

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

Original Application No. 452/2023

Surender Kumar

Applicant

versus

State of Haryana

Respondent

**CORAM: - HON'BLE MR. JUSTICE ARUN KUMAR
TYAGI, JUDICIAL MEMBER HON'BLE DR.
AFROZ AHMAD, EXPERT MEMBER.**

Date: -

Place: - District Mahendragarh

Action Taken Report in compliance of Hon'ble NGT directions in order dated 31.10.2023 in OA No. 452/2023 titled as Surrender Kumar versus State of Haryana: -

".....In view of the observations and recommendations made by the Joint Committee in the present case, we are of the considered view that no further action is required to be taken by this Tribunal on this original application which is disposed of accordingly with the directions that compensatory plantation be carried out as recommended by the Joint Committee by the Forest Department, Mahendragarh and the Executive Engineer, MICADA Division, Mahendragarh within six months....."

In compliance of the order dated 31.10.2023, HSPCB has issued letters to Divisional Forest Officer (DFO), Mahendragarh and The Executive Engineer, Micro Irrigation & Command Area, Development Authority (MICADA), District Mahendragarh to Comply with the direction for compensatory plantation as per NGT order dated 31.10.2023 vide letter No. 1786-87 dated 28.11.2023, letter No. 2171-2172 dated 30.01.2024, letter No. 2526-27 dated 21.03.2024 and letter No. 08 dated 03.04.2024 (**Annexure-1**) for the compliance on the recommendations of joint committee on the points mentioned below: -

1. Regarding remedial action in this matter it is decided that 50 plantation will be done by Forest Department, Mahendragarh in consultation with village Panchayat Khotal Khurd on the nearby Panchayat land available.
2. The Executive Engineer, MICADA Division, Mahendragarh will also make additional plantation 50 trees on periphery/around the constructed pond (Johar) in consultation with Forest Department, Mahendragarh.

Accordingly, the above concerned departments has submitted the following action taken report: -

1. The Executive Engineer, Micro Irrigation & Command Area, Development Authority (MICADA), District Mahendragarh has submitted the compliance report vide letter No. **198-200/I-W dated 26.03.2024 (Annexure-2)** which is re-produced as under: -
"In this regard, it is intimated that more than 50 trees have been planted on the periphery/around the constructed pond (Johar). Since, in the contract of the project the contractor has to run the project for 4 years, so we have given him to responsibility to take care of these trees so that they can grow up properly. So, as far as MICADA department is concerned, we have followed and comply with the orders of Hon'ble NGT."
2. The Divisional Forest Officer, Mahendragarh has submitted the compliance report vide letter No. **309 dated 25.04.2024 (Annexure-3)** which is re-produced as under: -

"संदर्भित पत्र के सम्बन्ध में आपको अवगत करवाया जाता है कि उक्त शिकायत पर कार्यवाही करते हुए वन अपराध रिपोर्ट संख्या 055 /600 दिनांक 04.05.2023 PLPA 1900 की धारा 4 के तहत दोषियों के खिलाफ चाक की गई है. जिसका सभियोजन केस No. 7M/2023-24 बनाकर पर्यावरण न्यायालय फरीदाबाद में दायर किया गया है. माननीय NGT के दिशानिर्देशानुसार 50 पौधे कोथल खुर्द की पंचायत भूमि पर लगवा दिए गए हैं. यह आपको सूचनार्थ एवं आगामी आवश्यक कार्यवाही हेतु प्रेषित है."

It is therefore, prayed that the above Action Taken Report submitted on behalf the concerned department in compliance with the directions issued by this Hon'ble Tribunal vide order dated 31.10.2023, may kindly be considered please.

Date: - 20/05/2024
Place: - Mgarh


Regional Officer
HSPCB, Mahendragarh Region



Haryana State Pollution Control Board
Regional Office, Mahendragarh at SCO-D6 & D-7,
Suncity Commercial Complex, Sector-6, A-Block Rewari
Tele: 01274-244241, E-Mail: hspcbromg@gmail.com



No. HSPCB/MG/2023/...1786-1787

To

Time Bound-NGT Matter

Dated 28.11.2023

1. The Divisional Forest Officer,
Mahendragarh

2. The Executive Engineer,

Micro Irrigation & Command Area, Development Authority (MICADA), District Mahendragarh

Sub.- Comply with the direction for compensatory plantation as per NGT order dated 31.10.2023 in OA number 452/2023 titled as Surender Kumar Versus State of Haryana.

Ref.- Hon'ble NGT order dated 31.10.2023 (copy enclosed).

In this connection, in above referred original application, Hon'ble NGT has disposed of the above said matter with the direction that:-

6.In view of the observations and recommendations made by the Joint Committee in the present case, we are of the considered view that no further action is required to be taken by this Tribunal on this original application which is disposed of accordingly with the directions that compensatory plantation be carried out as recommended by the Joint Committee by the Forest Department, Mahendragarh and the Executive Engineer, MICADA Division, Mahendragarh within six months.

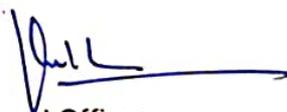
7 Action Taken Report be filed by the DFO, Mahendragarh and the Executive Engineer, MICADA Division, Mahendragarh before the Registrar General, NGT by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF by 09.09.2022. If considered necessary, the RG may place the matter before the Bench for any further direction.

Further, the recommendations of the Joint Committee made in the ATR filed on 19.10.2023 is reproduced as below for ready reference: -

1. Regarding remedial action in this matter it is decided that 50 plantation will be done by Forest Department, Mahendragarh in consultation with village Panchayat Khotal Khurd on the nearby Panchayat land available.
2. The Executive Engineer, MICADA Division, Mahendragarh will also make additional plantation 50 trees on periphery/around the constructed pond (Johar) in consultation with Forest Department, Mahendragarh

This is for your information and with a request to comply the directions of Hon'ble NGT within 06 months and file action taken report before the Hon'ble NGT accordingly as per direction.

DA: As above


Regional Officer
Mahendragarh Region
Dated 28.11.2023

Endst No. HSPCB/MG/2023/...1788-1789

A copy of the above is forwarded to the following for kind information, please.

1. The Chairman, HSPCB, Panchkula
2. The Deputy Commissioner, Mahendragarh at Narnaul.


Regional Officer
Mahendragarh Region



Haryana State Pollution Control Board
Regional Office, Mahendragarh at SCO-D6 & D-7,
Suncity Commercial Complex, Sector-6, A-Block Rewari
Tele: ☎ 01274-244241, E-Mail: ✉ hspcbromq@gmail.com



No. HSPCB/MG/2023/2171-2172

(Reminder-1)
Time Bound-NGT Matter

Dated 30.11.2024

To

1. The Divisional Forest Officer,
Mahendragarh
2. The Executive Engineer,
Micro Irrigation & Command Area, Development Authority (MICADA), Mahendragarh

Sub.- Comply with the direction for compensatory plantation as per NGT order dated 31.10.2023 in OA No. 452/2023 titled as Surrender Kumar Versus State of Haryana.

Ref- Hon'ble NGT order dated 31.10.2023 & this office letter No. 1786-87 dated 28.11.2023.

In this connection, in above referred original application, Hon'ble NGT has disposed of the above said matter with the direction that:-

6. In view of the observations and recommendations made by the Joint Committee in the present case, we are of the considered view that no further action is required to be taken by this Tribunal on this original application which is disposed of accordingly with the directions that compensatory plantation be carried out as recommended by the Joint Committee by the Forest Department, Mahendragarh and the Executive Engineer, MICADA Division, Mahendragarh **within six months.**

7. Action Taken Report be filed by the DFO, Mahendragarh and the Executive Engineer, MICADA Division, Mahendragarh before the Registrar General, NGT by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF by 09.09.2022. If considered necessary the RG may place the matter before the Bench for any further direction

Further, the recommendations of the Joint Committee made in the ATR filed on 19.10.2023 is reproduced as below for ready reference:-

1. Regarding remedial action in this matter it is decided that 50 plantation will be done by Forest Department, Mahendragarh in consultation with village Panchayat Khotal Khurd on the nearby Panchayat land available.
2. The Executive Engineer, MICADA Division, Mahendragarh will also make additional plantation 50 trees on periphery/around the constructed pond (Johar) in consultation with Forest Department, Mahendragarh

This is for your information and with a request to comply the directions of Hon'ble NGT within 06 months and file action taken report before the Hon'ble NGT within stipulated time period in compliance of order dated 31.10.2023.


Regional Officer
Mahendragarh Region
Dated ...30.11.2024

Endst No. HSPCB/MG/2023/2173-2175

A copy of the above is forwarded to the following for kind information, please.

1. The Chairman, HSPCB, Panchkula
2. The Deputy Commissioner, Mahendragarh at Narnaul
3. The NGT Cell, HSPCB, Panchkula


Regional Officer
Mahendragarh Region

o/c



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Haryana State Pollution Control Board
Regional Office, Mahendragarh at SCO-D6 & D-7,
Suncity Commercial Complex, Sector-6, A-Block Rewari
Tele: 01274-244241, E-Mail: hspcbromg@gmail.com



No. HSPCB/MG/2024/...2526-27

To

(Reminder-3)
Time Bound-NGT Matter

Dated ...21/2/2024

1. The Divisional Forest Officer,
Mahendragarh2. The Executive Engineer,
Micro Irrigation & Command Area, Development Authority (MICADA), Mahendragarh

Sub.- Comply with the direction for compensatory plantation as per NGT order dated 31.10.2023 in OA
No. 452/2023 titled as **Surender Kumar Versus State of Haryana.**

Ref.- Hon'ble NGT order dated 31.10.2023 & this office letter No. 1786-87 dated 28.11.2023, No. 2171-75
dated 30.01.2024 and email dated 19.02.2024.

In this connection, in above referred original application, Hon'ble NGT has disposed of the above said matter with the direction that:-

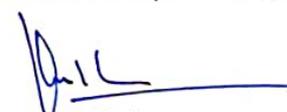
6.In view of the observations and recommendations made by the Joint Committee in the present case, we are of the considered view that no further action is required to be taken by this Tribunal on this original application which is disposed of accordingly with the directions that compensatory plantation be carried out as recommended by the Joint Committee by the Forest Department, Mahendragarh and the Executive Engineer, MICADA Division, Mahendragarh **within six months.**

7. Action Taken Report be filed by the DFO, Mahendragarh and the Executive Engineer, MICADA Division, Mahendragarh before the Registrar General, NGT by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF by 09.09.2022. If considered necessary, the RG may place the matter before the Bench for any further direction.

Further, the recommendations of the Joint Committee made in the ATR filed on 19.10.2023 is reproduced as below for ready reference: -

1. Regarding remedial action in this matter it is decided that 50 plantation will be done by Forest Department, Mahendragarh in consultation with village Panchayat Khotal Khurd on the nearby Panchayat land available.
2. The Executive Engineer, MICADA Division, Mahendragarh will also make additional plantation 50 trees on periphery/around the constructed pond (Johar) in consultation with Forest Department, Mahendragarh

This is for your information and with a request to comply the directions of Hon'ble NGT within 06 months and file action taken report before the Hon'ble NGT within stipulated time period in compliance of order dated 31.10.2023.


Regional Officer
Mahendragarh Region
Dated ...21/2/2024

Endst No. HSPCB/MG/2024/...2528-2530

A copy of the above is forwarded to the following for kind information, please.

1. The Chairman, HSPCB, Panchkula
2. The Deputy Commissioner, Mahendragarh at Narnaul
3. The NGT Cell, HSPCB, Panchkula


Regional Officer
Mahendragarh Region

o/c



Haryana State Pollution Control Board
Regional Office, Mahendragarh at SCO-D6 & D-7,
Suncity Commercial Complex, Sector-6, A-Block Rewari
Tele: ☎ 01274-244241, E-Mail: ✉ hspcbromq@gmail.com



No. HSPCB/MG/2024/...08...

(Reminder-4)

Dated ...3/4/2024

To

The Divisional Forest Officer,
Mahendragarh

Time Bound-NGT Matter

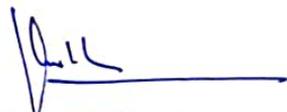
Sub.- Comply with the direction for compensatory plantation as per NGT order dated 31.10.2023 in OA No. 452/2023 titled as Surender Kumar Versus State of Haryana.

Ref.- Hon'ble NGT order dated 31.10.2023 & this office letter No. 2526-27 dated 21.03.2024.

In this connection, in above referred original application, Hon'ble NGT has disposed of the above said matter.

Now, EE, MICAD (Elect.) Division, Mahendragarh vide their office letter No. 198-200 dated 26.03.2024, intimated that already more than 50 trees has been planted and submitted the compliance report in this regard.

Therefore, keeping in view of above, you are also requested to kindly to submit the ATR on behalf of Forest Department to comply the directions of Hon'ble NGT within 06 months and file action taken report before the Hon'ble NGT within stipulated time period in compliance of order dated 31.10.2023.


Regional Officer
Mahendragarh Region
Dated ...3/4/2024

Endst No. HSPCB/MG/2024/...9...11

A copy of the above is forwarded to the following for kind information, please.

1. The Chairman, HSPCB, Panchkula
2. The Deputy Commissioner, Mahendragarh at Narnaul
3. The NGT Cell, HSPCB, Panchkula


Regional Officer
Mahendragarh Region

o/c

No.: 198200/1-W

Dated: 26/03/2024

To,

The Regional Officer,
Mahendergarh Region,
Haryana State Pollution Control Board.

Sub:- Comply with the direction of compensatory plantation as per NGT order dated 31/10/2023 in OA No. 452/2023 titled as Surrender Kumar Versus State of Haryana.

Ref:- Your good office letter No. 1786-87 dated 28/11/2023, No. 2171-75 dated 30/01/2024 and HSPCB/MG/2024/2526-27 dated 21/03/2024.

Respected Sir,

In this regard it is intimated that more than 50 trees have been planted on the periphery/ around the constructed pond (Johar). Since, in the contract of the project the contractor has to run the project for 4 years, so we have given him the responsibility to take care of these trees so that they can grow up properly.

So, as far as MICADA department is concerned, we have followed and comply with the orders of Hon'ble NGT. This is for your information and necessary action please.

Smit
Executive Engineer,
MICAD (Elect.) Division,
Mahendergarh.

c.c.

- 1) The District Forest Officer, Mahendergarh for information and necessary action please. You are requested to deploy some official from your good office to come and visit the plantation work at site.
- 2) The Sub Divisional Officer, MICAD (Elect.) Sub Division, Mahendergarh for information and necessary action please. You are requested to contact the DFO, Mahendergarh to have a common visit of the plantation work at site.

कार्यालय उप वन संरक्षक, महेन्द्रगढ़ वन मण्डल, महेन्द्रगढ़
फोरेस्ट कॉम्प्लेक्स, महेन्द्रगढ़ ।

दूरभाष/फैक्स: +91 01285 220229, ई-मेल: dfomgarh@yahoo.co.in

क्रमांक: 309

दिनांक: 25/04/24

सेवा में,

Regional Officer,
Haryana State Pollution Control Board,
Regional Office, Mahendergarh at SCO-D-6 & D-7,
Suncity Commercial Complex, Sector-6, A- Block, Rewari.

विषय: Comply with the direction for compensatory plantation as per NGT order dated 31-10-2023 in OA No. 452/2023 titled as Surender Kumar vs. State of Haryana.

सन्दर्भ: आपका पत्र क्रमांक HSPCB/MG/2024/08 दिनांक 03.04.2024

सन्दर्भांकित पत्र के सम्बन्ध में आपको अवगत करवाया जाता है कि उक्त शिकायत पर कार्यवाही करते हुए वन अपराध रिपोर्ट संख्या 055/600 दिनांक 04.05.2023 PLPA 1900 की धारा 4 के तहत दोषियों के खिलाफ चाक की गई है। जिसका अभियोजन केस नं० 7M/2023-24 बनाकर पर्यावरण न्यायालय फरीदाबाद में दायर किया गया है। माननीय NGT के दिशानिर्देशानुसार 50 पौधे कौथल खुर्द की पंचायत भूमि पर लगवा दिये गये है। यह आपको सूचनार्थ एवं आगामी आवश्यक कार्यवाही हेतु प्रेषित है ।


उप वन संरक्षक,
महेन्द्रगढ़ ।