

IN THE HON'BLE NATIONAL GREEN TRIBUNAL NEW DELHI

Original Application No.1188/2024

IN THE MATTER OF:

News Item titled "why efforts to reclaim the ridge-is no easy task" appearing in the Indian Express dated 09.09.2024

SUBMISSION ON BEHALF OF DISTRICT MAGISTRATE (SOUTH) BEFORE THIS HON'BLE TRIBUNAL.

1. That Hon'ble Tribunal had pleased to issued direction vide dated 26.09.2024 on the basis of news item appearing in Indian Express dated 09.09.2024 may kindly read as under, ... article dated , directing therein that which is reproduced as under:

"..... In a May 1994 notification under Section 4 of the Indian Forest Act, 1927, it outlines the contours of the northern, central, south-central and southern Ridge and proclaimed that "all forest lands and wastelands which is government property" within these areas would be 'reserved forest'.

The accompanying map, which marked encroachments, was prepared after a joint survey by the Revenue and Forest Departments in 19 villages in and around the Southern Ridge of the 357.07 hectares of encroached forest land in the South forest division identified as per the 2019 document, the Forest Department has cleared just 79.88 hectares, or around 22%. Much of this action was taken in 2019-20.

The two villages in south District with the largest areas still encroached are Asola (38.19 hec.) Sections of the two villages are notified as the Ashola Bhati wildlife sanctuary ..."

In this regard it is submitted that the information may be sought Khasra wise as per Section 4 Indian Forest Act,1927 from Forest Department.

2. That is as per Section 6 Indian Forest Act,1927 Forest Settlement Officer (hereinafter read as FSO) is appellate authority, may kindly be read as under:-

"..When a notification has been issued under section 4, the Forest Settlement-officer shall publish in the local vernacular in every town and village in the neighbourhood of the land comprised therein, a



proclamation— (a) specifying, as nearly as possible, the situation and limits of the proposed forest; (b) explaining the consequences which, as hereinafter provided, will ensue on the reservation of such forest; and (c) fixing a period of not less than three months from the date of such proclamation, and requiring every person claiming any right mentioned in section 4 or section 5 within such period either to present to the Forest Settlement-officer a written notice specifying or to appear before him and state, the nature of such right and the amount and particulars of the compensation (if any) claimed in respect thereof...” hence FSO is statutory authority.

3. It is pertinent to mention that the article quotes three cases namely Police Station-Maidangarhi, IGNOU and a case of RSSB in this regard the direction may be issued to forest department for production of notification under section 4 as well as section 6 of FSO ; having the details of khasras of said cases as mentioned in the article.

4. It humbly submitted that the forest department being independent department, itself competent to protect the land which belongs to Forest Department.

Based on the above facts, a report/reply is being submitted for kind consideration before this Hon'ble Tribunal. Undersigned assures that the orders/directions passed by this Hon'ble Tribunal shall be complied timely with in toto and spirit.



M. Chaitanya Prasad

**(Mekala Chaitanya Prasad, IAS)
DM (SOUTH)**

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