

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
PRINCIPLE BENCH, NEW DLEHI

ORIGINAL APPLICATION NO.782/2023

NEWS ITEM APPEARED IN TOI DT.18.12.23 “ FOREST DEPT.  
SENDS NOTICE TO ARMY HQ FOR TREE OFFENCE”

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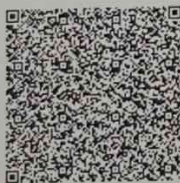
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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPLE BENCH,  
NEW DELHI

ORIGINAL APPLICATION NO. 782/2023

News Item appeared in TOI dt 18.12.23 "Forest Dept. sends notice to army  
HQ for Tree Offence"

**REPLY BY WAY OF AFFIDAVIT ON BEHALF OF ARMY**

1. That the present reply by way affidavit is being filed by Lt Col Arpit Rathee S/o Arvind Kumar Rathee Aged 40 Years working as Officer Commanding at 'B' Sqn 61 Cavalry, Delhi Cantt.
2. That I have gone through the official records maintained by our office and well versed with the facts of the present case and authorized to file the present reply.
3. That, I say that 'B' Squadron, 61 Cavalry is the custodian of the subject land parcel which has been mentioned in the media report dt 18.12.23. This Unit functions under HQ Delhi Area which is the Local Military Authority.
4. That, the Indian Army is in possession of large tracts of Defense Land Pan-India. The Army besides utilizing the allocated land for infrastructure development, training and billeting of troops has always taken a lead role in preservation/conservation of forests and has proactively undertaken planned afforestation drive throughout the length and breadth of the country.



5. That, the issue of the tree cutting in the land involved in the present case is held by 'B' Squadron 61 Cavalry within the Delhi Ridge. It is submitted that the 61 Cavalry Unit has proactively undertaken planned afforestation drive since 2021. It is further submitted that the Unit has introduced the Miyawaki method of plantation wherein the personnel of the unit planted 22,000 indigenous trees. These trees have now developed into fully grown, self-sustaining forest.
6. That, it is hum bly submitted that in 8.78 hectares of land under question, the unit planted additional 20,000 indigenous trees which are currently 4-5 feet high and are not visible in the google earth satellite imagery of April 2023. Also there are 90 Kikar trees which are there but cannot be discerned in the google image being scattered and having lesser number of leaves when the image was taken by the authorities.
7. That, it is submitted that while carrying out the plantation of 20,000 additional saplings in this area, no trees were uprooted or felled. However approximately 20 fallen/dry trees were moved to the periphery to create a natural barrier. These fallen trees are still lying on the site. Apart from these trees, the area consisted of heavy under growth of large bushes, shrubs and foliage which was cleared. The very fact that the fallen/dry trees are still lying there indicate that there is no malafide intention from the part of Army.
8. That, it is submitted that being Army Unit, we are conscious of our role in forest protection and conservation, hence any activity which goes against this mandate is not encouraged. However we acknowledge that while removing some of the fallen/dry trees prior consultation should have been carried out with the concerned department. It is further submitted that





we admit this omission and personnel at all levels has been sensitized accordingly. The intention all along was purely to boost the ecosystem by planting more indigenous trees wherein totally approx. 42,000 indigenous trees have been planted.

9. That, it is submitted that Govt. of NCT of Delhi Dept. of Forest vide F.8(193)/CF/TA/07-08/Part-B/6996-7007 dt 19.12.2017 where in under agenda no.8, it was decided to replace invasive kikar species with indigenous variety of trees in the Ridge Area to restore Ridge Area of SP Marg, Delhi. While initiating the Reforestation Project, prior sanction/consultation was not taken from the Forest Dept., Govt. of NCT of Delhi which was an omission happened from the part of Army.
10. That, it is submitted that Army has planted 42000 indigenous trees which has been ascertained by the Forest Dept., Govt. of NCT of Delhi during their sit visit on 6 Jan 2024 and 10 Feb 2024. It is further submitted that as per the directions of Hon'ble Delhi High Court, a visit including the quorum of Amicus Curie, representatives and stake holders from both the sides (Petitioners and Respondents) and Hon'ble Delhi High Court's Judge has visited the location/site on 10 Feb 2024 and 16 July 2024 respectively. It is further submitted that Army HQ Delhi Area has conducted an inquiry, wherein it has emerged that there was no malafide intent by the concerned unit.
11. That, the answering respondent will abide by whatever direction/order passed by this Hon'ble Tribunal.



12. That, the answering respondent will file any further reply as and when directed by this Hon'ble Tribunal.

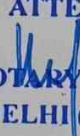
  
DEPONENT

Verification

Verified at New Delhi on 23 day of Dec 2024 that the contents of above affidavit are true and correct to the best of my knowledge and belief and nothing material has been concealed therefrom.

  
DEPONENT



ATTESTED  
  
NOTARY PUBLIC  
DELHI (INDIA)

23 DEC 2024