

Item No. 03

Court No. 1

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

Execution Application No. 15/2026
in
Original Application No. 928/2024

Saurabh Tiwari

Applicant

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 07.07.2026

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: Mr. Saurabh Tiwari, in Person (Through VC)

Respondent: Mr. Bhanwar Pal Singh Jadon, Ms. Disha Tiwari & Mr. Shivansh Sharma,
Advocates for R – 6 to 8
Mr. Naveen Kumar, Advocate for R – 1 (Through VC)
Ms. Sthavi Asthana, Advocate for UPPCB
Mr. Abhishek Singh, Mr. J. Amal Anand, Mr. Elvin Joshy, Ms. Shivani Kalra,
Mr. K.V. Vibhu Prasad & Mr. Akshat Mishra, Advocates for R – 2
Mr. Amit Singh Chauhan, Mr. Udit Chauhan & Ms. Vanshika Sharma,
Advocates for R - 4

ORDER

1. By this Execution Application, the applicant is seeking compliance of the order dated 11.08.2025 passed in OA No. 928/2024.
2. In the OA, applicant had raised the issue of illegal felling of trees in the campus of Banaras Hindu University in Varanasi. The Tribunal had constituted the Joint Committee and had called for its report and after giving an opportunity of hearing. The Tribunal had reached to the conclusion that illegal felling of 33 trees was done and accordingly the Tribunal had disposed of the OA by directing as under: -

“20. Thus, in view of the above analysis, we are of the view that not only the Respondent No. 2- University should plant atleast 20 trees against each tree which has been found to be illegally cut but must also pay the environmental compensation for the illegal felling of trees which will be assessed by the UP PCB after giving an opportunity of hearing to the Respondent No. 2 within three months. UPPCB is directed to assess and recover the environmental compensation from Respondent No. 2 by complying with the principles of natural justice”.

3. Learned counsel appearing for the Respondent No. 7 – DFO has submitted that the direction issued to the Respondent University in respect of the compensatory plantation has been complied with and the Respondent No. 7 had got this fact verified through a Joint Committee. The affidavit dated 04.07.2026 filed by the Respondent No. 7 discloses the compliance status as under: -

“6. It is humbly submitted that in compliance of the above directions passed by this Hon’ble Tribunal, the Divisional Forest Officer (DFO) vide letter dated 27.06.2026 addressed the Registrar, Banaras Hindu University and sought information regarding the 20 times compensatory afforestation of 33 illegally felled trees that was required to be done in consonance of the Hon’ble Tribunal’s orders.

A copy of the said DFO letter dated 27.06.2026 is being annexed herewith as ANNEXURE-1

7. That further, the DFO vide order letter dated 27.06.2026 constituted a 6 member Joint-Committee appointing Mr. Mohd. Ibrahim, Regional Forest Officer (RFO), Varanasi as the Chairman of the Committee comprising of the following other members:

- i. Mr. Rajkumar Gautam, Deputy RFO*
- ii. Mr. Santosh Kumar, Deputy RFO*
- iii. Mr. Sushil Kumar Yadav, Forest Inspector*
- iv. Mr. Rahul Kumar Balwant, Forest Guard*
- v. Mrs. Alka Chaurasia, Forest Guard*

A copy of the said order letter dated 27.06.2026 is being annexed herewith as ANNEXURE-2

8. It is submitted that subsequently, the Joint Committee conducted a site visit on 29.06.2026 to ascertain the factual status of the 20 times compensatory afforestation that was required to be ensured by the University against the 33 total felled trees (26 trees and 7 sandalwood trees)

9. It is submitted that during the site visit, the Committee found that a total of about 978 trees of different species had been planted by the University in the year of 2025. Out of these 978 trees, 859 trees were found to be surviving in a safe condition.

A copy of the inspection report dated 30.06.2026 along with details of the species planted and photographs is being annexed herewith as ANNEXURE-3”

4. The above affidavit reveals that the compensatory plantation in terms of the direction of the Tribunal has been undertaken by the Respondent University. In respect of the disclosure concerning survival of 859 trees as against 978 trees which were planted, the counsel for the

Respondent University has pointed out that the surviving saplings are more than the plantation required by the order of the Tribunal passed in the OA.

5. So far as the issue of levy of environmental compensation is concerned the UPPCB has filed the affidavit dated 06.07.2026 disclosing as under: -

“3. That in compliance with the order passed by the Hon’ble Tribunal, inspection for assessment of illegal trees felled on the campus of Banaras Hindu University, Varanasi was carried out by the Regional Office of UPPCB, Varanasi on 24.10.2025. Further, UPPCB sent a letter to the Divisional Forest Officer, Varanasi vide reference No. 579/ NGT OA No 928/2024/27, dated 18/06/2026 seeking specific information regarding assessment of EC for illegal trees felled within the campus of Banaras Hindu University, Varanasi. A copy of letter dated 18.06.2026 is being annexed herewith as Annexure-R5/1.

4. That UPPCB sent a letter to the VC, BHU, Varanasi vide reference 588/NGT OA No 928/2024/27, dated 22/06/2026 seeking specific information regarding assessment of EC for illegal trees felled within the campus of Banaras Hindu University, Varanasi. A copy of letter dated 22.06.2026 is being annexed herewith as Annexure-R5/2.

5. That the relevant information was provided by the Forest Department, Varanasi vide letter no. 34/29-1, dated 02.07.2026 and BHU vide letter no. HU/2026-27/NGT/199, dated 29.06.2026. A copy of DFO letter dated 02.07.2026 and BHU letter dated 29.06.2026 is being annexed herewith as Annexure-R5/3 & R5/4.

6. That the Forest Department provided information about 33 illegal trees felled within the campus of Banaras Hindu University, Varanasi.

7. That on the basis of the direction in the Hon'ble NGT's order dated March 21, 2025, passed in Pramod Tyagi vs. State of NCT of Delhi & Ors. in OA No. 335/2023 and the information provided by the Forest Department, Varanasi, report regarding assessment of environmental compensation is as follows:-

Assesment of Environment Compensation for illegal 33 trees cutting in BHU Campus

Environment Compensation = (Cost Factor x Trunk area of Tree x Species Factor x Condition Factor x Location Factor) - Royalty Value

Cost factor- Cost factor assessed by the forest Department as per annexure-1

Trunk Area- Trunk Area assessed by the forest Department as per annexure-1

Species Factor- Species factor taken as 0.7 as per table B.1

Condition Factor- Condition factor taken as 0.75 as per table B.2

Location Factor- Location factor taken as 0.85 as per table B.3

Royalty Value- Royalty Value assessed by the forest Department as as per annexure-1

On the basis of above values, assessment of Environmental Compensation for illegal tree cutting in BHU Campus is as under: -

S. no.	Plant name	Cost Factor in Rs.	Trunk area of Tree in sq. cm.	Species Factor	Condition Factor	Location Factor	Royalty Value	Assessment Value of EC in Rs.
1	Mango	1052	4976.38	0.7	0.75	0.85	2796.8	2333389.673
2	Mango	1052	4585.61	0.7	0.75	0.85	2796.8	2149940.743
3	Mango	1052	6019.77	0.7	0.75	0.85	3818	2822193.125
4	Gold Mohar	1052	4585.61	0.7	0.75	0.85	5765.2	2146972.343
5	Gold Mohar	1052	2300.94	0.7	0.75	0.85	4253.38	1075934.408
6	Mahuwa	1052	6694.89	0.7	0.75	0.85	3830.45	3139119.135
7	Mahuwa	1052	4779.61	0.7	0.75	0.85	2805.92	2241005.893
8	Mango	1052	397.4	0.7	0.75	0.85	818.8	185742.617
9	Mango	1052	397.4	0.7	0.75	0.85	818.8	185742.617
10	Mango	1052	2374.62	0.7	0.75	0.85	2254	1112523.232
11	Gold Mohar	1052	4415.62	0.7	0.75	0.85	5765.52	2067169.367
12	Katahal	1052	397.4	0.7	0.75	0.85	2741.23	183820.187
13	White Chandan	1052	4.906	0.7	0.75	0.85	475	1828.14623
14	White Chandan	1052	4.906	0.7	0.75	0.85	475	1828.14623
15	White Chandan	1052	176.62	0.7	0.75	0.85	1117	81798.1421
16	White Chandan	1052	961.62	0.7	0.75	0.85	14227	437210.3171
17	White Chandan	1052	4.906	0.7	0.75	0.85	475	1828.14623
18	White Chandan	1052	4.906	0.7	0.75	0.85	475	1828.14623
19	White Chandan	1052	176.62	0.7	0.75	0.85	1117	81798.1421
20	Sagun	1052	961.62	0.7	0.75	0.85	3208.42	448228.8971
21	Sagun	1052	961.62	0.7	0.75	0.85	3208.42	448228.8971
22	Sagun	1052	961.62	0.7	0.75	0.85	3208.42	448228.8971
23	Sagun	1052	961.62	0.7	0.75	0.85	3208.42	448228.8971

24	Sagau n	1052	961.6 2	0.7	0.75	0.85	3208.42	448228.8 971
25	Sagau n	1052	961.6 2	0.7	0.75	0.85	3208.42	448228.8 971
26	Sagau n	1052	961.6 2	0.7	0.75	0.85	3208.42	448228.8 971
27	Sagau n	1052	961.6 2	0.7	0.75	0.85	3208.42	448228.8 971
28	Sagau n	1052	961.6 2	0.7	0.75	0.85	3208.42	448228.8 971
29	Sagau n	1052	961.6 2	0.7	0.75	0.85	3208.42	448228.8 971
30	Sagau n	1052	961.6 2	0.7	0.75	0.85	3208.42	448228.8 971
31	Sagau n	1052	961.6 2	0.7	0.75	0.85	3208.42	448228.8 971
32	Sagau n	1052	961.6 2	0.7	0.75	0.85	3208.42	448228.8 971
33	Sagau n	1052	961.6 2	0.7	0.75	0.85	3208.42	448228.8 971
Total								26526877 .08
In words (Two crore sixty five lac twenty six thousand eight hundred seventy-seven rupees and eight paise only								

8. That the Regional Office has forwarded assessment report for perusal and for further necessary action to impose the environmental compensation in accordance with the rules vide letter no. 669/NGT EA No. 15/2026/26-27, dated 03.07.2026. Further steps for imposition of EC are in process. A copy of letter dated 03.07.2026 is being annexed herewith as Annexure-R5/5.”

6. Learned counsel appearing for the UPPCB has submitted that the UPPCB is in the process of levying the environmental compensation, the calculation of which has already been disclosed in the above affidavit and the proceedings concerning the levy of the environmental compensation will be completed by the UPPCB within three months.

7. Though, the UPPCB has not carried out the direction of the Tribunal to complete the proceedings within three months from the date of the order of the OA but considering the circumstances which are disclosed we extent the time further and direct the UPPCB to complete the proceedings concerning the levy of environmental compensation.

8. Execution Application is accordingly disposed of.

Prakash Shrivastava, CP

Dr. Afroz Ahmad, EM

July 7, 2026
Execution Application No. 15/2026 in
Original Application No. 928/2024
AS