, Agni Block, Indira Paryavaran
Bhawan, Jor Bagh Road, Aliganj, New Delhi-110003.
2. State of Punjab through Chief Secretary, Government of
Punjab, Punjab Civil Secretariat 1, Chandigarh.
Email: cs@punjab.gov.in
3. Director General, Forest Research Institute, P.O. New
Forest,
Dehra Dun - 248 006.

Email: dg@icfre.org



14 MAR 2024


 Divisional Forest Officer
 S.A.S. Nagar
 @

4. Principal Chief Conservator of Forest (PCCF) HoFF, Forest Complex, Kumbra Road, Sector-68, S.A.S. Nagar (Mohali), Pincode 160062.

Email: pccfhoffpunjab@gmail.com

5. Divisional Forest Officer, Department of Forests and Wildlife Preservation, Forest Complex, Sec. 68, SAS Nagar.

Email: dfosasnagar@gmail.com

6. Greater Mohali Area Development Authority (GMADA) through Chief Administrator of GMADA, PUDA Bhawan, Sector 62, Mohali- 160062.

Email: ca@gmada.gov.in

...Respondents

Short reply by way of affidavit of Kanwar Deep Singh, IFS, Divisional Forest Officer, Sahibzada Ajit Singh Nagar, Punjab, on behalf of respondent no. 2, 4 and 5.

I, the above named deponent, do hereby solemnly affirm and state as under:-

That the deponent is working as Divisional Forest Officer, Sahibzada Ajit Singh Nagar, Department of Forests and Wildlife Preservation, Punjab and the deponent is well conversant with the facts of the case and authorized to



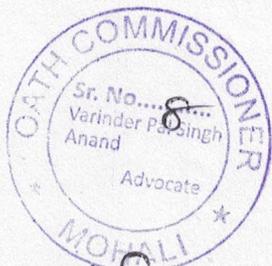
14 MAR 2024
uph

Divisional Forest Officer
S.A.S. Nagar

swear in and file the present Affidavit on behalf of Respondent No. 2, 4 and 5.

RESPECTFULLY SHOWETH:

1. That, the present petition is pending for consideration before this Hon'ble Tribunal and is now fixed for hearing on 19.03.2024
2. That, it is submitted that present OA is filed by applicants for quashing the letter No. Revenue/1455 dated 07.06.2023 of Divisional Forest Officer, SAS Nagar (P-1), alleging that permission for felling of trees standing on both sides of internal roads of Mohali city and alleged that DFO, Mohali has assessed under value of the trees.
3. That, it is submitted that as per the official record of the answering respondent the land of strips alongside of the internal roads of Mohali, on which the trees are standing is non forest land and there is no restrictions/prohibitions under any Forest Law / Forest act on felling of trees from non forest land has been imposed / applicable in the State of Punjab,



14 MAR 2024

Divisional Forest Officer
S.A.S. Nagar

ⓐ

hence the trees or land on which the trees are standing does not fall under the jurisdiction of the Forest Department.

4. That, it is submitted that, the applicant has wrongly stated that DFO, SAS Nagar has issued any permission/order for felling of said trees, whereas DFO has only carried out the assessment of the timber value of the trees and he clearly mentioned in said letter (P-1), that **"This may not be treated as special permission/NOC to cut/fell the trees. As per rules, you may seek permission of the competent authority of your department to get the trees cut/fell"**.

5. That, it is submitted that, the applicant has wrongly stated that DFO Mohali has assessed the under value of the trees. It is submitted that when a Government department applies for assessment of trees to Forest Department, the concerned DFO of Department gets the timber value of trees assessed based on the pre-determined prescribed rates of various tree species. DFO, Mohali has assessed only timber value of the



YPS

14 MAR 2024

[Signature]
Divisional Forest Officer
S.A.S. Nagar

trees after receiving the request letter from the Divisional Engineer (Horticulture), GMADA, SAS Nagar vide its letter No. GMADA/Div. Er. (Horticulture)/2023/1141 dated 31.03.2023.

It is clear from the above facts that no any unlawful act has been done by the answering respondents, hence, it is humbly request that present OA may kindly be dismissed in the interest of justice.

Date: 14-03-2024
Place: MOHALI

DEPONENT
Kanwar Deep Singh, IFS,
Divisional Forest Officer,
Forest Complex, Sector 68,
SAS Nagar.

VERIFICATION:

Verified at Mohali on this day of February, 2024 the content of Para 1 to 5 of the instant affidavit are true on my knowledge and drive from the official record and no part of it is false and nothing has been kept concealed therein.

Date: 14-03-2024
Place: MOHALI

DEPONENT
Kanwar Deep Singh, IFS,
Divisional Forest Officer,
Forest Complex, Sector 68,
SAS Nagar.



ATTESTED

OATH COMMISSIONER
S.A.S. Nagar, Mohali

14 MAR 2024