

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

**Supplementary Affidavit by petitioner**

**IN**

**ORIGINAL APPLICATION No. 156 of 2024**

**IN THE MATTER OF**

MANOJ SINGH NEGI

....APPLICANT

VERSUS

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE  
THROUGH ITS SPECIAL SECRETARY AND DIRECTOR GENERAL OF  
FOREST & OTHERS

....RESPONDENTS

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*W/M-*

Manoj Singh Negi

Name and Signature of petitioner in person

Dated: 11.01.2025

Place: Delhi



*W/M-*

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To,

The Hon'ble Chairman of National Green Tribunal and his companion  
judges.

Respectively showeth as under:

I, **Manoj Singh Negi**, S/O **Sh Matwar Singh Negi**, add: Tok Churani,  
Post Pangot, District Nainital, Uttarakhand – 263001, presently at Delhi,  
do hereby solemnly affirm and state as under:

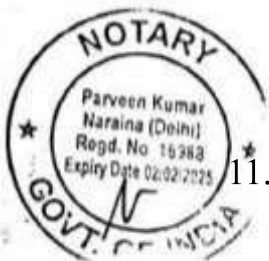
1. That I am the **original applicant** in the present application, fully conversant with the facts of the case, and competent to depose this affidavit.
2. That I am filing this supplementary affidavit in the above-captioned matter to place additional submissions and relevant details for the kind consideration of this Hon'ble Tribunal.
3. That during the hearing on **23.09.2024**, the Learned Counsel for the State of Uttarakhand submitted that **Civil Appeal No. 1249/2019** (State of Uttarakhand v. Protection of Forest Environment, Ecology, and Wildlife) is pending before the Hon'ble Supreme Court, wherein the broader issue of



*W/M-*

forest management and conservation is under consideration. The Hon'ble Tribunal directed the State to submit the complete details, along with the relevant orders of the Hon'ble Supreme Court in the said appeal, to ascertain if the issue raised in the present application overlaps with the pending matter before the Hon'ble Supreme Court.

4. That the petitioner submits that the Hon'ble Supreme Court in **Civil Appeal No. 1249/2019 & connected matters** is primarily addressing forest management, sustainable development, forest fire prevention, and wildlife protection.
5. That the issue raised by the petitioner pertains specifically to the recurring **forest fires in and around the village "Churani"**, which have caused significant damage to **polyhouses, crops, tejpatta plantations**, and other properties owned by me and other villagers.
6. That the **specific issue of forest fires spreading into inhabited villages**, as raised in the present matter, is not being addressed in **Civil Appeal No. 1249/2019 & connected matters** pending before the Hon'ble Supreme Court.
7. That the applicant has sought **relief, compensation, and preventive measures** under Section 15 of the **National Green Tribunal Act, 2010**, which falls within the jurisdiction of this Hon'ble Tribunal.
8. That during the pendency of this matter, **two significant incidents of forest fire** occurred one in January 2024 & other in May 2024, spreading into the petitioner's village and causing substantial damage.
9. That the method of **controlled burning**, used by the Forest Department, is ineffective and often results in uncontrollable fires, leading to vegetation loss. This method also contravenes existing air pollution laws.
10. That the recurring forest fires pose a significant threat to the **lives and properties of the residents of Churani**, violating their **fundamental right to life under Article 21 of the Constitution of India**.
11. That to mitigate the risk of forest fires spreading into the village, the Forest



W/M-

Department can utilize the existing **kutchha roads surrounding Churani as firelines**, by modifying their width and clearing vegetation/trees therein. A **true copy of the Google map** showing the kutchha roads surrounding the petitioner's village, which can be modified for use as firelines, is annexed as **Annexure SA-1**.

12. That the Hon'ble Supreme Court, on 17.05.2023, in IA No. 90000/2022 filed by State of Uttarakhand in **W.P. (C) No. 202/1995 (T.N. Godavarman Thirumulpad v. Union of India & Ors.)**, has recognized the necessity of maintaining firelines and has permitted felling of green trees for the same. A true copy of the said order is enclosed herein as **Annexure-SA-2**, for the kind consideration of this Hon'ble Tribunal.

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### PRAYER

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

- a. Take the submissions mentioned herein on record;
- b. Direct the authorities to **assess and compensate the petitioner and other affected villagers** for the damages caused by the forest fire incidents of January 2024;
- c. Direct the authorities to **examine and modify the kutchha roads surrounding the village** to be used as firelines to prevent future incidents of forest fires; and
- d. Pass any other order(s) as may be deemed fit and proper in the interest of justice.



**DEPONENT**

**(Manoj Singh Negi)**



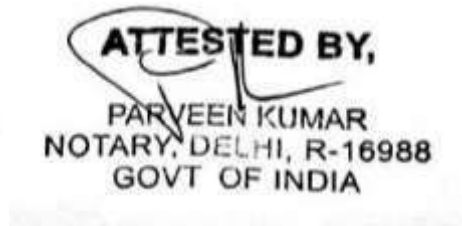


**VERIFICATION**

Verified at **New Delhi** on this **11th day of January 2025**, that the contents of this affidavit are true and correct to the best of my knowledge and belief, and nothing material has been concealed therefrom.

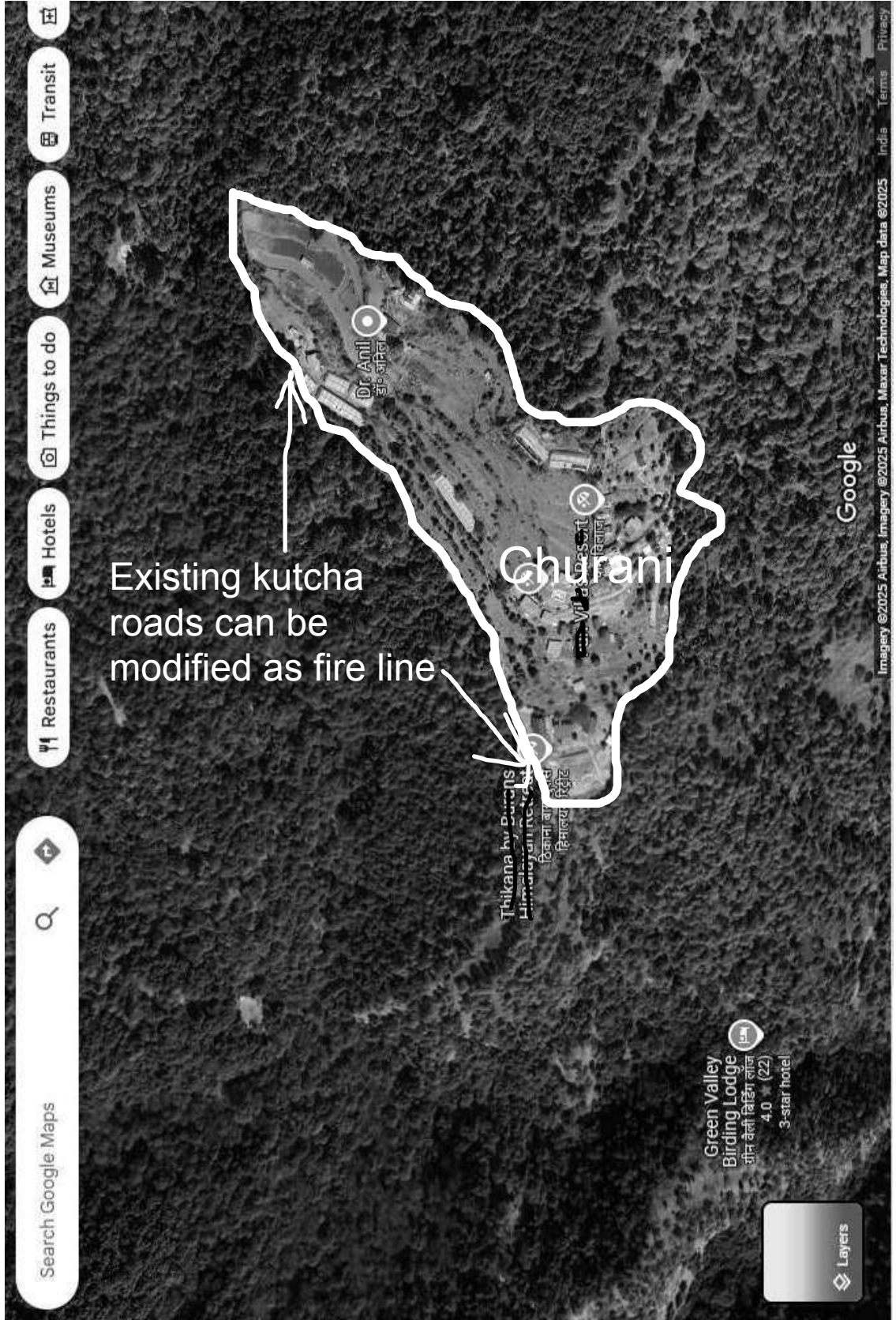
**DEPONENT**

(**Manoj Singh Negi**)



**11/01/2024**





WMA

ITEM NO.15 &amp; 45

COURT NO.6

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s). 202/1995

IN RE : T.N. GODAVARMAN THIRUMULPAD

Petitioner(s)

VERSUS

UNION OF INDIA AND ORS.

Respondent(s)

(INTERLOCUTORY APPLICATION FOR 17.05.2023"ONLY"  
[ 1 ] INTERLOCUTORY APPLICATION NOS. 196062 AND 174896/2019  
(ALLOWED VIDE ORDER DT. 24.02.2023)[APPLICATIONS FOR IMPLEADMENT  
AND DIRECTIONS]"ONLY LISTED FOR DIRECTIONS IN PURSUANCE OF HON'BLE  
COURT'S ORDER DATED 24.03.2023"  
IN RE : PATNITOP DEVELOPMENT AUTHORITYAND

[ 2 ] INTERLOCUTORY APPLICATION NOS. 90000/2022 [APPLICATIONS FOR  
DIRECTIONS] IN RE : STATE OF UTTARAKHAND

WITH

Civil Appeal No(s). 9206/2022

([TO BE TAKEN UP ALONG WITH ITEM NO. 15 I.E. W.P.(C) NO.  
202/1995.]..... IA No.197916/2022-EXEMPTION FROM FILING C/C  
OF THE IMPUGNED JUDGMENT and IA No.197920/2022-EXEMPTION FROM  
FILING O.T. and IA No.197919/2022-APPROPRIATE ORDERS/DIRECTIONS )

Date : 17-05-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI  
HON'BLE MR. JUSTICE SANJAY KAROL

Counsel for parties

Mr. A.D.N. Rao, Sr. Advocate [A.C.]

Mr. K. Parameshwar, Advocate [A.C.]

Mr. M.V. Mukunda, Adv.

Ms. Arti Gupta, Adv.

Ms. Kanti, Adv.

Mr. Harish N. Salve, Sr. Adv. [A.C.] (Not Present)

Ms. Aparajita Singh, Sr. Advocate [A.C.] (Not Present)

Mr. Siddhartha Chowdhury, Advocate [A.C.] (Not Present)

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Ms. Aishwarya Bhati, A.S.G.  
 Mr. Gurmeet Singh Makker, AOR  
 Ms. Archana Pathak Dave, Adv.  
 Ms. Suhashini Sen, Adv.  
 Mr. S. S. Rebello, Adv.  
 Mr. Shyam Gopal, Adv.  
 Mr. Raghav Sharma, Adv.  
 Mr. Sughosh Subramanyam, Adv.  
 Dr. Arun Kumar Yadav, Adv.

Mr. Shailesh Madiyal, AOR  
 Mr. Vaibhav Sabharwal, Adv.  
 Mr. Akshay Kumar, Adv.

Mr. Kaushal Pati Gautam, A.A.G.  
 Mr. Ravindra S. Garia, AOR  
 Mr. Shashank Singh, Adv.  
 Mr. Vikas Negi, Adv.  
 Mr. Snehpreet Kaur, Adv.  
 Mr. Madan Chandra Karnatk, Adv.  
 Mr. Ambuj Ojha, Adv.

Ms. Shibani Ghosh, AOR

Dr. Surender Singh Hooda, AOR

Mr. Nishant Awana, Adv.  
 Ms. Rini Badoni, Adv.  
 Mr. Tirupati Gaurav Shahi, Adv.  
 Mr. Niteen Kumar Sinha, AOR

UPON hearing the counsel the Court made the following  
 O R D E R

[ 1 ] INTERLOCUTORY APPLICATION NOS. 196062 AND 174896/2019

List tomorrow i.e. on 18.05.2023 before the three-Judges Bench.

[ 2 ] INTERLOCUTORY APPLICATION NOS. 90000/2022

1. The present application has been filed with the following prayers:-

"a. Permit the State Government to maintain Fire-lines in Forest areas in Forests of Uttarakhand even if it ordains felling of green

trees.

b. Permit the State Government of Uttarakhand to carry out Silviculture Operations including felling, thinning, pollarding and other cultural operations, in accordance with the prescriptions of Working Plans approved by MoEF&CC, Government of India.

c. Pass an Order to Central Government and to CAMPA to provide for requisite funds under Rule 5 and Rule 6 of the Compensatory Afforestation Fund Rules 2018 for preparation of Working Plans as per the National Working Plan Code so as to ensure best management for forest fire management and suppression; Funds may also be provided for undertaking forest research which cover all subjects of forest management."

2. Insofar as prayer clauses 'a' and 'b' are concerned, learned Additional Solicitor General of India states that MoEFF&CC has no objection for the same. Learned Additional Solicitor General submits that, on the contrary, maintaining of Fire-lines and Silviculture Operations are part of the approved Working Plans.

3. In that view of the matter, insofar as prayer clauses 'a' and 'b' are concerned, we are inclined to grant those prayers. Ordered accordingly.

4. Insofar as prayer clause 'c' is concerned, the MoEF&CC may file its reply within a period of six weeks from today.

5. We will consider passing orders on prayer clause 'c' after the reply of the MoEF&CC is received.

6. List after six weeks.

I.A. NOS.85124/23 & 85332/23

Learned senior counsel appearing for the applicant(s) prays for listing of these applications.

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List these applications tomorrow i.e. on 18.05.2023.

Civil Appeal No(s). 9206/2022 (ITEM NO.45)

1. We request learned Additional Solicitor General of India to file reply on behalf of MoEF&CC within six weeks from today.
2. If the appellant so desire, they may file rejoinder affidavit within two weeks thereafter.
3. List after eight weeks.

(NARENDRA PRASAD)  
ASTT. REGISTRAR-cum-PS

(ANJU KAPOOR)  
COURT MASTER (NSH)



# 194 Proof of Service

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## Service of Supplementary affidavit being filed in Hon'ble NGT

1 message

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**manoj@synergyinfracon.com** <manoj@synergyinfracon.com>

Sun, Jan 12, 2025 at 2:48 PM

To: dgfindia@nic.in, pccfuk@gmail.com, usdmauttarakhand@gmail.com, dm-nai-ua@nic.in, dfonainital@gmail.com

Dear Sirs,

>>>> You are respondents in a matter (Original Application No. 156/2024, Manoj Singh Negi Versus Ministry of Environment Forest and

>>>> Climate Change & Ors.) Please find enclosed a copy of the supplementary affidavit being filed by petitioner in Hon'ble NGT for your reference.

>>>>

>>>> Regards

>>>> Manoj Singh Negi

>>>> 8076083151

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**supplementary affidavit.pdf**

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