

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

OA No. 635 of 2023

Manjit Singh and anr.

...Applicants

Versus

Sarpanch Jaswinder Kaur & Others

...Respondents

**INDEX**

S.No	Particulars	Date	Pages
1.	Reply by way of affidavit of Navdeep Kaur, District Development and Panchayat Officer, Ludhiana, District Ludhiana, Punjab on behalf of respondent nos. 10 (in compliance to the order dated 16.10.2023).	15.01.2024	1-11
2.	Annexure R-10/1T (Letter)	25.3.2022	12-13
3.	Annexure R-10/2T (Enquiry report)	13.4.2022	14-16
4.	Annexure R-10/3T (Letter)	22.4.2022	17
5.	Annexure R-10/4T (Letter)	18.5.2022	18-24
6	Annexure R-10/5T (Letter)	19.9.2022	25-26
7	Annexure R-10/6 (High Court Order)	17.11.2022	27
	<b>Vernaculars:</b>		
8	Annexure R-10/1 (Letter)	25.3.2022	28
9	Annexure R-10/2 (Enquiry report)	13.4.2022	29
10	Annexure R-10/3 (Letter)	22.4.2022	30
11	Annexure R-10/4 (Letter)	18.5.2022	31-33
12	Annexure R-10/5T (Letter)	19.9.2022	34

Place: Ludhiana

Date:

(Navdeep Kaur)

District Development and Panchayat  
Officer, Ludhiana, District Ludhiana,  
Punjab

IN THE HON'BLE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

OA No. 635 of 2023

Manjit Singh and another.

...Applicants

Versus

Sarpanch Jaswinder Kaur and others.

...Respondents

Reply by way of affidavit of Navdeep Kaur, District Development and Panchayat Officer, Ludhiana, District Ludhiana, Punjab for and on behalf of respondent nos. 10 (in compliance to the order dated 16.10.2023).

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

**Respectfully Showeth:**

**Preliminary Submissions:**

1. That the above mentioned Original Application is fixed for hearing on 22.01.2024 before this Hon'ble Court.
2. That the present application has been filed by the applicants for taking action against (1) Sarpanch Jaswinder Kaur W/o

Gurdev Singh of Village Binjal, Tehsil Raikot, Distt. Ludhiana, Punjab and Panchayat members (2) Mithu shah son of Jani Shah, (3) Sukhdeep Singh son of Jarnail Singh, (4) Baljinder Singh son of Manmohan Singh, (5) Gurmeet Kaur W/o Gurmail Singh, (6) Rupinderjit Singh son of Bahadur Singh, (7) Sukhdev Kaur W/o Ranjit Singh, all panches of Village Binjal, Tehsil Raikot, District Ludhiana, (8) Gurmail Singh son of Dalip Singh R/o Village Binjal, Tehsil Raikot, District Ludhiana, (9) Gurdev Singh son of Singh R/o Village Binjal, Tehsil Raikot, District Ludhiana, for cutting approx 25-30 trees illegally and without permission from Panchayati Land of Village Binjal, Tehsil Raikot, District Ludhiana. They also prayed for issuance of directions to take strict action against the said Panchayat members of village Binjal, Tehsil Raikot, Distt. Ludhiana and also initiate the departmental inquiry against the concerned officers BDPO, Raikot, Distt. Ludhiana, Punjab namely Sanjeev Kumar DDPO Ludhiana, Rupinderjeet Kaur, BDPO Raikot, Distt. Ludhiana, Baljeet Singh, Kewal Singh Panchayat Secretary, Jagwinderjit Singh Sandhu, Divisional Deputy Director, Punjab, Jalandhar, Navdeep Kaur, DDPO, Ludhiana as per law and also conduct the fair inquiry in the said matter from any higher agency as well as penal action also be taken against the concerned Panchayat and Officers.



3. That, in this regard, it is submitted that some residents namely Shri Rajwinder Singh Block Samiti Member, Shri Darshan Singh son of Sucha Singh, Narinder Singh son of Ajit Singh, Balvir Singh son of Kamikar Singh and Gurdas Singh son of Kapoor Singh submitted the complaints for holding an enquiry regarding uprooting and selling 25 to 30 trees at Gram Panchayat Binjjal, Tehsil Raikot District Ludhiana. The said complaints were sent to the office of the District Development and Panchayat Officer, Ludhiana, vide letter dated 25.3.2022, for conducting the enquiry of the facts mentioned in the complaints and submit a detailed report. A true translated copy of the letter dated 25.3.2022 is being annexed herewith as **ANNEXURE R-10/1T** and its true copy as **ANNEXURE R-10/1**.
4. That in the meantime, in response to the letter dated 25.3.2022 (Annexure R-10/1) issued by the office of the office of the Divisional Deputy Director, Rural Development and Panchayat, Jalandhar, the office of the District Development and Panchayat Officer, Ludhiana, submitted a detailed report vide its letter dated 13.4.2022, wherein it is reported that no 25 to 30 trees existed at the spot . Only two or three i.e. the dry trees had fallen and the remaining are bushes and *rurian*, which have been got cleared up by the Panchayat with J.C.B and the dry and fallen trees were kept in the adjoining Dharamshala by the panchayat. The Gram



Panchayat wanted to construct a park over this land and on that account the cleaning was done and the people who are in possession of the adjoining place, they do not want the construction of park over this place, because then there will be no space left for the *ruries*, keeping *Pathian* and for growing vegetables etc.. After seeing the spot personally, the Block development and Panchayat Officer, Block Raikot came to the conclusion that two – three dry trees had fallen in Khasra No. 455 and they were kept in M.C. Dharamshala by Gram Panchayat Binjal and seven *Lilac*, 1 *Barotan* and a *Ficus* tree are presently in existence there. No trees were sold. The office of the District Development and Panchayat Officer, Ludhiana in agreement with the letter No. 654 dated 13.05.2021 issued by Block Development and Panchayat Officer, Raikot forwarded report for further necessary action. A true translated copy of the report dated 13.4.2022 is being annexed herewith as **ANNEXURE R-10/2T** and its true copy as **ANNEXURE R-10/2**.

5. That suffice to mention here that office of District Development and Panchayat Officer, Ludhiana, vide its letter dated 13.04.2022 forwarded the report to the office of The Divisional Deputy Director , Rural Development and Panchayats, Jalandhar. Punjab. The District Development and Panchayat Officer, Ludhiana, vide letter dated 22.4.2022 also forwarded the inquiry report (Annexure R-



10/2) to Deputy Director (L.D.), Rural Development and Panchayats, Vikas Bhawan Mohali . A true translated copy of the letter dated 22.4.2022 is being annexed herewith as **ANNEXURE R-10/3T** and its true copy as **ANNEXURE R-10/3**.

6. That on the other hand, on the receipt of the enquiry report dated 13.4.2022 (Annexure R-10/2), the office of the Divisional Deputy Director, Rural Development and Panchayat, Jalandhar, perused the same and sent the same to the office of the Financial Commissioner, Government of Punjab, Rural Development and Panchayat Department, Vikas Bhawan, Sector 62, Sahibzada Ajit Singh Nagar, vide its letter dated 18.5.2022, for necessary action. A true translated copy of the letter dated letter dated 18.5.2022 is being annexed herewith as **ANNEXURE R-10/4T** and its true copy as **ANNEXURE R-10/4**.

7. That the office of the Secretary, Government of Punjab, Rural development and Panchayat Department has informed vide its letter dated 19.9.2022 that the office of the Director, Rural Development and Panchayats, Punjab, perused the documents and the available material on the record of the case and the report dated 18.5.2022 (Annexure R-10/4) and the same has been ordered to be filed vide order dated 6.9.2022. A true translated copy of the letter dated 19.9.2022 is being annexed herewith as

*[Handwritten signature]*

**ANNEXURE R-10/5T** and its true copy as **ANNEXURE R-10/5**. It is submitted that in the letter dated 19.9.2022, the subject is mentioned wrong, inadvertently as 'taking action under Section 20 of the Panchayati Raj Act, 1994 pertaining to the details of the complaint alongwith enquiry against Gram Panchayat Binjjal', whereas the same relates to the complaint pertaining to uprooting of the trees.

8. That from the above, it is evident the grievances raised by the applicants in the instant original application pertaining to the allegations of uprooting the trees belonging to Gram Panchayat Binjjal as alleged in the complaints as well as in the instant OA, have already been addressed and no truth is found and it is ordered to be filed.
9. That apart from this, suffice to mention here that Gurdas Singh son of Sh. Kapoor Singh, Darshan Singh son of Sh. Such Singh, Balveer Singh son of Sh. Kamikkar Singh and Niranjjan Singh son of Sh. Ajit Singh resident of village Binjal had filed a writ of mandamus directing the official respondents to take action on the complaints dated 3.10.2020 (Annexure P-2) and 17.6.2021 (Annexure P-9) submitted by them and initiate proper proceedings in accordance with law against the respondents No. 8 to 20 for illegally and un-authorizedly uprooting the trees from the Panchayat/Shamlat Land in view of letter dated 12.04.2022 whereby Director, Rural Development and Panchayat



Department, Punjab, directed District Development and Panchayat Officer, Ludhiana, to conduct inquiry in the matter and submit a report.

10. That on the directions of the Hon'ble High Court in the said writ petition, the Block Development and Panchayat Officer, Block Raikot, District Ludhiana appeared and filed status report by way of affidavit dated 17.11.2022, mainly stating that the grievances raised by the petitioners in the said writ petition pertaining to the allegations of uprooting the trees belonging to Gram Panchayat Binjjal as alleged in the complaints, has been conducted and it is ordered to be filed. Accordingly, the said writ petition was disposed off, vide order dated 17.11.2022, as infructuous. A true typed copy of the order dated 17.11.2022 is being annexed herewith as **ANNEXURE R-10/6**. It is pertinent to mention here that on the receipt of the above complaint, the answering respondent vide its letter No. 9895 dated 06.09.2023 submitted to the Director, Rural Development and Panchayat, Punjab that since the inquiry has already been filed by the Director, Rural Development and Panchayat, Punjab, whether can she look into it being a junior employee. As per further instructions, necessary action shall be taken.
11. That from the above, it is evident that there is no ground for entertaining the instant OA filed by the applicants and the

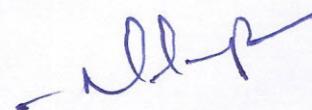


same deserves to be dismissed with costs. It transpires that the applicants have filed the instant OA just to cause harassment to the answering deponent. The applicants, have deliberately concealed the above material and relevant facts from this Hon'ble Court. Therefore, as the applicants have concealed the material and relevant facts from this Hon'ble Court, as such, the same deserves to be dismissed on this ground alone by imposing heavy costs.

It is, therefore, respectfully prayed that in view of the above preliminary submissions, the instant original application may kindly be dismissed with costs being devoid of any merit and substance, in the interest of justice.

**Reply on Merits:**

- 1 That the contents of para no. 1 of the application pertaining to the averments that the Respondent no.1 is the Sarpanch of the Gram Panchayat Binjal and the respondents No. 2 to 7 are the members of the gram Panchayat, are matter of record. However, the remaining contents, as stated, are wrong and hence denied. It is submitted that as per the enquiries conducted by the department of the answering deponent, no truth is found in the allegations of cutting of 25-30 trees as has been alleged by the applicants. As such,



there is no questions of obtaining of any permission for the Forest Department, as has been alleged by the applicants.

- 2 That in reply to the contents, of para no.2 of the OA, it is submitted that all the material available on the record has been considered and no truth is found in the allegations of cutting of 25-30 trees from the Khasra no. 455 i.e. Panchayat Land by the Sarpanch as well as the members of the gram Panchayat Binjal, as has been alleged by the applicants. The detailed submissions have been made in the preliminary submissions as well as in the foregoing paras and the same are reiterated.
- 3 That the contents of para No. 3 of the application pertaining to the averments with regard to issuance of letter dated 16.09.2020 and 21.03.2021 by the of the of the Director, rural Development and Panchayat Department, Punjab to the office of the District development and Panchayat Officer, Ludhiana, are matter of record. However, the remaining contents, as stated, are wrong and hence denied. It is submitted that with regard to the allegations of cutting 25-30 trees from the Panchayat Land by the Sarpanch and members of the gram Panchayat, a detailed enquiry has been conducted and no truth is found therein. The averments with regard to issuance of letter dated 06.09.2023 by the office of the answering respondent to the office of Director, Rural Development and Panchayat



Department, Punjab, are matter of record. The detailed submissions have already been made in the preliminary submissions as well as in the foregoing paras and the same are reiterated.

- 4 That in reply to the contents of para no. 4 of the application it is submitted that no such affidavit of the Driver of JCB Driver Varinder Singh were ever submitted by the applicants with the authorites of the department of the answering deponent, hence the same cannot be believed to the correct.
- 5 That the contents of para no. 5 of the application, as stated, are wrong and hence denied. It is submitted that the petitioner has leveled totally false and vague allegations against the officials of the department of the answering respondents, which are vehemently denied.

It is, therefore, respectfully prayed that in view of the above submissions, the instant original application may kindly be dismissed with costs being devoid of any merit and substance, in the interest of justice.

Place: Ludhiana  
Date:

  
DEPONENT  
(Navdeep Kaur)  
District Development and Panchayat  
Officer, Ludhiana, District Ludhiana,  
Punjab

**Verification:**

Verified that the contents of para nos. 1 to 14 of the preliminary submissions and para no. 1 to 5 of the reply on merits of my above affidavit are true and correct to my knowledge and as per information derived from the official record. No part of it is false and nothing relevant has been concealed or mis-stated therein.

Place: Ludhiana

Date:



DEPONENT

(Navdeep Kaur)

District Development and Panchayat  
Officer, Ludhiana, District Ludhiana,  
Punjab

**ANNEXURE R-10/1T**

Divisional Deputy Director, Rural Development and Panchayat,  
Jalandhar

Company Bag, Zila parishad Compelex, Jalandhar

Contact no. : 0181-2282303 Fax No. : 0181-5082303

E-mail address ddpojal@yahoo.co.in

To

District Development and Panchayat Officer,  
Ludhiana

Letter no. S.A.1/2022/1150 / Dated 25.03.2022

Subject: Enquiry of the complaint regarding uprooting and  
selling 25 to 30 trees at Gram Panchayat Binjjal,  
Tehsil Raikot District Ludhiana.

The enquiry of the complaint submitted by Shri Rajwinder  
Singh Block Samiti Member, Shri Darshan Singh son of Sucha  
Singh, Narinder Singh son of Ajit Singh, Balvir Singh son of  
Kamikar Singh and Gurdas Singh son of Kapoor Singh resident of  
Binjjal, has been send for enquiry to this office.

Copy of the complaint in original is being sent alongwith this  
letter with the direction to visit the spot in the presence of the  
complainant and enquire about the facts mentioned in the  
complaint and send the detailed report to this office within 7 days.

It is made clear to you that the report should be totally  
without any bias and clear because if after perusing your report  
any deficiency is found then again the enquiry will be conducted

by the undersigned personally and in the final report to be sent to Hon'ble Financial commissioner and Secretary, Punjab Government, Rural Development and Panchayat Department, the mention to the role performed by you will be mentioned.

This be treated most urgent.

Enclosure/Pages 1 to 50.

Sd/-  
Divisional Deputy Director,  
Rural Development and Panchayat,  
Jalandhar.

**TRUE TRANSLATION**

## ANNEXURE R-10/2T

From

District Development and Panchayat Officer,  
Ludhiana

To

Divisional Deputy Director  
Rural Development and  
Jalandhar

No. 2781/D.A.-2 dated 13.4.22

Subject:- Enquiry of the complaint regarding uprooting and selling 25 to 30 trees at Gram Panchayat Binjjal, Tehsil Raikot District Ludhiana.

Reference: In reference to your office letter No. M.A.1/1150 dated 25.3.2022.

On the above subject and referred letter, it is submitted that on the complaint dated 28.02.2022 submitted by Sarv Shri Rajwinder Singh Block Samiti Member, Shri Darshan Singh son of Sucha Singh, Narinder Singh son of Ajit Singh, Balvir Singh son of Kamikar Singh and Gurdas Singh son of Kapoor Singh resident of Binjjal Block Raikot District Ludhiana, the undersigned personally seen the spot related place of Kahsra No. 455 at Gram Panchayat Binjjal on 12.04.2022 and found at the spot that 7 *Lilac*, 1 *Barotan* rounding with a *thada* and a *Ficus* tree are in existence. There are residential houses around the related place and these people belongs to backward class and the Complainant (1) Shri Darshan Singh, (2) Shri Balvir Singh, (3) Shri Gurdas Singh and (4) Sh. Niranjn Singh resident of Binjjal (Admitted in the enclosed complaint that the place occupied by others be removed then we

will vacate), have taken the possession by making ruries, pathies and planting vegetables and the people, who have occupied the place, they do not want that there be a park over this land because with the construction of park, no place will remain there with them for throwing garbage, make pathies and grow vegetables, due to this, they will face many difficulties. There is house of Smt. Amandeep Kaur (husband's Mob: 8968340565) adjoining to this place and there was a berry tree in front of their house, which has been uproot by them. Apart from this, the following women are present at the spot:

1. Smt Manjinder kaur 9878273956
2. Smt. Paramjit Kaur 62834-97460
3. Smt. Manjit Kaur
4. Smt. Charanjit kaur 84373 -41034.

It was clarified by the above that there were no 25 to 30 trees existed at the spot, only ones. Only two or three are the dry trees had fallen and the remaining are bushes and rurian, which have been got cleared up by the Panchayat with J.C.B and the dry and fallen trees were kept in the adjoining Dharamshala by the panchayat.

The Gram Panchayat wanted to construct a park over this land and on that account the cleaning was done and the people who are in possession of the adjoining place, they do not want the construction of park over this place, because then there will be no

space left for the ruries, keeping Pathian and for growing vegetables.

After seeing the spot personally, the undersigned came to the conclusion that two –three dry trees had fallen in Khasra No. 455 and they were kept in M.C. Dharamshala by Gram Panchayat Binjal and seven *Lilac*, 1 *Barotan* and a *Ficus* tree are presently in existence there. No trees were sold. I am in agreement with the letter No. 654 dated 13.05.2021 issued by Block Development and Panchayat Officer, Raikot. Report is submitted to you for further necessary action.

Sd/-

District Development and Panchayat Officer  
Ludhiana.

**TRUE TRANSLATION**

## ANNEXURE R-10/3T

From

District Development and Panchayat Officer,  
Ludhiana

To

Deputy Director (L.D.)  
Rural Development and Panchayat Department,  
Vikas Bhawan, Sector -62, S.A.S. Nagar  
Mohali (Land Development Branch)  
Jalandhar

No. 3140/D.A.-2 dated 22.4.22

Subject:- Enquiry of the complaint regarding uprooting and selling 25 to 30 trees at Gram Panchayat Binjjal, Tehsil Raikot District Ludhiana.

Reference: In reference to your office letter No. 10/2/2020/L.D.-3/1733 dated 12.4.2022

On the above subject and referred letter, it is submitted that the on the complaint the enquiry report was demanded vide letter No. 1/1150 dated 25.3.2022 by Deputy Director, Rural Development and Panchayat, Jalandhar and the same was sent vide this office letter No. 2781/D.A.-2 dated 13.4.2022. The copy of the sent report is being sent to you alongwith this letter.

Enclosure: As above.

Sd/-

District Development and Panchayat Officer  
Ludhiana.

**TRUE TRANSLATION**

**ANNEXURE R-10/4T**

Divisional Deputy Director, Rural Development and Panchayat,  
Jalandhar

Company Bag, Zila parishad Compelex, Jalandhar

Contact no. : 0181-2282303 Fax No. : 0181-5082303

E-mail address-ddpojal@yahoo.co.in

To

Finance Commissioner, Government of Punjab  
Rural development and Panchayat Department, Punjab,  
Vikas Bhawan, Sector 62,  
Sahibzada Ajit Singh Nagar

No. M.A.1/2022/ 2372 / Dated 18.05.2022

Subject: Enquiry of the complaint regarding uprooting and  
selling 25 to 30 trees at Gram Panchayat Binjjal,  
Tehsil Raikot District Ludhiana.

Reference: Regarding your office letter no. N.M./V.K.P.V.P/1169  
dated 09/03/2022 and letter No. N.M./V.K.P.V.P/1431  
dated 22.03.2022.

Sarav Shri Rajwinder Singh Block Samiti Member, Shri  
Darshan Singh son of Sucha Singh, Narinder Singh son of Ajit  
Singh, Balvir Singh son of Kamikar Singh and Gurdas Singh son  
of Kapoor Singh resident of Binjjal, District Ludhiana submitted  
the complaint dated 28.02.2022 to Hon'ble Financial  
Commissioner, Government of Punjab, Rural Development and  
Panchayat Department, the same has been sent to the  
undersigned for enquiry by Hon'ble Financial Commissioner,  
Government of Punjab, Rural Development and Panchayat  
Department. It is written by the complainant in their complaint that

the Gram Panchayat Binjjal has passed the resolution dated 18.02.2020 for uprooting the trees from the shamlat land Gram Panchayat Bijal, wherein it is written that Gram Panchayat has to construct a park, the trees which were to be uprooted from Khasra Nos. 105 and 106, the cost of those was got assessed by the forest department on 01.10.2020 which was assessed Rs. 10,249/-, However, the Gram Panchayat Binjal neither held any auction nor get publication in the newspaper and not made any announcement. Thereafter, the Gram Panchayat get uprooted 25-30 trees from Khasra no. 455 in 2020 with J.C.B. without obtaining the sanction. Whereas, the resolution No. 105, 106 for uprooting the trees were passed. Gram Panchayat clicked the photos at the spot for uprooting the trees of Gram Panchayat with J.C.B.. It was also given in writing to B.D.P.O. Raikot and D.D.P.O. and thereafter met the officers of the forest department personally. Forest Divisional Officer also sent letter to B.D.P.O. to take action against the Gram Panchayat and Director, Rural Development and Panchayat Department, Mohali also wrote for action, we are enclosing the copy of the letter dated 7.1.2021 issued by the Forest Divisional Officer and letter dated 16.04.2021 issued by Rural Development and Panchayat Department, Mohali. Thereafter, B.D.P.O. Raikot again saw the spot and found that the 25-30 trees uprooted with J.C.B. are found in the Ramdasiya Dharamshala today i.e. 25.02.2022. One day when BDPO was seeing at the spot, at that point of time. Block Samiti Member

Rajwinder Singh was attacked by the Gram Panchayat and matter was compromised at police Station. Thereafter, it was given in writing by BDO to us that many trees have been uprooted by Gram Panchayat Binjal and thereafter B.D.O issued notice to gram Panchayat Binjal stating that why you have uprooted may trees at the time of cleaning. Thereafter, on 13.5.2021, Secretary Kewal Singh, Baljit Singh Secretary, Block Raikot have conducted an ex-parte enquiry in connivance with the gram Panchayat. Whereas neither statement of any complainant has been recorded nor called at the spot. And thereafter, we have sent may letters to Chief minister, Forest Division Minister, D.E.A., Chief Secretary, Rural Development and others, mainly stating that B.D.O Raikot and Baljit Singh Secretary, Kewal Singh Secretary have conducted an ex-parte enquiry in connivance with the Gram Panchayat. Then, Hon'ble A.D.C. and Hon'ble Forest Division Minister have again marked the enquiry to Forest Divisional Officer, Ludhiana. Parminder Singh son of Dharam Singh made statement on 10.12.2020 before Range Officer Jagraon that the trees which have been uprooted, the same belongs to him. These trees have been uprooted from his property. Range Officer, Jagraon issued a letter to Circle Patwari Bijal on 11.11.2021 regarding the property of Parminider Singh but thereafter Patwari Parminder Singh.

1. Parminder Singh made a statement before Range Officer that he has no relation with the said trees (Statement is Enclosed).
2. Statement of Mithushah is enclosed.
3. Statement of Ramesh Singh is enclosed. The statements made by them are baseless and by making wrong statements they have wasted the time of officials. The persons who were present at the time of uprooting the trees and the names of those are Jaswinder Kaur, Sarpanch, Gurmit kaur Panch, Sukhdev Kaur Panch, Sukhdeev Singh Panch, Baljinder Singh panch, Mithushah Panch, Rupinderjit Singh Panch, Dilbagh Singh son of Dalip Singh, Gurdev Singh son of Kalu Singh. The said persons remained ahead in uprooting these trees Jaswinder Singh son of Jagjit Singh is standing in front of moving J.C.B. photo is enclosed, whatever it written by them is enclosed. In the Ist it is requested by the complainants that Gram Panchayat Binjjal be dissolved and the cost of the trees be got assessed and as per the orders of the Supreme Court they have made request to all officer from the last 14 months. If even now no action is taken then the Chief Secretary, Rural Development and Panchayat Panchayat Secretary and Director Rural Development and Panchayat Secretary and D.D.P.O., concerned employees of the department will be personally responsible. It was also requested that as per the orders of the Hon'ble Supreme Court, the justice be proved to them. If the justuiice is not dilevred to

them then they will be compelled to knock the doors of Hon'ble High Court.

The said complaint was sent to District Development and Panchayat Officer, Ludhiana, by this office, wherein it was written to visit the spot in the presence of the complainant and enquire about the facts mentioned in the complaint and thereafter send the detailed report to this office. In this regard, after conducting the enquiry, report has been received in this office from the District Development and Panchayat Officer, Ludhiana, vide his letter No. 2781 dated 13.04.2022. It has been written by District Development and Panchayat Officer, Ludhiana in his report that

On the complaint dated 28.0-2.2022 submitted by Sarv Shri Rajwinder Singh Block Samiti Member, Shri Darshan Singh son of Sucha Singh, Narinder Singh son of Ajit Singh, Balvir Singh son of Kamikar Singh and Gurdas Singh son of Kapoor Singh resident of Binjjal Block Raikot District Ludhiana, the undersigned personally seen the spot related place of Kahsra No. 455 at Gram Panchayat Binjjal on 12.04.2022 and found at the spot that 7 *Lilac*, 1 *Barotan* rounding with a *thada* and a *Ficus* tree are in existence. There are residential houses surrounding the related place and these people belongs to backward class and the Complainant (1) Shri Darshan Singh, (2) Shri Balvir Singh, (3) Shri Gurdas Singh and (4) Sh. Niranjjan Singh resident of Binjjal (Admitted in the enclosed complaint that the place occupied by others be removed then we

will leave), have taken the possession by making ruries, pathies and planting vegetables and the people, who have occupied the place, they do not want that there be a park over this land because with the construction of park, there will remain no place with them for throwing garbage, make pathies and grow vegetables, due to this, they will face many difficulties. There is house of Smt. Amandeep Kaur (husband's Mob: 8968340565) adjoining to this place and there was a berry tree in front of their house, which has been uprooted by them. Apart from this, the following women are present at the spot:

1. Smt Manjinder kaur 9878273956
2. Smt. Paramjit Kaur 62834-97460
3. Smt. Manjit Kaur
4. Smt. Charanjit kaur 84373 -41034.

It was clarified from the above that there were no 25 to 30 trees at this place, the trees which are in existence at the spot are the only one. Only two or three are the dry trees and fallen and the remaining are many bushes and rurian, which have been got cleaned by the Panchayat with J.C.B and the dry and fallen trees were kept in the adjoining Dharamshala by the Panchayat. The Gram Panchayat wants to construct park over this land and on that account the cleaning was done and the people who are in possession of the adjoining place, they do not want the construction of park over this place, because there will be no space remain with the construction of park for keeping ruries,

Pathian and for growing vegetables. After seeing the spot personally, he came to the conclusion that two –three dry trees and fallen in Khasra No. 455 were kept in M.C. Dharamshala by Gram Panchayat Bijal and seven *Lilac*, 1 *Barotan* and a *Ficus* tree are in existence, No trees were sold. I am in agreement with the letter No. 654 dated 13.05.2021 issued by Block Development and Panchayat Officer, Raikot. Report is submitted to you for further necessary action.

I, District Development and Panchayat Officer, Ludhiana agree with the report received, therefore, the complaint deserves to be filed.

Therefore, the report is submitted for further necessary action.

Enclosure/Page no. 1 to 09

Sd/-  
Divisional Deputy Director,  
Rural Development and Panchayat,  
Jalandhar.

**TRUE TRANSLATION**

## ANNEXURE R-10/5T

**Government of Punjab  
Rural Development and Panchayat Department  
Vikas Bhawan, Sector -62, S.A.S. Nagar  
(Complaint Branch)**

To

Block Development and Panchayat Officer,

Raikot, District Ludhiana.

Letter no.: 6/1.21-Ldh-S/

Date:

Subject: Regarding taking action under Section 20 of the Panchayati Raj Act, 1994 pertaining to the details of the complaint alongwith enquiry against Gram Panchayat Binjjal, Block, Raikot, District Ludhiana.

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On the above subject, it is informed to you that the enquiry on the complaint against Gram Panchayat Binjjal, was entrusted to District Development and Panchayat Officer, Ludhiana, vide letter No. 6/1/21-Ldh-S/2084 dated 23.3.2021. It has been informed by Divisional Deputy Director by sending the report, vide letter No.2372 dated 18.5.2022, that there were no 25-30 trees at that place, only two or three dry trees and were fallen, the remaining were bushes and rurian, which were got cleaned by Gram Panchayat with J.C.B, because Gram Panchayat wants to construct park over this land. But, the people who are in possession of the adjoining place, they do not want the construction of park over this place, because there will be no space remain with them for keeping ruries, Pathian and for growing vegetables. There are residential houses adjoining to the

subject land. The Complainant Shri Darshan Singh, Shri Balvir Singh, Shri Gurdas Singh and Sh. Niranjan Singh resident of Binjjal admitted that the place occupied by others be removed then we will leave. Two – three dry trees and fallen in Khasra No. 455 were kept in M.C. Dharamshala by Panchayat and seven *Lilac*, 1 *Barotan* and a *Ficus* tree are in existence. No trees were sold. Therefore, he has recommended to file the complaint.

After perusing the documents available on the record and the report submitted by Divisional Deputy Director, Panchayat, Jalandhar, the pending complaint against Gram Panchayat Binjjal, Block Raikot, District Ludhiana, has been ordered to be filed by Hon'ble Director, Rural Development and Panchayat Department, vide its order dated 06.09.2022.

Sd/-  
Deputy Secretary, Government of Punjab  
Rural Development and Panchayat Department  
Endorsement No. 6/1/21-Ldh-S. 9188-90 Dated 19.09.2022

Copy of above is forwarded to the following for information and necessary action:-

1. Divisional Deputy Director, Jalandhar.
2. Gram Panchayat Binjjal, Block Raikot, District Ludhiana, (Reg.)
3. Complainant Gurdas Singh son of Shri Kapura Singh and others, Village Binjjal, Block Raikot, District Ludhiana (Reg.)

Sd/-  
Deputy Secretary, Government of Punjab  
Rural Development and Panchayat Department

**TRUE TRANSLATION**

**ANNEXURE R-10/6**

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CWP-19773-2022

Date of Decision: 17.11.2022

Gurdass Singh and others .....Petitioners

VS

State of Punjab and others .....Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present:- Mr. Rajan Singh Dadwal, Advocate for the petitioners

Mr. Charanpreet Singh, AAG Punjab

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SUDHIR MITTAL , J. (Oral)

Status report on behalf of respondents No. 2 to 5 has been filed in the Court. The same is taken on record. A copy thereof has been supplied to learned counsel for the petitioners.

Based on the aforementioned report, learned State counsel submits that an enquiry has already been conducted and that the private respondent has been exonerated.

In view of the aforementioned submission, the present writ petition has been rendered infructuous and is disposed of as such.

17.11.2022

Sd/- SUDHIR MITTAL

JUDGE

**TRUE TYPED COPY**