

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

M.A No. 38 of 2024

In

Original Application no. 257 of 2023

Balbir Dass

... Applicant

Versus

State of Punjab

.... Respondents

Short reply of Rajesh Kumar PFS Divisional Forest Officer, Ludhiana, in compliance to order dated 08.04.2024.

Respectfully Showeth

- 1) That briefly submitted Original Application No. 257 of 2023 with the allegation of illegal cutting of about 40 trees by one Parminder Singh at Panchayati land of Village Kaddon and causing damage to the environment was registered by the Hon'ble Tribunal. Vide order dated 28.04.2023, the Hon'ble National Green Tribunal was pleased to constitute a Joint Committee comprising of the District Forest Officer, Ludhiana and District Magistrate, Ludhiana with the direction to look into the matter, visit the site, collect relevant information and take appropriate remedial/punitive action if the violation is found, with further direction for submission of action taken report.
- 2) That the above-mentioned Miscellaneous Application has been registered on the basis of the report submitted in pursuance to the order of the Hon'ble Tribunal dated 28.04.2023 passed in O.A. No. 257/2023.
- 3) That after consideration of the Joint Committee report, it was observed by the Hon'ble Tribunal that the report does not reflect levy or recovery of any Environmental Compensation (EC) from the person responsible for cutting the trees. The Hon'ble Tribunal was pleased to pass an order dated 08.04.2024 whereby Member Secretary, Punjab Pollution Control Board; Divisional Forest Officer, Ludhiana Forest Division, Ludhiana; District

Magistrate, Ludhiana and Parminder Singh, Sarpanch, Gram Panchayat, Kaddon, Tehsil Payal, District Ludhiana have been impleaded as respondents with direction to file reply in the case.

- 4) That the place at village kaddon where trees have been cut is a non-forest land and does not fall under the jurisdiction of Punjab Forest department.
- 5) That at Present there are no legal provision /instructions/Rules with the Punjab Forest Department regarding imposing of environmental compensation clause at this spot. It is also pertinent to mention here that as per the directions of Hon'ble National Green Tribunal in its order dated 28.07.2023 in (MA No 48 of 2023 in OA No 200 of 2023 titled as Kuldeep Singh Khaira and Others Versus State of Punjab & Others) and orders of Worthy, Chief Secretary, Punjab the Draft Policy has been formulated for preservation of trees standing on non-forest Public lands, the same is under consideration of the Government and it will be finalized/notified after approval of the State Government.
- 6) That on the said area and nearby areas on which 40 Eucalyptus trees were cut down, 112 saplings of different species have been planted.

In view of the above submission, it is requested to dispose of this case.

Place Ludhiana

Date 04.07.2024

Submitted by


Rajesh Kumar PFS
Divisional Forest Officer
Ludhiana Forest Division
Ludhiana.
Respondent No II