

BEFORE THE NATIONAL GREEN TRIBUNAL
 PRINCIPAL BENCH AT NEW DELHI
 ORIGINAL APPLICATION(O.A.) NO.237 OF 2025

IN THE MATTER OF:

Narender Kumar

V/S

State of Haryana & Ors

APPLICANT

RESPONDENTS

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7. Proof of Service.

29.

Through Counsel

Jai Krishna Singh

Jai Krishna Singh Advocate on Record

Hon'ble Supreme Court of India

CH. No.-17, M.C.Setalvad Block

Supreme Court Of India,

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI
ORIGINAL APPLICATION(O.A.) NO.237 OF 2025

1

IN THE MATTER OF:

Narender Kumar

APPLICANT

VS

State of Haryana & Ors

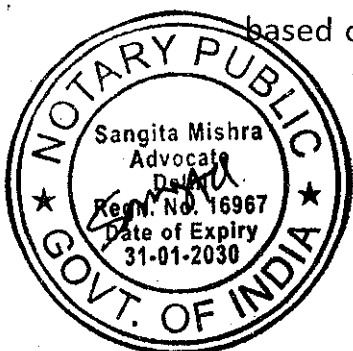
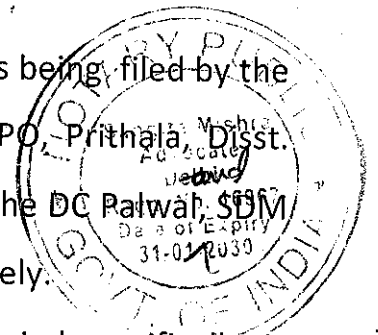
RESPONDENTS

REPLY ON AFFIDAVIT BY THE RESPONDENT NO.-8

MOST REPECTFULLY SHOWETH:

I, Praveen Kumar, Block Development and Panchayat Officer, presently posted at Prithala, Distt. Palwal, Haryana, do hereby solemnly affirm and state as under :

1. That I am the respondent no.-8 in the above matter, as such conversant with the facts and circumstances of the present case, therefore competent to swear this affidavit.
2. That the deponent states that the present affidavit is being filed by the present deponent on behalf of himself as the BDPO, Prithala, Distt. Palwal as well as on behalf of the State of Haryana, the DC Palwal, SDM Palwal, who are respondents nos. 1,5 and 6 respectively.
3. I also state that the no point of this O.A. if not denied specifically, is deemed as admission on the part of the deponent.
4. That the deponent further states specifically that the deponent in discharging his official duties abides by all the applicable laws of the land including the environment protection laws
5. That the deponent further states with dismay that the present O.A. being based on false, totally incorrect as well as misconceived and misleading



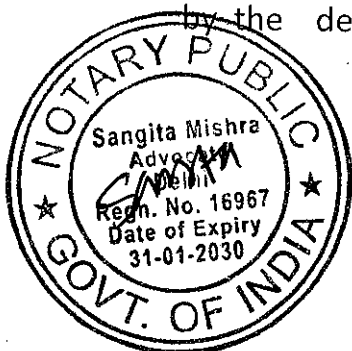
facts, is incompetent and no way maintainable. Further material as well as very conclusive/decisive facts have been suppressed by the applicant in the present O.A. This shows the unclean hands with which the applicant has approached this Hon'ble Tribunal. Thus the deponent states that the present O.A. is the gross abuse of the process of the Hon'ble Tribunal. The deponent also states very specifically that it was incumbent upon the applicant to prove his case by adducing sufficient evidence and not make the wild and baseless allegations against the very Sr. officers of the district administration including the answering deponent without any credible evidence. It is stated with pain that the instant O.A. is full of baseless and farfetched allegations as well as inappropriate, malicious and intemperate words and phrases like "collusion among the Village Sarpanch, Secretary of Prithala Panchayat, the private contractor, BDPO, SDM, Prithala and the Deputy Commissioner, Palwal" in spite of all sincerities on their part in discharging of their official duties in the present matter.

5. That the deponent states that thus the instant O.A. is, liable to be dismissed with exemplary costs under Section 23(2) of the NGT Act 2010. Further the applicant has rendered himself liable for action /prosecution under Section 215 of BNSS
6. That it is stated that in discharging his official duties, the deponent leaves no stone unturned to observe the official discipline and abide by the laws of the land including the environmental and forest related laws. Further it is stated specifically that as a Civil Servant of the Haryana Civil Services, the deponent has been inculcated the spirit to abide by



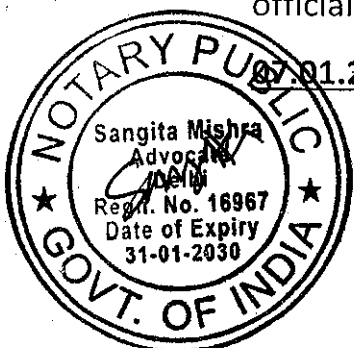
discipline and official decorum and to act in every emergent situation with all sincerity, the alacrity and promptness that are called for and in the present situation also the deponent had acted under the supervision of his senior officers with the sincerity and promptness and with every sense of detachment from any extraneous pressure and influences.

7. That the deponent states very specifically that the applicant's allegation of illegal activities having been carried out in Prithala Panchayat, is misconceived, misleading and not based on correct facts. The deponent states that no illegal activities have been committed on the Gram Panchayat Land of Prithala. The particular land is being developed for the dumping yard and due permission has been obtained by the said Panchayat from the District administration by complying with all formalities. The deponent states very specifically and unequivocally that in granting the above permission by the District Administration, all the environmental protection laws have been abided by and are further being abided by the answering deponent under the direct supervision and control of the Sr. officers such as respected SDM and Respected DC in the present case.
8. The deponent states that in the instant case immediately all necessary steps were taken by the deponent under the supervision and guidance of senior officers such as SDM and the BDPO on the receipt of the complaint dated 07.10.2024 by Sh. Rakesh Kumar and subsequently by the village Sarpanch of Prithala on 16.10.2024 of felling of 25 extra trees by the private contractor and the matter was duly taken into cognizance by the deponent. A letter was also written by the deponent to the



complainant Sh. Rakesh Kumar to provide in person on 25.10.2024 the supporting materials endorsing his complaint.

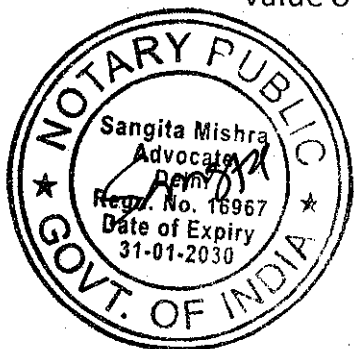
9. That hereafter a four member committee comprising of Sh. Kunwarpal, In charge of S.E.P.O., Clerk Sh Tuhiram, Concerned Junior engineer and concerned village secretary, was constituted by the deponent on 25.10.2024 and they were directed to visit the site of tree felling and do proper on the spot inspection by them and submit their report. The said committee had duly submitted its report on 04.11.2024 confirming the felling of the 25 extra trees beyond the sanctioned 43 trees.
10. That the deponent had also written on 08.11.2024 to the Superintendent of Police to take appropriate legal steps in the matter. Accordingly the SHO concerned had interrogated the said Private Contractor. The deponent states that the said Contractor, the respondent no.-9 has admitted before the SHO, Garhpur that being a contractor assigned with the work of felling 43 trees, he had felled the extra 25 trees because he found them hindrance in felling/cutting the 43 sanctioned trees.
11. That the deponent states that 25 extra trees were felled by the contractor and since it was not possible to assess the diameter, position, and types of trees felled just as this was done with regard to the 43 trees for which permission for felling was granted by the deponent, therefore taking as base the total value of the above 43 trees which were auctioned for Rs 401000/-, the value of the aforesaid 25 trees felled illegally, were assessed by the deponent to be Rs 233125/- and so the said Panchayat officials were directed by the deponent vide his office Order dated 07.01.2025 to recover the aforesaid Rs 233125/- from the said contractor



and deposit the same in the Village Panchayat's bank account. It is stated further that the said contractor had deposited the above penalty amount in the said Village Panchayat's Account no. 06732191025794. The said penalty amount has been deposited on 14.01.2025.

12. That the deponent further states that on the instruction of the deponent's senior officers the deponent directed the Village Sarpanch of Prithala, to plant 500 trees (250 by contractor) and intimate this Office of the compliance. It is also stated that the said Sarpanch in compliance with the above Order has planted 500 hundred trees of different types including of religious and spiritual significance. This is more than six times of the felled trees whereas vide the Order issued by respected DC for felling 43 trees, he was ordered to plant trees three times only of the felled trees. The kind Order passed by the respected DC on 02.06.2025 affirms that 500 trees have been planted by them A copy of the same has been annexed herewith as **ANNEXURE NO.-R8-1**

13. That the deponent states that the matter was simultaneously assigned to the SDO/SDM by the respected DC Sahab vide his Order dated 25.10.2024 directing him to submit his report to him. The respected SDO/SDM Sahab submitted his report dated 14.02.2025 wherein it has been pointed out that 25 extra trees were felled by the contractor and since it was not possible to assess the diameter, position, and types of trees felled just as this was done with regard to the 43 trees for which permission for felling was granted, therefore taking as base the total value of the above 43 trees which were auctioned for Rs 401000/-, the value of the aforesaid 25 trees felled illegally, were assessed by the BDPO



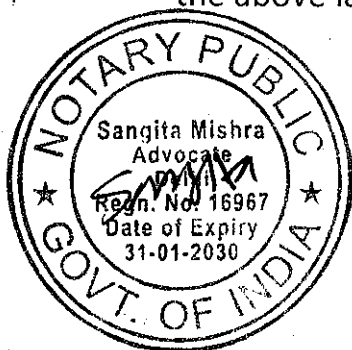
to be Rs 233125/- and so the said Panchayat officials were directed by the BDPO vide his office Order dated 07.01.2025 to recover the aforesaid Rs 233125/- from the said contractor and deposit the same in the Village Panchayat's bank account. It has been further said in the above report that the said contractor has deposited the above penalty amount in the said Village Panchayat's Account no. 06732191025794. The said penalty amount has been deposited on 14.01.2025. The deponent states that the applicant has himself relied on the above report and has annexed the same as Annexure no.-1 with the present O.A.

14. That the deponent further states that in the given situation where the felled extra 25 trees were not available for assessment as observed by forest officials also, therefore the senior Officer Respected DC sahab had reached the conclusion that assessment done by the deponent based on the total value of the sanctioned 43 trees, was fair and reasonable on conservative side. However, it is also stated that since the respected DC sahab had found valid the claim of compliance with above Order of the deponent by the Village panchayat Sarpanch to plant 500 hundred trees which were planted to offset the damage caused following the felling of the above said 25 extra trees, therefore the respected DC sahib holding the view that the above penalty amount imposed and recovered from the said Contractor was just and sufficient to meet the ends of Justice, decided keeping in view the entire facts of the case in proper perspectives that it would be prudent to dispose off the So Cause Notice which was served to the Village Sarpanch Sh. Satendra Kateria. Thus accordingly the



aforsaid so cause notice was disposed off by the DC vide his above Order dated 02.06.2025 discharging the respondent no-7 thereby.

15. That the deponent states that in the present matter the respondent no.9 has deposited the above penalty amount as stated herein above and further the said panchayat body has also planted more than 500 hundred trees also(250 by the contractor),restoring the ecological balance
- 16.That the deponent states that the applicant ought to have refrained from making the above wild, baseless as well as sweeping allegations of collusion between the elected Panchayat body and the district officials including the answering respondent.
17. The deponent states that the present applicant deserves to be punished so that the plenary Jurisdiction of this Hon'ble tribunal is not lightly invoked by irresponsible litigants in future.
- 18.That the deponent states that in this regard, the Hon'ble Supreme Court of India has held in **Dr. Buddhi Kota Subbarao V/s Mr.Para saran, 1996(5)SCC 530**, as under:
- “No litigant has a right to unlimited drought on the Court time and public money in order to get his affairs settled in the manner as he wishes. Easy access to Justice should not be misused as a license to file misconceived or frivolous petitions. After giving our careful consideration to the submissions made at the bar as well as those contained in the memorandum of the applicant, we are of the opinion that this application is misconceived, untenable and has no merits whatsoever. It is accordingly dismissed.” I state that the answering respondent relies on the above law.



19. That further , the Hon'ble Supreme Court of India, has held in Noorduiddin V/s K. L. Anand 1995 SCC(1)242, as under :-

“Equally the judicial process should never become an instrument of operation or abuse or a means in the process of the Court to subvert justice”

Further, the Hon'ble Supreme Court of India, has held in Sabia Khan and Ors V/s State of UP and Ors (1999)1SCC271 as under :-

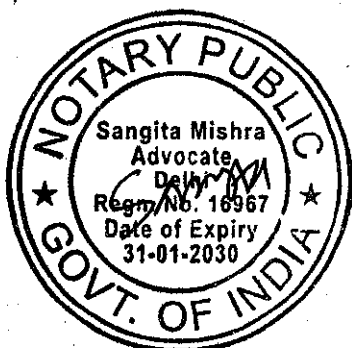
“4. After hearing Mr. Sharma, learned counsel for the petitioner, it is obvious that the petition is misconceived and based on a total misconception”.

That in Satyavrat Sanjeev Kumar Mohanta V/s MOEF & C (OA/53/2023/EZ), the Hon'ble NGT has held as under :-

“26. We are, therefore, satisfied that not only is the original application not maintainable but same is an abuse of the process of the Court in view of the order passed by the Hon'ble High Court of the Orissa at Cuttack and the Hon'ble Supreme Court.”

That in Virani Construction Co. V/s the state level environmental impact assessment committee appeal No. 72/2013, the Hon'ble NGT has observed as under :-

“16. Taking stock of the foregoing discussions we are of the opinion that the appeal is not maintainable and is incompetent. We are of further opinion that the appellant filed the present appeal with malafide intention to put pressure on SEAC and SEIAA in order to escape from credible action contemplated against him. In this view of the matter, the



appeal is liable to be dismissed with exemplary cost. We accordingly dismiss the appeal with the cost of Rs. 1,00,000/-(Rs –one Lac)".

That in Waseem Ahmed V/s State of UP , OA/62/2023, the Hon'ble NGT has held as under :-

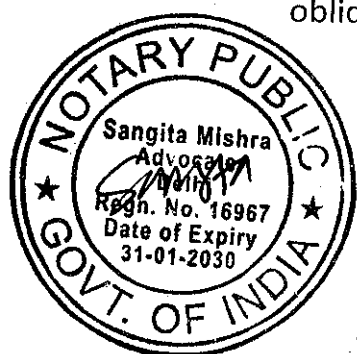
"5. In view of above, the application was based on misleading and false facts which has resulted in abuse of process of law. Accordingly the application is dismissed with cost quantified at Rs. 25,000/-."

The Hon'ble High Court of Delhi has held in Trans India Logistics V/s UOI 2014 SCC online Dell 1135, has held as under :-

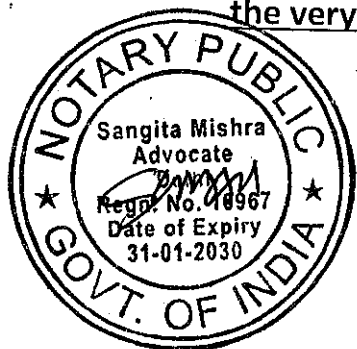
"9. The aforesaid conduct of the petitioner amounts to deliberate concealment of material facts from the Court which itself is considered sufficient ground for the Court to dismiss the present petition. The petitioner cannot expect equity to flow in his favour when he elects to approach the Court with unclean hand and states half-truth and makes selective disclosures."

20. That the deponent states that the applicant has intentionally failed to reveal all the necessary and material facts to the present Tribunal in the present matter and further deliberately failed to place the relevant documents on records.

21. That the deponent further states very humbly to put the record straight that the averments of the applicant in the O.A. as well as the documents attached with the instant O.A. itself endorse the aforesaid statements and submissions of the deponent and has, in fact, laid bare the whole truth which speak for itself that the Present O.A. has been filed with oblique motive.

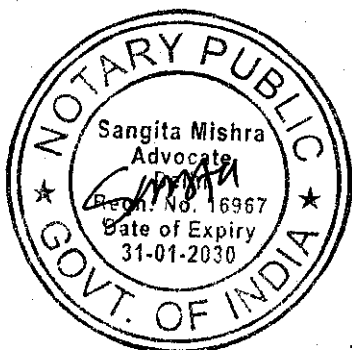


22. That the deponent states that by no stretch of imagination, there is any evidence at all adduced by the applicant which can show in any sense that there is any case against the answering respondent or our subordinate officers and staffs working under the deponent's direct supervision and control. Thus the case of collusion and consequent apathy on the deponent's part set up in the instant O.A. against the respondents including the deponent, has pulverized completely.
23. That the deponent states that the applicant has thus misled this Hon'ble Tribunal by presenting not the correct facts of the instant case.
24. That the deponent also states that the applicant has maligned and defamed the deponent including our senior district officials such as the respected SDM and respected DC sahab by dragging them also in the present case in spite of the evidences on record which show their promptness and sincerity with which they all had promptly put up the matter to the deponent of the felling of aforesaid 25 trees without due legal permission.
25. That the deponent states that he reserves his right to take appropriate legal remedy against the applicant for defaming the deponent by the present O.A. which is in every human sense malicious as well as vexatious.
26. That the deponent states further that it has been admitted by the present applicant himself in the instant O.A. that the penalty of Rs 2,33125 imposed by the Deputy Commissioner of the District Palwal, has already been deposited by the said private Contractor into the account of the said Panchayat Prithala. However, the applicant has suppressed the very material fact that the elected panchayat under the leadership



of the respondent no-7, has immediately complying with our aforesaid Order , planted 500 trees in the said Panchayat.

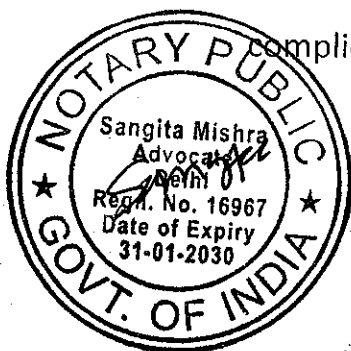
27. That the deponent states further that the sincerity and diligence on the part of the present respondent as well as his senior officers, is self-evident from the statement of the applicant himself in the present application.
28. That the deponent thus states that the applicant's aforesaid self-admissions itself show that the steps emergent to have been taken by the respondent in the emergent situation, were taken with all alacrity and promptness by the present deponent under the direct supervision and control of the Sr officers of the district administration including the forest officials.
29. That the deponent states that instead of appreciating the above alacrity and sincerity of the answering respondent including of the senior officers who are the respondent no. 5,6,and 8, their image has been dented by suppressing the material facts in the instant O.A..
30. That the deponent states that the facts mentioned herein above show amply that the applicant's present O.A is a motivated one as the steps as per the Forest Act and rules framed there under by the Govt Of Haryana, have already been taken by the local District Administration and the present Panchayat body has complied with the same. Thus the present O.A being motivated for oblique reason, is liable to be dismissed with exemplary costs for wasting the precious time of the present Hon'ble Tribunal.



31. That the deponent states that the contents of the synopsis are false, misconceived and misleading and not correct at all, therefore they are denied word by word and line by line except the parts of record of the present case. The deponent further denies the facts narrated in the present OA as false and misleading. As the facts narrated therein are not correct and the correct facts have been suppressed by the present applicant in the present O.A. *Authoid letters 1 and 2 have been annexed as Annexure 2 and 3.*
32. The deponent states that the Judgment of the Hon'ble Apex Court relied by the present applicant is distinguishable from the facts and circumstances of the present case. The applicant has on the strength of half baked facts, false allegations and misleading facts suppressing the correct facts, wrongly relies on the Judgments referred to in the present matter.

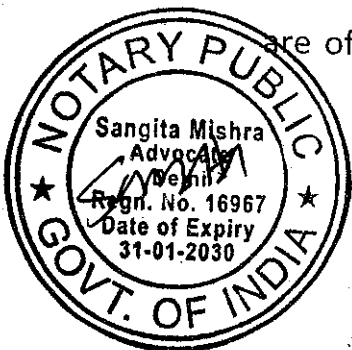
PARA WISE REPLY TO THE GROUNDS

- i. That the contents of the Ground 1 under reply are, false besides being misconceived, vexatious and misleading, therefore denied word by word line by line except as to the records of the present case.
- ii. That the contents of the ground 2 under reply do not pertain to the deponent or his subordinate officers and staffs under him. The deponent, therefore, does not need to make comments on the personal equation among the Sarpanch, the Secretary and the said contractor. However, it is stated that it is a matter of record that the village panchayat body had filed complaint of the tree felling against the said contractor. Further it is stated that the Panchayat body has complied with the Order of the district administration. The district



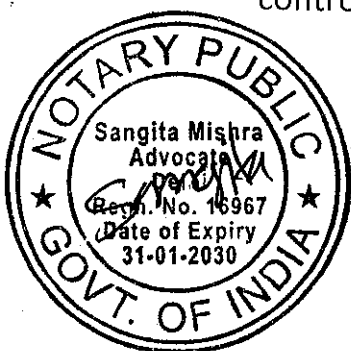
administration affirms that the said Panchayat body has restored the damage to the great extent in compliance with the Orders passed by the deponent from time to time under the direct supervision and control of the Sr. Officers of the District administration besides recovering the penalty amount and planting of 500 trees. The deponent states that the present compliance shall serve as eye opener to the would be malefactor in future.

- iii. That the contents of the ground 3 under reply are, totally false, baseless as well as malicious besides being misconceived, and misleading, therefore denied word by word line by line except to the extent they are parts of record. The annexures relied by the applicant himself in the present O.A., clearly show the steps that were taken by the Panchayat elected body in compliance with the Orders passed by the present deponent on instructions of our seniors. The above annexures further show that the Said officials of the District administration such as the deponent, respected SDM, respected Deputy Commissioner as well as the local Police officers have acted very promptly with all alacrity and after proper assessment of the damage caused in the present case, appropriate Order was passed and the respondent and the elected Panchayat body under him have duly complied with the above Order. The penalty amount of Rs. 233125/- has been deposited in the Gram Panchayat account and further 500 trees have also been planted by the said Gram Panchayat Body in compliance with the deponent's Order. Many of those trees are of religious and spiritual significance. The aforesaid submissions



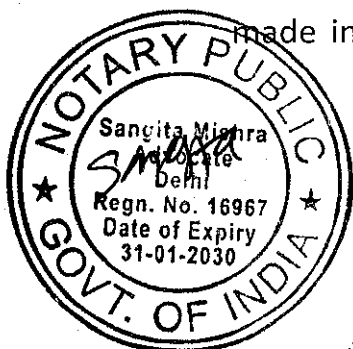
made herein above in the para no. 9 to 14, may kindly be treated as part and parcel of the present reply for the sake of brevity.

- iv. That the contents of the Ground 4 under reply are parts of record. However, the contents are not completely true, the contents are misconceived, and misleading and vexatious, therefore denied word by word line by line except the parts of record. The submissions made in the above paras 09 to 14 show abundantly that appropriate steps with all promptness were taken by the deponent under the direct supervision and control of the Sr. Officers in the matter and the ecological loss/damage caused by felling of 25 extra trees, has been adequately restored. The allegation of collusion is absurd and motivated made in the present O.A.
- v. That the contents of the Ground 5 under reply are, false besides being misconceived, and misleading, therefore denied word by word line by line except to the extent they are parts of records. The penalty amount as decided by the District Administration has been deposited in the Gram Panchayat's account by the said Private Contractor, and 500 trees have also been planted by the Panchayat body in compliance with the above Order passed by the deponent. Therefore, the essence of the polluter pays and precautionary principles as outlined under Section 20 of the National Green Tribunal Act, 2010 has been achieved by the strict, prompt and diligent efforts and steps taken with all sincerity by the present deponent under the direct supervision and control of the respected Sr. officers SDM and DC sahib. There remains



nothing in the present case. It is further stated that direct vigil is being maintained by the deponent on the said Panchayat.

- vi. That the contents of the ground 6 under reply are, misconceived, and misleading, therefore denied word by word line by line except the parts of record. The aforesaid submissions may kindly be treated as part and parcel of the present reply for the sake of gravity.
- vii. That the contents of the ground 7 under reply are, parts of record, therefore need no reply. The aforesaid submissions may kindly be treated as part and parcel of the present reply of the sake of gravity.
- viii. That the contents of the ground 8 under reply are, absurd besides being misconceived, and misleading, therefore denied word by word line by line except the parts of record. The submissions made herein above show that the said contractor was interrogated by the concerned Police station. However, he has complied with the subsequent order of the deponent directing the Panchayat Body to recover the penalty amount from him as he has immediately deposited the aforesaid penalty amount and 500 trees have also been planted by the Panchayat Body including the contractor, therefore, the ends of justice has been achieved. The deponent states that the law is well settled that the penalty should not be disproportionate in any case, subject to collection by the Tribunal
- ix. That the contents of the para under reply are, false besides being misconceived, and misleading, therefore denied word by word line by line. In view of the submissions made hereinabove, the allegation made in the ground 9 does not have legs to stand. The allegations



made in the present O.A and the present para, have disappeared in ether.

33. That the deponent states that Prayer clauses 01 to 09 are absurd, illegal, motivated and guided by malafides and oblique motives, even otherwise they have become infructuous. Therefore, all the prayer clauses deserve to be dismissed in their entireties with exemplary costs in the favour of the deponent and the district administration.

PRAYER

Deponent, therefore prays very humbly that the present Hon'ble Tribunal may most graciously be pleased to:

- dismiss the present OA with exemplary costs in favour of the District administration,
- proceed to prosecute the applicant under Section 215 of BNSS, and
- pass any such other or further orders as this Hon'ble Tribunal deems fit and proper in the interest of kind justice.

FOR THIS ACT OF KINDNESS THE DEPONENT AS IN DUTY BOUND SHALL EVER PRAY.

PS VIKAR
DEPONENT

VERIFICATION

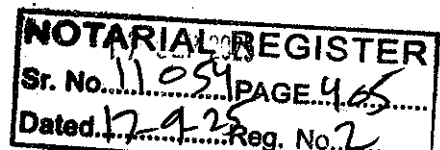
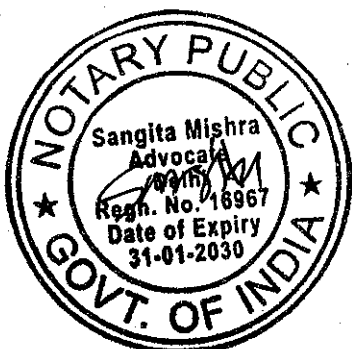
17 SEP 2025

VERIFIED ON THIS MONDAY, 15 DAY OF SEPTEMBER, 2025, that the statements made in the present OA are true to the best of deponent's knowledge and nothing material has been concealed therefrom.

PS VIKAR
DEPONENT

ATTESTED

Sangita
Mrs. Sangita Mishra
Advocate Delhi
Regn. No. 16967
Govt. of India
Mob. No. 9990312780



I identify the deponent who has signed/T.I in my presence

R. A. Sharma

Mr./MsAdv./Self
ID No.:.....

A NUREME R-1 17

आदेश

श्री राकेश कुमार पुत्र श्री रोहताश निवासी ग्राम पंचायत पृथला की शिकायत दिनांक 07.10.2024 कार्यालय में प्राप्त हुई, उक्त शिकायत पर उपमण्डल अधिकारी (ना0) पलवल ने पत्र क्रमांक 1294 दिनांक 14.02.2025 द्वारा उक्त शिकायत की जाँच करके जाँच रिपोर्ट इस कार्यालय में प्रस्तुत की, उक्त जाँच रिपोर्ट के आधारे पर इस कार्यालय के पत्र क्रमांक 354 /प0 दिनांक 16.04.2025 द्वारा श्री सतेन्द्र कटारिया सरपंच ग्राम पंचायत पृथला को हरियाण पंचायती राज अधिनियम 1994 की धारा 51 (1) के तहत कारण बताओ नोटिस जारी किया गया कि उप-वन संरक्षक पलवल ने पत्र क्रमांक 1364 दिनांक 25.06.2024 द्वारा 43 पेडों की मु0-46,407/- रूपये कीमत लगाई गई थी। सरपंच ग्राम पंचायत पृथला द्वारा ठेकेदार को मु0 40,1000/- रूपये में 43 पेडों की निलामी कार्यवाही की गई थी तथा स्वीकृति के समय दी गई शर्तों अनुसार फोटोग्राफी / विडियोग्राफी की शर्त का भी पालन नहीं किया गया, उक्त रिपोर्ट अनुसार बिना अनुमति के काटे गये 25 पेडों की मु0-233125/-रूपये कीमत बनती जिनकी देख-भाल आप की जिम्मेवारी बनती थी। आपने उक्त ठेकेदार के द्वारा 25 हरे-भरे पेड काटवाकर ग्राम पंचायत पृथला को मु0-233125/- रूपये की वित्तीय हानि पहुँचाने के संबंध में जवाब देने बारे लिखा गया। सरपंच ग्राम पंचायत पृथला ने अपने जवाब दिनांक 25.04.2025 में लिखा है कि ठेकेदार द्वारा बिना अनुमति के 25 पेड काटे मु0-2,33,125/- रूपये वित्तीय हानि पहुँचाई गई थी। ग्राम पंचायत द्वारा रशीद नं0 16 दिनांक 14.01.2025 मु0-2,33,125/- रूपये श्री हबीब ठेकेदार से वसूल कर पंचायत के खाते में जमा कर दिए गये हैं, इसके अलावा ग्राम पंचायत द्वारा काटे गये पेडों के स्थान व ग्राम पंचायत की भूमि पर 500 नए पेड लगवा दिए गये हैं और लिखा है उसके द्वारा ग्राम पंचायत को किसी प्रकार की वित्तीय हानि नहीं पहुँचाई गई है। इस कार्यालय के पत्र क्रमांक 13 दिनांक 12.05.2025 द्वारा उक्त सरपंच को कारण बताओ नोटिस के संबंध में दिनांक 21.05.2025 प्रातः 11:00 बजे निजी तौर पर सुनवाई के लिए उपस्थित होकर अपना पक्ष रखने बारे लिखा गया। निजी सुनवाई के समय सतेन्द्र कटारिया सरपंच ग्राम पंचायत पृथला ने बताया कि बिना अनुमति के 25 पेड काटकर मु0-2,33,125/- रूपये वित्तीय हानि की रिकवरी करके ग्राम पंचायत के खाते में जमा करा दिया गया है और प्रयावर्ण को दूषित होने से बचाने के लिए ग्राम पंचायत द्वारा पंचायती भूमि पर 500 पेड वर्ष 2024 में लगाए थे।

अतः फाईल पर उपलब्ध दस्तावेजों, कारण बताओ नोटिस का जवाब, व निजी सुनवाई करने उपरान्त यह निर्णय लिया है कि सरपंच ग्राम पंचायत पृथला द्वारा श्री हबीब ठेकेदार से 25 पेड काटकर ग्राम पंचायत को मु0 2,33,125/- रूपये के वित्तीय हानि की रिकवरी करके रशीद नं0 16 दिनांक 14.01.2025 द्वारा पंचायत के खाते में जमा करा दिया गया है तथा पंचायती भूमि पर नए 500 पेड भी लगवाए गये हैं। इस प्रकार सरपंच के विरुद्ध जकारण बताओ नोटिस क्रमांक 354 /प0 दिनांक 16.04.2025 को दफ्तर दाखिल किया जाता है।

दिनांक 02.06.2025

पु0 क्रमांक 2136-38 /प0 दिनांक 03-06-2025

इसकी एक प्रति निम्नलिखित को सूचनार्थ प्रेषित है।

1. उपमण्डल अधिकारी (ना0) पलवल।
2. खण्ड विकास एवं पंचायत अधिकारी, पृथला।
3. श्री सतेन्द्र कटारिया, सरपंच ग्राम पंचायत पृथला खण्ड पृथला।

हस्ता0
उपायुक्त पलवल।

कृते: उपायुक्त पलवल

ORDER

One complaint dated 07.10.2024 was received in the office from one Sh. Raksh Kumar Son of Rohtash, Resident of Village Panchayat Prithala. A report no 1294 in this regard was submitted by the SDM on 14.02.2025 after investigating the matter/the complaint. On the basis of the above report, a so cause notice vide the letter no. 354 dated 25.06.2024. was issued by this office to the Village Panchayat Sh. Satendra Kateri under the Section 51(1) of the Haryana Panchayati Raj Act 1994 stating that the value of 43 trees was assessed to be Rs 46, 407/- by the Deputy Conservator of Forests vide his letter no. 1364 dated 25.06.2024. The village Sarpanch, Prithala had given the contract to the contractor for felling the 43 trees for Rs 401000/- after auction. However, as per the conditions stipulated therein videography and photography was not done. As per the above report, the total value of the 25 trees felled illegally, is Rs 233125/- you had the onus to look after the felling of trees. Therefore, You were instructed vide the above letter to so cause regarding the felling of the 25 trees illegally. The village Sarpanch, Prithala has written vide his letter dated 25.04.2025 that the contractor has felled 25 trees illegally and thereby caused damage/loss of Rs 233125/-, and the same has been recovered from the contractor and it has been deposited in the bank account of the village Panchayat having the receipt no. 16 dated 14.01.2025, in addition to that 500 trees have also been planted by the Village Panchayat on the same land of felling of the trees, and he has written further that the contractor has not caused any other financial damage/losses. A letter was written to the said Sarpanch on 12.05.2025 vide the letter no.1325 apropos the so cause notice asking/instructing him to appear in person on 21.05.2025 at 11.30 am in order to explain his position/ side of the case. During the hearing in person the Sh. Satendra

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI
ORIGINAL APPLICATION(O.A.) NO.237 OF 2025

IN THE MATTER OF:

Narender Kumar

APPLICANT

V/S

State of Haryana & Ors

RESPONDENTS

AFFIDAVIT

I, Praveen Kumar, BDPO, presently posted at Prithala, Distt Palwal, do hereby solemnly affirm and state as under:

1. That I am the respondent no...8 in the present O.A., as such I am fully conversant with the facts and circumstances of the present case, therefore competent to swear this affidavit.
2. That the present condonation application has been prepared by my counsel on my instruction and the same has been read over to me and the same has been explained also in vernacular Hindi.
3. I further state that everything stated therein, is true to the best of my knowledge and nothing material has been concealed therein.

PSWAR

DEPONENT

VERIFICATION

17 SEP 2025

Verified on this _____ day of the year 2025 that everything stated in the present O.A. is true to the best of my knowledge and nothing material has been concealed therein. It is further verified that all the annexures attached with the present reply, are true copies of the Originals.

PSWAR

DEPONENT



ATTESTED
Sangita
 Mrs. Sangita Mishra
 Advocate Delhi
 Regn. No. 16967
 Govt. of India
 Mob. No. 9990312780

NOTARIAL REGISTER
 Sr. No. 11054 PAGE 405
 Dated 17-9-25 Reg. No. 2

I identify the deponent who has signed/T.I in my presence

Mr./Ms. *P.A. Sharma*
 Adv./Self
 ID No:

A MEXINE P-1

आदेश

श्री राकेश कुमार पुत्र श्री रोहताश निवासी ग्राम पंचायत पृथला की शिकायत दिनांक 07.10.2024 कार्यालय में प्राप्त हुई, उक्त शिकायत पर उपमण्डल अधिकारी (ना0) पलवल ने पत्र क्रमांक 1294 दिनांक 14.02.2025 द्वारा उक्त शिकायत की जाँच करके जाँच रिपोर्ट इस कार्यालय में प्रस्तुत की, उक्त जाँच रिपोर्ट के अनुसार पर इस कार्यालय के पत्र क्रमांक 354 /पं0 दिनांक 16.04.2025 द्वारा श्री सतेन्द्र कटारिया सरपंच ग्राम पंचायत पृथला को हरियाण पंचायती राज अधिनियम 1994 की धारा 51 (1) के तहत कारण बताओ नोटिस जारी किया कि उप-वन संरक्षक पलवल ने पत्र क्रमांक 1364 दिनांक 25.06.2024 द्वारा 43 पेड़ों की मु0-46,407/- रूपये कीमत लगाई गई थी। सरपंच ग्राम पंचायत पृथला द्वारा ठेकेदार को मु0 40,1000/- रूपये में 43 पेड़ों की निलाम कार्यवाही की गई थी तथा स्वीकृति के समय दी गई शर्तों अनुसार फोटोग्राफी / विडियोग्राफी की शर्त का भी पालन नहीं किया गया, उक्त रिपोर्ट अनुसार बिना अनुमति के काटे गये 25 पेड़ों की मु0-233125/-रूपये कीमत बनती है जिनकी देख-भाल आप की जिम्मेवारी बनती थी। आपने उक्त ठेकेदार के द्वारा 25 हरे-भरे पेड़ काटवाकर ग्राम पंचायत पृथला को मु0-233125/- रूपये की वित्तीय हानि पहुँचाने के संबंध में जवाब देने बारे लिखा गया। सरपंच ग्राम पंचायत पृथला ने अपने जवाब दिनांक 25.04.2025 में लिखा है कि ठेकेदार द्वारा बिना अनुमति के 25 पेड़ काटकर मु0-2,33,125/- रूपये वित्तीय हानि पहुँचाई गई थी। ग्राम पंचायत द्वारा रशीद नं0 16 दिनांक 14.01.2025 मु0-2,33,125/- रूपये श्री हबीब ठेकेदार से वसूल कर पंचायत के खाते में जमा कर दिए गये हैं, इसके अलावा पंचायत द्वारा काटे गये पेड़ों के स्थान व ग्राम पंचायत की भूमि पर 500 नए पेड़ लगवा दिए गये हैं और लिखा है कि उसके द्वारा ग्राम पंचायत को किसी प्रकार की वित्तीय हानि नहीं पहुँचाई गई है। इस कार्यालय के पत्र क्रमांक 1364 दिनांक 12.05.2025 द्वारा उक्त सरपंच को कारण बताओ नोटिस के संबंध में दिनांक 21.05.2025 प्रातः 11 बजे निजी तौर पर सुनवाई के लिए उपस्थित होकर अपना पक्ष रखने बारे लिखा गया। निजी सुनवाई के समय सतेन्द्र कटारिया सरपंच ग्राम पंचायत पृथला ने बताया कि बिना अनुमति के 25 पेड़ काटकर मु0-2,33,125/- रूपये की वित्तीय हानि की रिकवरी करके ग्राम पंचायत के खाते में जमा करा दिया गया है और प्रयावर्ण को दूषित होने से बचाने के लिए ग्राम पंचायत द्वारा पंचायती भूमि पर 500 पेड़ वर्ष 2024 में लगाए थे।

अतः फाईल पर उपलब्ध दस्तावेजों, कारण बताओ नोटिस का जवाब, व निजी सुनवाई करने उपरान्त यह निर्णय लिया है कि सरपंच ग्राम पंचायत पृथला द्वारा श्री हबीब ठेकेदार से 25 पेड़ काटकर ग्राम पंचायत को मु0 2,33,125/- रूपये की वित्तीय हानि की रिकवरी करके रशीद नं0 16 दिनांक 14.01.2025 द्वारा पंचायत के खाते में जमा करा दिया गया है तथा पंचायती भूमि पर नए 500 पेड़ भी लगवाए गये हैं। इस प्रकार सरपंच के विरुद्ध जमा कारण बताओ नोटिस क्रमांक 354 /पं0 दिनांक 16.04.2025 को दफ्तर दाखिल किया जाता है।

दिनांक 02.06.2025

पत्र क्रमांक 2136-38 /पं0 दिनांक 03-06-2025

हस्ता0

उपायुक्त पलवल।

इसकी एक प्रति निम्नलिखित को सूचनार्थ प्रेषित है।

1. उपमण्डल अधिकारी (ना0) पलवल।
2. खण्ड विकास एवं पंचायत अधिकारी, पृथला।
3. श्री सतेन्द्र कटारिया, सरपंच ग्राम पंचायत पृथला खण्ड पृथला।

कृते: उपायुक्त पलवल

ORDER

One complaint dated 07.10.2024 was received in the office from one Sh. Raksh Kumar Son of Rohtash, Resident of Village Panchayat Prithala. A report no 1294 in this regard was submitted by the SDM on 14.02.2025 after investigating the matter/the complaint. On the basis of the above report, a so cause notice vide the letter no. 354 dated 25.06.2024. was issued by this office to the Village Panchayat Sh. Satendra Kateri under the Section 51(1) of the Haryana Panchayati Raj Act 1994 stating that the value of 43 trees was assessed to be Rs 46, 407/- by the Deputy Conservator of Forests vide his letter no. 1364 dated 25.06.2024. The village Sarpanch, Prithala had given the contract to the contractor for felling the 43 trees for Rs 401000/- after auction. However, as per the conditions stipulated therein videography and photography was not done. As per the above report, the total value of the 25 trees felled illegally, is Rs 233125/- you had the onus to look after the felling of trees. Therefore, You were instructed vide the above letter to so cause regarding the felling of the 25 trees illegally. The village Sarpanch, Prithala has written vide his letter dated 25.04.2025 that the contractor has felled 25 trees illegally and thereby caused damage/loss of Rs 233125/-, and the same has been recovered from the contractor and it has been deposited in the bank account of the village Panchayat having the receipt no. 16 dated 14.01.2025, in addition to that 500 trees have also been planted by the Village Panchayat on the same land of felling of the trees, and he has written further that the contractor has not caused any other financial damage/losses. A letter was written to the said Sarpanch on 12.05.2025 vide the letter no.1325 apropos the so cause notice asking/instructing him to appear in person on 21.05.2025 at 11.30 am in order to explain his position/ side of the case. During the hearing in person the Sh. Satendra

Kateria had submitted that Rs 233125/- has been recovered from the contractor to offset the financial losses caused following the felling of 25 trees illegally and this has been deposited in the Village Panchayat Account and further 500 trees have also been planted on the place/land of felling of trees in order to save the environment from pollution.

Therefore, it has been decided keeping in view the documents available on file, reply to the so cause notice and after hearing in person, that the village Panchayat has recovered Rs 233125/- for causing financial losses by felling of 25 trees and got deposited the same in the Village Panchayat's Account vide the receipt no 16 dated 14.01.2025. and 500 trees have also been planted on the Panchayat land. Therefore the so cause Notice No. 354 dated 16.04.2025 issued against the Sarpanch is disposed off.

Signature

Deputy Commissioner Palwal

Dated 02.06.2025

Sr. No. 2136-38

A copy to:-

1. SDM
2. BDPO, Prithala
3. Sh. Satendra Kateria.

For

Deputy Commissioner Palwal

खण्ड विकास एवं पंचायत अधिकारी,
पृथला।


सेवा में

The National Green Tribunal,
Faridkot House, Copernicus Marg,
New Delhi

क्रमांक 2410 दिनांक 16.09.2025

विषय:— Application No 237/2025, Narender Kumar V. State of Haryana & Ors.

उपरोक्त विषय बारे आपकी सेवा में अनुरोधपूर्वक लिखा जाता है कि उक्त केस में प्रतिवादी नं0 5 व 6 की तरफ से प्रतिवादी नं0 8 के द्वारा तैयार जबाबदावा आपकी सेवा में आगामी आवश्यक कार्यवाही हेतु प्रेषित है।


खण्ड विकास एवं पंचायत अधिकारी,
पृथला।

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI

I.A. no..... of 2025

In

ORIGINAL APPLICATION(O.A.) NO.237 OF 2025



IN THE MATTER OF:

Narender Kumar

APPLICANT

V/S

State of Haryana & Ors

RESPONDENTS

**APPLICATION BY THE RESPONDENT NO- 8 FOR
CONDONATION OF 6 DAYS DELAY IN FILING THE PRESENT REPLY
MOST RESPECTFULLY SHOWETH:**

1. That it is submitted very humbly that in the present OA which is pending adjudication before this Hon'ble Tribunal, kind notice was issued to the present respondent.
2. That however, there is 6 days delay in filing the reply to the above O.A. It is submitted very respectfully that the above delay is inadvertent, as the same has occurred due to exigencies in administration.
3. That in the interests of kind Justice the present reply may kindly be allowed to be taken on record by the tribunal.

PRAYER

It is therefore prayed that the present Court may most graciously be pleased to

- a. Allow the present application, and
- b. Pass such other or further Orders as deemed fit and proper in the interests of Kind Justice.

**FOR THIS ACT OF KINDNESS THE RESPONDENT AS IN DUTY BOUND
SHALL EVER PRAY.**

खंड विकास एवं पंचायत अधिकारी,
पृथला।

प्रेषित

श्री जय कृष्ण सिंह,
चैम्बर नं0 17, लॉयर रूम,
एम. सी. सेतालवाड ब्लॉक,
सुप्रीम कोर्ट ऑफ इंडिया, नई दिल्ली-110001

क्रमांक 2342 दिनांक 10.09.2025

विषय :- ग्राम पंचायत पृथला के NGT में विचाराधीन केस नं0 237/2025 नरेन्द्र कुमार बनाम स्टेट ऑफ हरियाणा व अन्य की पैरवी करने बारे।

उपरोक्त विषय बारे आपको ग्राम पंचायत पृथला के माननीय न्यायालय NGT में विचाराधीन केस नं0 237/2025 नरेन्द्र कुमार बनाम स्टेट ऑफ हरियाणा व अन्य में निम्नलिखित की तरफ से उक्त केस में पैरवी करने का अधिकार आपको दिया जाता है।

1. स्टेट ऑफ हरियाणा।
2. उपायुक्त महोदय, पलवल।
3. उपमण्डल अधिकारी (ना0), पलवल।
4. खंड विकास एवं पंचायत अधिकारी, पृथला।

PUNAR

खंड विकास एवं पंचायत अधिकारी,
पृथला।

True Translated Copy

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From

BDPO, Prithala

To

Sh. Jai Krishna Singh

Chamber No.-17, Lawyers room, M.C.Setalvad Block Supreme Court Of
India, New Delhi

Srl. No. 2342

dated

10.09.20

Subj.- In regard to plead in the Application no 237/2025, Narender
Kumar V. State of Haryana &Ors

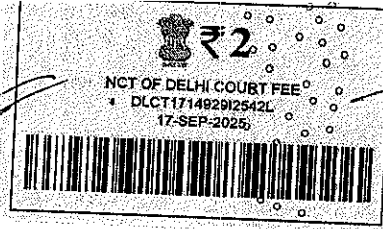
Apropos the above subj. you are hereby given the authority to plead in
the Application no 237/2025, Narender Kumar V. State of Haryana &Ors,
on behalf of the following :

1. State of Haryana
2. Deputy Commissioner , Palwal
3. Sub-Divisional Officer/Magistrate, Palwal
4. Block Development Officer, Prithala

Block Development and Panchayat Officer,
Prithala

From

BDPO, Prithala



BEFORE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH AT NEW DELHI

SUIT/APPEAL NO.

In re: Narendra Kumar

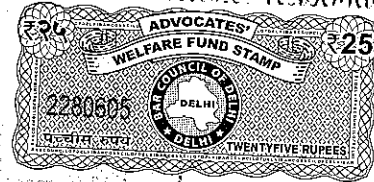
JURISDICTION OF 2025

Plaintiff /petitioner
Appellants/Defendants

Versus

State of Haryana &Ors, Respondent(s)/Accused KNOW ALL to whom these present shall come that I, Praveen Kumar, BDPO, Prithala, Palwal the above named respondent, do hereby appoint

Sh. Jai Krishna Singh
Advocate-On record
Hon'ble Supreme Court of India



Advocate of Bar Council of Delhi, Ch. No.17, New Lawyers Chamber. M.C. Setalvad Block, Supreme Court of India, at New Delhi, Copernicus Marg, New Delhi, 110001 (herein after called the advocate/s) to be my/our Advocate in the above-noted case and 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-objections or petitions for executions review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages subject to payment of fees for each stage.

To file and take ack documents to admit and/or deny the documents or 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 on paying separate fee.

To deposit, draw and receive money, cheques, case and grant receipts thereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution on the said case.

To appoint and instruct any other legal practitioner authorizing 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 the undersigned do hereby agree to ratify and confirm all acts done by the advocate or his substitute in the matter as my/our own facts, as if done by me/us to all intents and purpose.

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I/we undertake that I/we or my/our duly authorized agent would appear in court and all hearings and will inform the advocate for appearance when the case is called.

And I/we undersigned do hereby agree not to hold the advocate or 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 and retain 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 the 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 issue prolongs for more than 3 years the original fee shall be paid by me /Us.

I WITNESS WHEREOF I/we do hereunto set my/our hand to these presents the contents of which have been understood by me/us on this...14th.....day of 2024

Accepted subject to the terms of the fees.

Jai Prakash
Client

JS MR
Client

Advocate

I identify the signature/Thumb impressions of the below mentioned person who has been signed in my presence. The client.

Reply in Narendra kumar v. State of Haryana



Preeti Sharma 12:55 p.m.

to cummra3 ^



From Preeti Sharma · advocatepreeti4@gmail.com

To cummra3@gmial.com

Date Sep 17, 2025, 12:55 p.m.

[View security details](#)



Narender K...ent no.7.pdf



Narender Kr...nt no.8.pdf



Reply

Forward

