

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

Original Application No. 486/ 2025

In the matter of:

Capt. (Retd.) Devender Singh Bamel

...Applicant

Versus

State of Haryana & Another

...Respondents

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Filed Through:



Date:27.01.2026

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Capt. (Retd.) Devender Singh Bamel

... Applicant

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State of Haryana & Another

... Respondents

**SHORT REPLY BY WAY OF AFFIDAVIT OF VINEET KUMAR GARG,
IFS, PRINCIPAL CHIEF CONSERVATOR OF FORESTS, HARYANA,
PANCHKULA, RESPONENT NO.2 (ON BEHALF OF RESPONDENT NO. 1
& 2).**

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

1. That I am conversant with the facts and circumstances of the present Original Application and am competent to swear this Affidavit on behalf of the Respondents no 1 & 2.
2. That the present short reply is being filed with the liberty to file detailed reply, if the need arises, or the same is directed by this Hon'ble Tribunal.
3. That the present Original Application challenges the Notification dated 18th August, 2025, issued by the Government of Haryana, which defines the expression "Forest as per Dictionary Meaning" for the State.

4. That it is submitted that the said Notification has been issued in compliance with the spirit of the Hon'ble Supreme Court's directions in WP(C) No. 202/1995 titled as "T.N. Godavarman Thirumulpad v. Union of India", and is necessary to bring certainty and clarity to the classification of unrecorded forest patches. In order to strengthen the position, the following may kindly be perused:-



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Due Deliberation and Expert Opinion

- a) It is submitted that the definition was formulated after due and extensive deliberation by internal expert committees and in consultation with domain experts, taking into account the unique geo-physical and ecological profile of the State of Haryana.
- b) The criteria (minimum area and canopy density) are based on scientific standards adopted by various agencies and aim to identify a patch of land that truly constitutes an ecological unit meriting the status of "Forest as per Dictionary Meaning."
- c) The State has meticulously sought to balance the imperative of forest conservation with the socio-economic realities and the need for clarity in land governance within the State.

Application is Restricted to Un-notified Areas

- a) It is categorically submitted that the definition in the Notification dated 18.08.2025 is exclusively intended to apply to unrecorded, unclassified, and un-notified lands within the State.
- b) This definition does not, in any manner, supersede or dilute the protection accorded to areas already identified and notified as Reserved Forests, Protected Forests, Land closed under the PLPA Act, 1900, Aravali Plantation area or any other statutorily recognized forest area under the Indian Forest Act, 1927, or any other relevant legislation.
- c) The protection accorded to the areas already notified as "forest" remains absolute and is governed by the provisions of the Forest Conservation Act, 1980. The present Notification only provides a clear, measurable benchmark for applying the "dictionary meaning" to land areas that are otherwise under non-forest land records.



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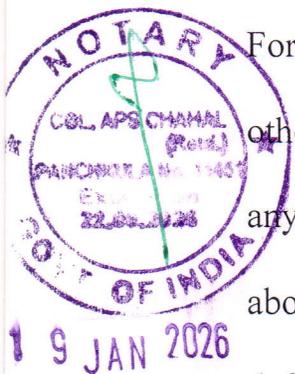
Requirement of State-Specific Definition

- a) The adoption of state-specific criteria for the definition of "forest" is both necessary and judicially recognized.
- b) As held by the Hon'ble Supreme Court itself in the Godavarman matter (specifically the judgment dated 24.01.2024), criteria for identifying forests cannot be uniformly adopted in each State across the country.
- c) The ecological and geographical factors, such as terrain, species composition, rainfall, and density, vary drastically from states like Haryana (which has low forest cover and predominantly agricultural land use) to states like Goa or those in the North-East.

Therefore, the State of Haryana is legally justified in formulating a quantifiable definition, aligned with its specific local conditions, to implement the dictionary meaning principle effectively.

5. That although it is an admitted fact that Haryana has least Forest cover in the country yet dedicated efforts are being done to increase said cover. In fact the formulation of the definition of Forest as per dictionary meaning is a step forward in direction to increase the Forest cover in the State of Haryana as with the formulation of the said definition the areas which are under non-forest land record shall be treated as "Forests" in addition to Reserved Forests, Protected Forests, Land closed under the PLPA Act, 1900, Aravali Plantation Area or any other statutorily recognized forest area under the Indian Forest Act, 1927, or any other relevant legislation. Further it is also submitted that as explained above, the impugned notification will encourage afforestation instead of deforestation as wrongly alleged in the present application.

6. That in response to para no. 6 to 9 of the original application, it is submitted that the notification issued by the State of Haryana does not contravenes the Supreme Court's orders passed in "**T. N. Godavaraman Thirumulpad vs.**



Union of India”, reported as AIR 1997 SC 1228, Ashok Kumar Sharma, IFS (Retd) & Ors. Vs. Union of India (Annexure A4), Vellore Citizens Welfare Forum Vs. Union of India (1996) 5 SCC 647, M.C. Mehta Vs. Kamal Nath (1997) 1 SCC 388 rather the notification dated 18.08.2025 has been notified in conformity of the orders passed in the above said cases as it has been intended to strengthen the Forest Area as it would include un-recorded, un-classed and un-notified lands within the state which are otherwise recorded as non-forest land. This definition does not, in any manner, supersede or dilute the protection accorded to areas already identified and notified as Reserved Forests, Protected Forests, Land closed under the PLPA Act, 1900, Aravali Plantation area or any other statutorily recognized forest area under the Indian Forest Act, 1927, or any other relevant legislation.

7. That vide the present application the applicant has prayed that the Respondents to ensure that all open forests, scrub forests, and Aravalli ridge areas with canopy cover of 10% and above are brought under forest protection, irrespective of ownership or classification. In response to above it is submitted that the decision to adopt the definition of forest as per dictionary meaning has been taken after due deliberation by internal expert committees, domain expert and other stake holders, taking into account the unique geo-physical and ecological profile of the State of Haryana. The criteria (minimum area and canopy density) has been adopted after taking into account the ecological and geographical factors, such as terrain, species composition, rainfall, and density in the State of Haryana.

PRAYER

In view of the submissions made hereinabove, it is most respectfully prayed that this Hon'ble Tribunal may be pleased to:

- a) Dismiss the present Original Application No. 486/2025, and

b) Pass such other and further orders as may be deemed fit and proper in the facts and circumstances of the case.

Place:

Wes
DEPONENT

Dated:



19 JAN 2026

VERIFICATION:-

It is verified that the contents of paragraphs 1 to 7 of the above affidavit are true and correct to my knowledge based on the information derived from the official records and nothing material has been concealed therefrom.

Place:

Panchkula

Wes
DEPONENT

Dated:

08.01.2026

ATTESTED

APS CHAHAL No. 11451
NOTARY PANCHKULA

19 JAN 2026