

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

**O.A. No. 155 OF 2025**

**IN THE MATTER OF**

Sheesh Pal

...Applicant

Versus

State of Haryana & Ors.

...Respondents

**N.D.O.H. 12.02.2026**

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**FILED BY**



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PLACE: NEW DELHI

DATED:09.02.2026

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**REJOINDER ON BEHALF OF THE APPLICANT**

**MOST RESPECTFULLY SHOWETH**

At the outset, the contents of the reply filed by the respondents are denied by word and sentence unless and until the same are otherwise specifically admitted hereinafter.

**PRELIMINARY OBJECTIONS:**

1. That the reply filed by respondent No. 5 is not maintainable on behalf of respondents No. 1 to 4 and 6, as each respondent has distinct statutory functions, departmental accountability and independent administrative responsibilities in relation to the violations in question.
2. That instead of responding to the specific allegations raised in the O.A the respondents have adopted vague and omnibus pleadings avoiding disclosure of records, inspection reports, site photographs, permissions and demarcation reports.

3. That the respondents have erroneously and impermissibly extended the limited exceptions under sub-sections 4(a) and 4(b) of the Punjab Land Preservation Act, 1900 to the absolute prohibition on tree felling under sub-section 4(c).
4. That the respondents have wrongly sought to apply the continuation clause under para 1 of Notification dated 20.07.2000 to override the express prohibition on tree felling contained in para 2 thereof.
5. That the binding judgment of the Hon'ble Supreme Court in Narinder Singh & Ors. v. Divesh Bhutani & Ors. has been selectively relied upon and misinterpreted by the respondents in an attempt to mislead this Hon'ble Tribunal.

**PARA-WISE REPLY:**

1. That the contents of para 1 are vague and denied. The present reply filed by respondent No.5 on behalf of respondents No.1 to 4 and 6 is not maintainable, particularly in view of the specific and distinct allegations of statutory violations levelled against each of the respondents in the original application. The allegations are as follows:

- **Sh. Vineet Kumar Garg, IFS and Vasvi Tyagi CCF, IFS :**  
The respondent no.2 constituted a four-member committee which included respondent no.3 as the chairperson for inspection of the site to check the legal status of the land, the records of Range and Division office and record statements of the landowners, sarpanch and contractors who cut the trees.

- **Sh. Jitender Ahlawat, IFS:** The on-site inspection conducted by respondent no.4 after receiving knowledge regarding the illegal felling of trees.
  - **Vishal Kaushik, HFS:** On instructions issued by respondent no.5, illegal cutting of trees was carried out in defiance of law as per news reports between 10.03.2025 to 21.03.2025 and the Show Cause Notice to respondent no.5 granted against the unauthorized NOC for the felling of trees in Village Muwas Bhoj Matur, Panchkula Range in violation of Section 4 of PLPA, 1900.
  - **Sh. Munir Gupta, RFO:** The illegal felling of trees carried out by 50-member team equipped with electric sawing machines to cut and transport trees for almost 10 consecutive days, against the written objections of respondent no.6.
- 1.1. The respondents are attempting to evade personal and departmental accountability by filing a common reply without placing individual explanations on record.
  2. The contents of para 2 of the reply are admitted only to the extent that Village Muwas stands notified under Section 4 of the Punjab Land Preservation Act, 1900 vide Notification dated 20.07.2000. Para 2 of the said notification expressly prohibits cutting of trees or timber or any forest produce (other than grass) without permit and subject to conditions in the interest of forest conservancy.
    - 2.1 The averments that the binding directions of the Hon'ble Supreme Court in Narinder Singh & Ors. v. Divesh Bhutani & Ors., grant any

authority from the said notification to permit tree felling without compliance of the Forest (Conservation) Act, 1980 is denied. Land covered by special orders under Section 4 PLPA has the character of forest land and cannot be subjected to any non-forest activity or tree felling without prior Central Government approval.

- 2.2 The respondent's reliance on proviso empowering the Divisional Forest Officer for tree felling is misconceived, as such provision cannot override the mandatory requirements of the Forest (Conservation) Act, 1980.
3. That the contents of para 3 of the reply are wrong, misleading and denied. It is denied that private ownership or description of the land as agricultural in Girdawari records has any bearing on its forest character in matters of tree felling, which stands expressly regulated under Section 4 read with sub-section 4(c) of the Punjab Land Preservation Act, 1900 and para 2 of Notification dated 20.07.2000. The respondent's attempt to equate provisions under sub-sections 4(a) and 4(b) relating to continuation of certain pre-existing activities with the prohibition on tree felling under sub-section 4(c) is misconceived and not permissible in law.
  - 3.1 Similarly, the reliance upon para 1 of the said notification to justify continuation of activities has been falsely extended to cover tree felling which is specifically prohibited under para 2 thereof. The production of revenue records is a deliberate attempt to mislead this Hon'ble Tribunal and is contrary to settled environmental jurisprudence. It is denied that historical cultivation prior to Section 3 notification confers any right to carry out tree felling in violation of statutory forest restrictions.

4. That the contents of para 4 of the reply are denied. The averment that eucalyptus plantation was carried out as an agro-forestry measure to enhance income of local communities does not dilute the legal status of the land nor does it authorise destruction of forest cover without statutory approvals.
5. That the contents of para 5 of the reply are false, misleading and denied. It is denied that eucalyptus being an alleged exempted species under the general notification dated 04.01.2013 confers any authority to permit felling of trees in land notified by specific Section 4 of the Punjab Land Preservation Act, 1900 in the light of binding directions of the Hon'ble Supreme Court order in Civil Appeal No. 10294 of 2013 in Narinder Singh & others Vs Divesh Bhutani & others mandating prior Central Government approval.
  - 5.1 The respondents have failed to reproduce the said notification. The respondents' own withdrawal of the clarification vide letter No. 547 dated 15.04.2024 on the ground of applicability of Section 4 PLPA is a categorical admission that species exemption is inapplicable and statutory forest restrictions prevail.
  - 5.2 The averment regarding absence of felling during the intervening period is immaterial and does not legalise the subsequent illegal felling admittedly carried out and is liable to be rejected.
6. That the contents of para 6 of the reply are denied. The reliance placed upon the Forest Offence Report dated 26.03.2025 and the pendency of criminal proceedings before the learned Chief Judicial Magistrate, Panchkula is a misconceived act to cover up the

intentional wrongdoings and failure of the forest officials in discharge of their duties.

- 6.1 It is pertinent to note that the illegal felling of trees came to light during the inspection conducted by the Conservator of Forests, Ambala on 21.03.2025, following which the matter was widely reported in the media by 24.03.2025. It was only thereafter, and as a consequence of public exposure, that the Forest Offence Report dated 26.03.2025 and subsequent criminal proceedings were initiated.
- 6.2 It is denied that the respondents can absolve themselves of statutory responsibility by merely alleging that a private villager namely Mahima Dutt carried out such large-scale illegal felling of trees without being noticed. The respondents are the statutory custodians of forest notified land and are duty bound to prevent, monitor and regulate any activity in such land in accordance with the Punjab Land Preservation Act, 1900, the Forest (Conservation) Act, 1980 and binding directions of the Hon'ble Supreme Court of India. Failure to prevent illegal felling of trees in forest land constitutes dereliction of statutory duty and attracts environmental liability irrespective of whether the act was committed by a private individual.
- 6.3 Moreover, the respondents' reply is internally contradictory inasmuch as the respondents deny the applicability of Section 4 of the Punjab Land Preservation Act, 1900 to the land in question and assert that the land is private and eucalyptus is an exempted species not requiring prior permission of the Divisional Forest Officer, yet

admit the initiation of legal and criminal proceedings in relation to the felling of trees.

7. That the contents of para 7 of the reply are admitted only to the limited extent that the concerned villager Mahima Dutt had applied for permission to remove eucalyptus trees and that the Range Forest Officer vide letter dated 04.02.2025 reported that the land in question falls within the applicability of Section 4 of the Punjab Land Preservation Act, 1900. It is admitted that permission for felling of eucalyptus trees was initially conveyed to Mahima Dutt vide DFO letter No. 349 dated 08.04.2024 (with copy to the Range Officer vide letter No. 350 dated 08.04.2024), which was subsequently revoked vide DFO letter No. 547 dated 15.04.2024, with copy to the applicant vide letter No. 548 dated 15.04.2024.
- 7.1 Despite such revocation, fresh applications by the same applicant were entertained by the DFO on 23.10.2024 and again on 27.12.2024 and forwarded to the Range Officer, Panchkula for comments, who categorically reported vide letter dated 04.02.2025 that permission could not be granted as the land falls under specific Section 4 of the Punjab Land Preservation Act, 1900.
- 7.2 The alleged closure of the permission on 17.03.2025 was effected after an unexplained delay of over one and a half months, and no formal closure order has been placed on record either with the reply or the inquiry report. The entire conduct reflects deliberate procedural irregularity, lack of statutory enforcement and prima facie connivance in facilitating illegal tree felling, amounting to grave dereliction of duty on the part of the Divisional Forest Officer.

8. That the contents of para 8 of the reply are admitted only to the limited extent that PCCF (HoFF), Haryana constituted a Fact Finding Committee vide order dated 24.03.2025. The findings of the Committee are denied as misleading and based on distorted interpretation of Sections 3 and 4 of the Punjab Land Preservation Act, 1900, particularly by impermissibly equating the prohibition on tree felling under sub-section 4(c) with provisions under sub-sections 4(a) and 4(b), and by wrongly extending para-1 of the Notification dated 20.07.2000 to override the express prohibition contained in para-2 thereof.
- 8.1 It is specifically denied that private ownership or historical cultivation prior to the Section 3 notification of 1989 has any bearing on the forest character of the land once governed by special orders under Section 4 PLPA, which attract statutory forest protection regime under the Forest (Conservation) Act, 1980. The Committee report itself confirms occurrence of illegal felling through recorded stumps and coppice shoots, which cannot legalise the act in view of the absolute prohibition on tree cutting under Section 4(c) PLPA and para-2 of the Notification dated 20.07.2000. The manner in which large-scale illegal felling has been diluted in the inquiry reflects serious failure of statutory custodians to discharge their environmental duties.
9. That the contents of para 9 of the reply are wrong and denied. It is pertinent to submit that the averments contained in this para form the very foundation of the erroneous interpretation adopted by the respondents and the Fact Finding Committee constituted by the PCCF (HoFF) to justify the large-scale illegal felling of trees. In

order to demonstrate the distorted application of the provisions of the Punjab Land Preservation Act, 1900, it is necessary to examine the scheme of Sections 3 and 4 along with sub-sections 4(a), 4(b) and 4(c) thereof. The relevant statutory provisions are reproduced herein below for proper appreciation by this Hon'ble Tribunal:

***NOTIFICATION AND REGULATION OF AREAS***

*Section-3. Notification Of areas.-Whenever it appears to the Provincial Government that it is desirable to provide for the conservation of sub-soil water or the prevention of erosion in any area subject to erosion or likely to become liable to erosion, such Government may by notification make a direction accordingly.*

*Section-4.-Power to regulate, restrict or prohibit, by general or special order, within notified areas, certain matters.-In respect of areas notified under section 3 generally or the whole or any part of any such area, the Provincial Government may, by general or special order temporarily regulate, restrict or prohibit-*

*Sub-section 4(a).-the clearing or breaking up or cultivating of land not ordinary under cultivation prior to the publication of the notification under section 3;*

*Sub-section 4(b).-the quarrying of stone or the burning of lime at places where such stone or lime had not ordinarily been so quarried or burnt prior to the publication of the notification under section 3;*

*Sub-section 4(c).-the cutting of trees or timber, or the collection or removal or subjection to any manufacturing process, otherwise than as described in clause (b) of this sub-section of any forest produce other than grass, save for bonafide domestic or agricultural purpose.*

*Sub-section 4(d).-the setting on fire of trees, timber or forest produce;*

*Sub-section 4(e).-the admission, herding, pasturing or retention of sheep;*

*Sub-section 4(f).-the examination of forest produce passing out of any such area; and*

*Sub-section 4(g).-the granting of permits to inhabitants of towns and villages situated within the limits or in the vicinity of any such area, to take any tree, timber or forest produce for their own use there from, or to pasture sheep, or to cultivate or erect buildings therein and the production and return of such permits by such persons.*

- 9.1 It is evident from a conjoint reading of Sections 3 and 4 of the Punjab Land Preservation Act, 1900 that once an area is notified under Section 3 and special restrictions are imposed under Section 4, all activities stand prohibited except those expressly permitted under sub-sections 4(a) and 4(b). Only the activities relating to cultivation under sub-section 4(a) and quarrying under sub-section 4(b) may continue, and that too only on lands which were already under cultivation or quarrying prior to publication of the Section 3 notification, which in the present case is 24.03.1989. The prohibition on felling of trees under sub-section 4(c) is absolute and is not subject to any temporal limitation linked to the Section 3 notification.
- 9.2 That the respondents by way of the Fact Finding Committee have deliberately misdirected the inquiry by relying upon irrelevant revenue records to falsely extend the limited exceptions under sub-sections 4(a) and 4(b) to the prohibited activity of tree felling under sub-section 4(c), in an attempt to portray the illegality as permissible. Such interpretation is contrary to the statutory scheme of PLPA, the Forest (Conservation) Act, 1980 and binding directions of the Hon'ble Supreme Court, and is liable to be rejected.
10. That the contents of para 10 are wrong and denied. The selective reliance on the judgment of Narinder Singh v. Divesh Bhutani while ignoring its binding mandate is misconceived, as historical

cultivation does not legalise felling in notified forest land. The practice of agriculture on the said land bears no relation to the violation of tree felling committed on the land.

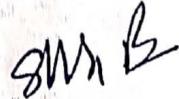
11. That the contents of para 11 of the reply are wrong and denied. In addition to the deliberations laid out in para number 6 above it is reiterated that initiation of criminal proceedings does not absolve the respondents of statutory environmental liability. Environmental liability is civil and independent of criminal prosecution, and pendency of the criminal case is irrelevant to restoration and accountability proceedings before this Hon'ble Tribunal.
12. That the contents of para 12 of the reply are misleading and denied. Despite being fully aware of the statutory prohibition under the Punjab Land Preservation Act, 1900 and binding directions of the Hon'ble Supreme Court, the Divisional Forest Officer, Morni-Pinjore repeatedly entertained applications of Mahima Dutt for felling of trees instead of rejecting them outright, and forwarded the same to the Range Officer, Panchkula for reports.
  - 12.1 It stands admitted that permission conveyed vide letter dated 08.04.2024 was withdrawn on 15.04.2024, yet fresh applications dated 23.10.2024 and 27.12.2024 were again processed in the same unlawful manner. Even after the Range Officer categorically denied permission vide letter dated 04.02.2025 on the ground of applicability of Section 4 PLPA, the alleged withdrawal by the DFO was effected only after an unexplained delay of over one and a half months. No formal withdrawal order has been placed on record. Such conduct demonstrates deliberate procedural irregularity and prima facie connivance in facilitating illegal felling.

- 12.2 The fact that plantation was undertaken by the Forest Department itself confirms forest management of the land, attracting heightened duty of protection. The reliance on Girdawari records is legally irrelevant, as revenue entries cannot override statutory forest notification under Section 4(c) PLPA read with the Forest (Conservation) Act, 1980.
13. That the contents of para 13 of the reply are wrong and denied. The respondents, being statutory custodians of forest land, were bound to exercise continuous monitoring and preventive enforcement. The occurrence of illegal felling itself demonstrates failure of supervision and constitutes dereliction of statutory duty. Post-facto action does not cure environmental harm, as forest law mandates prevention and proactive protection.
14. That the respondent no.1 has failed to place on record any comprehensive action taken report regarding violations arising out of illegal felling of eucalyptus trees in forest notified land under Section 4 read with sub-section 4(c) of the Punjab Land Preservation Act, 1900.
15. That the respondents have not produced any scientific or expert assessment to quantify the extent of environmental and biodiversity damage caused due to the illegal felling suppressing the magnitude of harm caused to the forest land.
16. That the inquiry report pursuant to office order dated 24.03.2025 is demonstrably biased, selective and misleading. The respondents have failed to adduce any omission, contradiction and dilution of responsibility and thus their reply is liable to be rejected.

**PRAYER**

That in the facts and circumstances of the present case, this Hon'ble Tribunal may be pleased to:

- a) Reject the reply filed by the respondents as being evasive and collusive each other;
- b) In the alternative, direct each respondent to file separate individual replies in view of their distinct departmental accountability and statutory responsibilities;
- c) Pass such other order(s) as this Hon'ble Tribunal may deem fit in the interest of justice and environmental protection.

**THROUGH****APPLICANT v****HARSH PANWAR & NARAYANI SEPAHA**

Advocate for the Applicant

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PLACE: NEW DELHI

DATED: 09.02.2026



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

**O.A. No. 155 OF 2025**

**IN THE MATTER OF**

Sheesh Pal

∴ Applicant

Versus

State of Haryana & Ors.

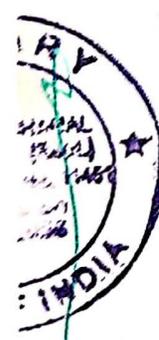
∴ Respondents

**AFFIDAVIT**

I, Sheesh Pal, aged 44 years, S/o Sh. Raj Pal, R/o 1213, Sector-22B, Chandigarh-160022, do hereby solemnly affirm and declare as under:-

1. That I am the applicant in the aforesaid matter. I am well conversant with the facts and circumstances of the present case. Hence, I am competent to swear this affidavit.
2. That the accompanying rejoinder has been drafted under my instructions by my counsel and the contents of the same are true and correct to my knowledge, save legal averments, which are based on the legal advice received and believed to be true. The contents of the accompanying rejoinder may be read as part and parcel of the present Affidavit as the same are not being repeated herein for the sake of brevity.

09 FEB 2026

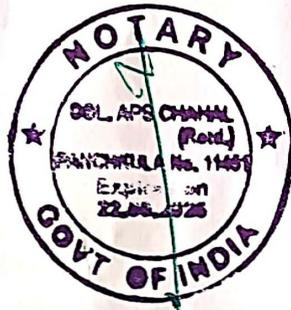


*[Signature]*  
DEPONENT

**VERIFICATION**

Verified at New Delhi on this \_\_\_ day of February, 2026 that the contents of the above affidavit are true and correct to my knowledge. No part of this Affidavit is false and no material facts have been concealed therefrom.

*[Signature]*  
DEPONENT



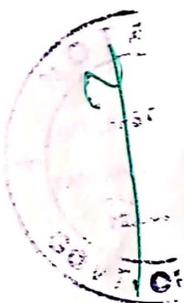
09 FEB 2026

IDENTIFIED & SIGNED BEFORE ME

*Mahjeet Singh*  
(*Manjeet Singh* 1  
*S/o Man Singh*  
*Doorbaz 4412 1831 8442*)

**ATTESTED**  
*[Signature]*  
APS CHAHAL No. 11451  
NOTARY PANCHKULA

09 FEB 2026



**VAKALATNAMA  
BEFORE THE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH**

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**Original Application No. 155/2025**

**IN THE MATTER OF:**

Sheesh Pal

Applicant

Versus

State of Haryana & Ors.

Respondents

I, Sheesh Pal, aged about 44 years, S/o Sh. Raj Pal, R/o 1213, Sector-22B, Chandigarh-160022. The above named applicant do hereby appointed

**HARSH PANWAR & NARAYANI SEPAHA**

Advocates for the Applicant

I-5, 3<sup>rd</sup> Floor, Jungpura Extension, New Delhi – 110014

Mobile No. 9958572098

Enrolment Nos. D-4789/2015 & MP/3773/2023

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harshpanwar18@gmail.com

(Herein after called the advocate/s) to be my/ our Advocate in the above-noted case authorize him:- To act, appear and plead in the above-noted case in this court or in any other Court in which the same may be tried or heard and also in the appellate court including High Court subject to payment of fees separately for each court by me/ us. To sign file, verify and present pleadings, appeals cross-objection or petitions for executions review, revision, withdrawal, compromise or other petitions or affidavits or other documents as my be deemed necessary or proper for the prosecution of the said case in all its stages subjects to payment of fees for each stage. To file and take back documents, to admit and/ or deny the documents of opposite party. To withdraw or compromise the said case or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case. To take execution proceedings. The deposit, draw and receive money, cheques, cash and grant receipts hereof and to do all other acts and things which may no necessary to be done for the progress and in the course of the prosecution to the said case. To appoint and instruct any other Legal Practitioner authorising him to exercise the power and authority hereby conferred upon the Advocate whenever he may think fit to do so and to sign the power of attorney on our behalf. And I/We undersigned do hereby agree not to hold the advocate of his substitute responsible for the result of the said case. The adjournment costs whenever ordered by the court shall be of the Advocate which he shall receive for himself. And I/We undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/ us to be paid to the advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settled is only for the above case and above Court. I/ We hereby agree that once the fee is paid, I/We will not be entitled for the refund of the same in any case whatsoever and if the case prolongs for more than 3 years the original fee shall be paid again by me/ us.

**IN WITNESS WHERE OF** I/ We do hereunto set my/ our hand to these presents the contents of which have been understood by me/ us on this Day of 6<sup>th</sup> February, 2026.

Accepted subject to the terms of the fees.

Sheesh Pal ✖  
Clients Signature identified & certified by counsel

*Sheesh Pal*

*Harsh Panwar*

*Narayani Sepaha*

**HARSH PANWAR, & NARAYANI SEPAHA, ADVOCATES**

D-4789/2015

MP/3773/2023



**PROOF OF SERVICE**

RPA LEGAL &lt;contactrpalegal@gmail.com&gt;

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**REJOINDER ON BEHALF OF THE APPLICANT**

1 message

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**RPA LEGAL** <contactrpalegal@gmail.com>  
To: rkhuranalegal@gmail.com

Mon, Feb 9, 2026 at 1:10 PM

To,  
(Rahul Khurana)  
Advocate for respondent no.1 to 6  
Off: A-174A 2 ndFloor, Defence Colony , New Delhi-24  
Mobile No. 9811894060  
e-mail: [rkhuranalegal@gmail.com](mailto:rkhuranalegal@gmail.com)

Dear Sir,  
Please find enclosed copy of rejoinder on behalf of the applicant as per order dated 17.11.2025 passed by the Hon'ble Tribunal.

**ROOPANSH PUROHIT & ASSOCIATES**I-5, 3<sup>RD</sup> Floor, Jangpura Extension, New Delhi – 110014Telefax: 011-45152223; E-mail: [contactrpalegal@gmail.com](mailto:contactrpalegal@gmail.com)

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 **Rejoinder on behalf of Applicant Sheesh Pal DT. 06.02.2026...pdf**  
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