

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

Original Application No. 155/2025

IN THE MATTER OF:

Sheesh Pal

... Applicant

Versus

State of Haryana & others

... Respondents

**INDEX**

| Sr. No. | Particulars                                                           | Page No. |
|---------|-----------------------------------------------------------------------|----------|
| 1.      | REPLY ON BEHALF OF RESPONDENT NO. 1 TO 4                              | 1-7      |
| 2.      | Affidavit of Respondent No. 2 on behalf of respondent No. 1 to 4      | 8        |
| 3.      | <b>Annexure R/1:</b> factual report of the committee dated 26.03.2026 | 9-29     |
| 4.      | <b>Annexure R/2:</b> Report dated 15.07.2026                          | 30-33    |

Date: 20.07.2026

**Filed Through –**

Counsel for Respondent No.1 to 4

Settled By: Lokesh Sinhal,  
Sr. Addl. Advocate General, Haryana

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**REPLY ON BEHALF OF RESPONDENT NO. 1 TO 4**

**MOST RESPECTFULLY SHOWETH:**

1. That a common reply dated 15.11.2025 was filed on behalf of Respondent No. 1 to 6 through Respondent no.5. It is humbly submitted that respondent no.5 was authorised to file reply on behalf of all respondent following the practice of authorising DFO of concerned District to file the reply on behalf of all designations of the department. Apart from this, Fact Finding Committee constituted by the then PCCF to enquire into the matter, did not found the respondent no.5 guilty. It is categorically stated that filing of common reply was not intended to protect any guilty officer. However, to avoid any such controversy or iota of doubt, present reply is being filed on behalf of Respondent Nos. 1 to 4, namely the State of Haryana through Additional Chief Secretary to Government Haryana, Environment, Forest and Wildlife Department; Principal Chief Conservator of Forests (HoFF), Haryana; Chief Conservator of Forests (HQ) & Secretary Forest; and Conservator of Forests, North Circle, Ambala through the



Principal Chief Conservator of Forest (HoFF). In future, due precaution of filing separate independent reply shall be taken in such cases. It is humbly submitted that present reply is being filed after independent examination of the records available with the Department and latest enquiry regarding land in question.

2. That it is submitted that forest department is committed for the protection and conservation of forests and strict enforcement of the provisions of the Punjab Land Preservation Act, 1900, the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, and all directions issued by the Hon'ble Supreme Court, the Hon'ble High Court and this Hon'ble Tribunal.

3. That it is specifically denied that Respondent Nos. 1 to 4 have attempted to shield any officer or suppress any material fact. Immediately upon receiving information regarding alleged felling of eucalyptus trees in Village Muvass, appropriate administrative and legal action was initiated in accordance with law.

At the outset, it is submitted that the Original Application is founded primarily on newspaper reports and conjectures without awaiting the outcome of the departmental inquiries that were initiated immediately after the incident came to the notice of the Department. Mere publication of news reports cannot, by itself, constitute legal proof of the allegations levelled in the present OA.

4. It is respectfully submitted that immediately upon receiving information regarding the alleged unauthorised felling of eucalyptus trees, Respondent No.2 acted with utmost promptitude and transparency by constituting a Fact Finding Committee vide Office Order dated 24.03.2025. The Committee comprised senior



officers of the Department and was entrusted with the responsibility of conducting a comprehensive inspection of the site, verifying the legal status of the land, examining the records maintained at the Range and Divisional levels, recording statements of all concerned persons and submitting a detailed report along with photographic evidence. The constitution of the Committee immediately after the incident clearly demonstrates that the Department neither remained inactive nor attempted to suppress the matter, but instead initiated an impartial fact-finding exercise at the highest level.

5. The Fact-Finding Committee, after conducting a detailed inspection of the site and examining all relevant records, submitted its report. The Committee found that the land in question is privately owned agricultural land covered under the special notification issued under Section 4 of the Punjab Land Preservation Act, 1900. The Committee further found that the eucalyptus plantation had originally been raised by the Forest Department during the year 2005-06 under the Community Forestry Project as an agro-forestry intervention intended to improve the livelihood and income of the local landowners. The Committee further recorded that the actual number of felled stumps found on the site was 376 with 772 coppice shoots. The Committee also examined the departmental records. It has also been reported by the Committee that Sh. Mahima Dutt submitted application dated 04.04.2024 for demarcation of his land with intention to remove eucalyptus trees standing on his land. The Respondent No.5 vide letter dated 08.04.2024 informed the applicant that eucalyptus did not require prior approval before removal. Meanwhile, Range Forest Officer, Panchkula vide letter dated 09.04.2024 forwarded

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the report of Block Forest Officer informing that the said land invited applicability of specific section 4 of PLPA. Subsequent to report, Respondent No.5 vide letter dated 15.04.2024 ordered revocation of the clarification issued vide letter dated 08.04.2024. No tree removal took place during this period between the issuance of clarification of office of DFO and revoking the same. That on receiving the RFO's report dated 04.02.2025 regarding applicability of specific Section 4 of PLPA, the request to fell trees was closed. There is no evidence to suggest that any permission was issued by the DFO, Morni, for felling Eucalyptus trees.

The factual report of the committee constituted is annexed as **Annexure R/1.**

6. That it is further respectfully submitted that immediately after it came to the notice of the Department that eucalyptus trees had been felled without obtaining the requisite permission under law, statutory action was initiated by the competent authorities. A Forest Offence Report bearing No.013/0034 dated 26.03.2025 was registered and, after due investigation, prosecution was launched against the concerned landowner before the competent Court of law. The criminal proceedings are pending adjudication before the learned Chief Judicial Magistrate, Panchkula, in No. COMA/113/2025 titled as State of Haryana through Range Forest Officer v/s Mahima Dutt. These facts clearly establish that the Department acted strictly in accordance with law and that no inaction or deliberate omission can be attributed to answering respondents.

7. That it is further submitted that, with a view to placing the current factual position before this Hon'ble Tribunal and to verify the present ecological status of the site, Respondent No.2 again constituted an inspection team comprising two experienced Range Forest Officers vide Office Letter dated 13.07.2026. The Committee was directed to undertake a fresh field inspection and report on the present condition of the area from where the eucalyptus trees had earlier been felled.
8. That pursuant to the aforesaid directions, the Committee conducted a detailed inspection of the site and submitted its report dated 15.07.2026 (**Annexure R/2**). The Committee has categorically reported that the area from which the eucalyptus trees had been felled is presently covered by healthy natural coppice regeneration of eucalyptus. The regenerated crop has attained an average height ranging between approximately twelve to eighteen feet. The Committee has observed that the regeneration has occurred naturally from the existing stumps and rootstock, which is a well-recognised silvi-cultural characteristic of eucalyptus. The said report was sought to ascertain the present status of land and in no case it was to establish any argument to justify any act of felling of Eucalyptus trees. However as per the report the site presently supports a healthy regenerating crop and is now under vegetative cover.
9. That it is respectfully submitted that eucalyptus is a fast-growing species possessing excellent coppicing ability. Following felling, fresh shoots emerge naturally from the stump and root system without requiring replanting. This characteristic has been widely



recognised in forestry practice and forms the basis for successive rotations of eucalyptus plantations. Without in any manner condoning the unauthorised felling, it is respectfully submitted that the current ecological condition of the site demonstrates substantial natural regeneration through coppice growth, thereby restoring the vegetative cover over the area.

10. That the answering respondents respectfully submit that they remain fully committed to the protection and conservation of forest resources and to ensuring strict compliance with the provisions of the Punjab Land Preservation Act, 1900, the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, and the law declared by the Hon'ble Supreme Court in *Narender Singh v. Divesh Bhutani* and other binding judicial precedents. The answering respondents shall continue to take all necessary measures to safeguard notified areas and to prevent any recurrence of such incidents in future.
11. That in view of the facts and circumstances stated hereinabove, it is respectfully submitted that Respondent Nos.1 to 4 have acted promptly, fairly and strictly in accordance with law. Immediate fact-finding inquiries were instituted, statutory proceedings were initiated against the offender, a criminal complaint was filed before the competent Court and a fresh field inspection has confirmed healthy natural regeneration of eucalyptus over the affected area.

It is, therefore, respectfully prayed that in view of the above submissions, the present reply on behalf of Respondent Nos. 1 to 4 may be taken on record for kind consideration of this Hon'ble Tribunal. It is humbly submitted that the contents of rejoinder dated



09.02.2026 are not being dealt with as this stage in view of present separate reply. However, contents of said rejoinder kindly be treated as wrong and denied to the extent those are contrary to tenor of the present reply and liberty is being carved to file response, if any rejoinder to present reply is being filed.

Date: 20.07.2026

Place: Panchkula



K.C Meena

PCCF (HoFF), Haryana

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**Affidavit**

I, K.C. Meena, IFS, Principal Chief Conservator of Forest (HoFF), Haryana, aged about 58 years, do hereby solemnly affirm and state as under:

1. That I am well conversant with the facts and circumstances of the case in my aforesaid official capacity, therefore, I am competent to swear this affidavit.
2. That I have read the contents of accompanying reply to Original Application which has been drafted under my instructions.



  
DEPONENT

**VERIFICATION**

Verified at Panchkula on 18<sup>th</sup> day July, 2026 that the contents of above affidavit are true and correct to my knowledge and on the basis of information derived from the Official record which I believe to be true and no material fact has been concealed therein.

I Identify the deponent/Executant  
He/She has Signed in my presence  


18 JUL 2026

  
DEPONENT

**ATTESTED**

**PADAM SINGH  
NOTARY PUBLIC,**

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To

Principal Chief Conservator of Forest (HoFF),  
Haryana, Panchkula.

Memo No.Secy.Ft.-2025/1653  
Chandigarh, dated the 26.03.2025.

**Sub:- Enquiry report of the committee constituted by PCCF (HoFF)  
Haryana for fact finding in the case related to tree felling of  
Eucalyptus in village Muwas, Bhoj-Matour.**

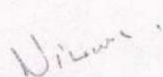
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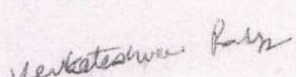
With reference to the stated subject, it is informed that a the committee constituted by PCCF (HoFF) Haryana for fact finding in the case related to tree felling of Eucalyptus in village Muwas, Bhoj-Matour visited the site on dated 24.03.2025 and subsequently examined the available record.

Kindly find enclosed herewith the report of the committee for further perusal and necessary action.

  
Vasvi Tyagi, IFS,  
CCF (HQ)

  
Vijay Laxmi, IFS, Incharge,  
CF, Centre Circle, Rohtak

  
Virender Gill, IFS,  
DCF (T), Yamunanagar

  
Venkateshwar Pandey,  
Research Associate- III



**Subject: Inquiry report of the committee constituted by PCCF (HoFF) Haryana for fact finding in the case related to Tree felling of Eucalyptus in village Muwas, Bhoj-Matour.**

**Reference: Report of the committee sent vide letter no: 1653 dated 26.03.2025**

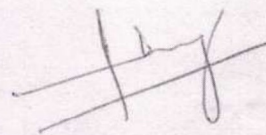
A matter related to felling of eucalyptus trees in village Muwas, Bhoj-Matour, Panchkula Range, Morni-Pinjore Forest Division was reported in Newspapers on 22<sup>nd</sup> and 23<sup>rd</sup> March, 2025. The Conservator of Forest, North Circle, Ambala visited the site and vide his letter No. 10509 and 10511, dated 21.03.2025 has issued Show Cause Notices to Divisional Forest Officer, Morni-Pinjore and Range Forest Officer, Panchkula for this felling.

A committee with following members was constituted vide PS/PCCF/1039-45 dated 24.03.2025, to inquire in the case:

- |                                                               |               |
|---------------------------------------------------------------|---------------|
| 1. Smt. Vasvi Tyagi, IFS, CCF (HQ), Panchkula                 | - Chairperson |
| 2. Smt. Vijay Laxmi, IFS, Incharge, CF, Centre Circle, Rohtak | -Member       |
| 3. Sh. Virender Gill, IFS, DCF (T), Yamunanagar               | -Member       |
| 4. Sh. Venkateshwar Pandey, Research Associate- III           | -Member       |

Summary of the committee report is as under:

1. Applicant Sh Mahima Dutt sought permission of felling of Eucalyptus trees standing on his land in village Muvwas, Bhoj-Matour in 04.04.24 which was once approved by DFO on 08.04.2024, Morni but withdrew it on 15.04.24 in view of report of staff on 09.04.24 regarding applicability of PLPA, 1900 restrictions.
2. Applicant applied again in month of May 2024, and rejected in August 2024, on ground of ban on felling during rainy season. Applicant again applied in Dec, 2024 and DFO rejected on 21.03.2025
3. CF North Circle visited the site on 21.03.2025 and reported the felling of 2000 Eucalyptus trees in the said land owned by applicant showing permission granted on 08.04.2024 by DFO Morni.
4. Committee made physical inspection of the alleged site on 24.03.25, interacted with villagers, inspected the records and counted the stumps as 376 with 772 coppice shoots.
5. No permission was given for felling. Violation of PLPA, 1900 for felling in special section 4 area without permission had occurred for which Forest Offence report 0034/13 dated 26.03.25 has been issued by Forest officials.
6. Committee has extensively checked the revenue records of the village and reported that no other Court orders have been violated due to this felling in special section 4 PLPA area. However, this being a complicated legal issue involving Hon'ble Supreme Court orders/Judgments and other NGT orders, advice of Advocate General, Haryana may be sought.
7. Committee did not find evidence to show that Forest Officials were involved in the felling





Enquiry report of the committee constituted by PCCF (HoFF) Haryana for fact finding in the case related to Tree felling of Eucalyptus in village Muwas, Bhoj-Matour.

The matter related to felling of eucalyptus trees in village Muwas, Bhoj-Matour, Panchkula Range, Morni-Pinjore Forest Division has been reported in Newspapers on 22<sup>nd</sup> and 23<sup>rd</sup> March, 2025 (**Annexure-I**). Conservator of Forest, North Circle, Ambala vide his letter No. 10509 and 10511, dated 21.03.2025 (**Annexure-II and III**) has issued Show Cause Notices to Divisional Forest Officer, Morni-Pinjore and Range Forest Officer, Panchkula for this felling.

Vide Order Endst No. PS/PCCF/1039-45 dated 24.03.2025, PCCF (HoFF), Haryana, Panchkula has constituted a Committee to inspect the site, to check the legal status of the land from which eucalyptus trees have been felled and also the office record of Range Office as well as Division Office and also to record statements of the owner of the land/Sarpanch of the village/contractor who has felled the eucalyptus trees and submit a detailed report with photographic evidences etc. The composition of Committee is as below:-

- |                                                                                  |               |
|----------------------------------------------------------------------------------|---------------|
| 1. Smt. Vasvi Tyagi, IFS, CCF (HQ)<br>O/o PCCF & HoFF, Haryana                   | - Chairperson |
| 2. Smt. Vijay Laxmi, IFS, Incharge, CF, Centre Circle, Rohtak                    | - Member      |
| 3. Sh. Virender Gill, IFS, DCF (T), Yamunanagar                                  | - Member      |
| 4. Sh. Venkateshwar Pandey, Research Associate- III<br>O/o PCCF & HoFF, Haryana. | - Member      |

**Background :-** It is stated that CF (North) Sh. Jitender Ahlawat on receiving information regarding felling of trees in village Muwas in Bhoj Matour visited the site on 21-03-2025, and issued Show Cause Notices dated 21.03.2025 Sh. Muneer Gupta, Ranger, Panchkula and Sh. Vishal Kaushik, HFS, DFO Morni-Pinjore, read as under :-

*[Handwritten signatures and notes]*

सेवा में,

श्री विशाल कौशिक , ह0व0से0,  
वन मण्डल अधिकारी, मोरनी -पिंजौर वन मण्डल,  
पंचकूलां

विषय:- गांव मुआस, भोज मटौर पंचकूला रेंज में, PLPA 1900 की धारा 4 तथा माननीय सर्वोच्च न्यायालय द्वारा Civil Appeal no. 10294/2013 10294 /2013 में जारी आदेश दिनांक 21.07.2022 की उल्लंघना कर पेड़ों के कटान की अवैध अनुमति देने बारे -कारण बताओ नोटिस।

उपरोक्त विषय के सम्बन्ध में आपको लिखा जाता है कि आज दिनांक 21-03-2025 को निम्नहस्ताक्षरी को सूचना प्राप्त हुई कि पंचकूला रेंज के तहत गांव मुआस, भोज मटौर जिसमें PLPA, 1900 की धारा 4 लागू होती हैं में कुछ व्यक्तियों द्वारा पिछले कुछ दिनों से पेड़ों का अवैध कटान किया जा रहा है। निम्नहस्ताक्षरी ने आज दोपहर 2:30 बजे रायपुर रानी रेंज ईंचार्ज तथा स्टाफ को लेकर मौका निरीक्षण किया। जिसमें पाया गया कि मौके पर श्री देशराज निवासी गांव मुआस भोज मटौर जिला पंचकुला द्वारा उसकी निजी भूमि से सफेदा वृक्षों की भारी संख्या में कटाई करवाई जा रही है। कुल 4000 पेड़ों में से लगभग 2000 वृक्ष काटे जा चुके हैं। मौके पर बड़ी मात्रा में कटी हुई लकड़ी तथा खेतों में गुड़िया पाई गई ह। मौके पर उक्त वृक्षों पर कोई मार्किंग की गई है परंतु Electric saving machines से अंधाधुंध कटाई कार्य चल रहा था।

ठेकेदार तथा मौके पर लेबर से पुछताछ करने पर उन्होंने आप द्वारा जारी पत्र क0 349 दिनांक 08042024 की प्रति दिखाई जिसमें आप द्वारा लिखा गया है कि सफेदे के वृक्ष कटवाने हेतु हरियाणा सरकार की नोटिफिकेशन दिनांक 04-01-2013 अनुसार सफेदा के वृक्षों को काटने के लिये अनुमति की आवश्यकता नहीं है।

मौके पर वन राजिक अधिकारी, पंचकुला को बुलाया गया जिसने अपने जवाब में रेंज कार्यालय पत्र क0930 दिनांक 04-02-2025 की प्रति उपलब्ध करवाई जिसमें रेंज अधिकारी श्री मनीर गुप्ता ने आपको उक्त पत्र के माध्यम से स्पष्ट रूप से अवगत करवाया था कि प्राथी की भूमि बूंगा बीट के सरकारी जंगल सी0-101 के साथ लगती

*View*

*View*



है। यह क्षेत्र 14 भोज कोटाहा के भोज मटौर में आती है तथा यह क्षेत्र 1900 की धारा 4 के तहत आता है। अतः प्राथी को पेड़ कटवाने की स्वीकृति दी जानी नहीं बनती।

तत्पश्चात और पूछताछ करने पर श्री मनीर गुप्ता, उन राजिक अधिकारी, पंचकूला ने बताया कि उसके द्वारा उक्त पत्र लिखने वो बावजूद आप द्वारा यह कटाई होने देने बारे मौखिक निर्देश दिये गये हैं।

जैसा कि आपको ज्ञात है कि PLPA, 1900 की धारा 4 के अंतर्गत आने वाले क्षेत्रों में कटाई की अनुमति वन संरक्षक कार्यालय द्वारा दी जाती है। जिस बारे प्रधान मुख्य वन संरक्षक, हरियाणा, पंचकूला के पत्र क्र० FW/3984-90 दिनांक 24.02.2010 द्वारा निर्देश जारी किये गये हैं। इसके अतिरिक्त माननीय सर्वोच्च न्यायालय द्वारा Civil Appeal 19294/2013 में जारी आदेश दिनांक 21.07.2022 में निम्नलिखित निर्देश पारित किये गये हैं—

"Thus, we hold that the lands covered by the special orders issued under section-d of PLPA have all the trappings of the forest lands within the meaning of section-2 of 1980 Forest Act and, therefore the State Government are competent Authority cannot permit its use for non-forest activities without the prior approval of the Central Government with effect from 25 October 1980- Prior permission of the Central Government is the quintessence in allow any change of user of forest or say deemed forest land."

उपरोक्त से स्पष्ट है कि उक्त क्षेत्रों में किसी भी प्रकार का वृक्ष कटान तथा भूमि नौतौड़ वर्जित है।

इसके अतिरिक्त आपको ज्ञात है कि वर्तमान में Hon'ble High Court, Punjab and Haryana Vijay Bansal Vs State of Haryana CVP No. 469/2017 पिछले कई वर्षों से चल रहा है। जिसमें पूरा विभाग मोरनी क्षेत्र 14 भोज के रकबे की निशानदेही तथा कब्जा कार्यवाही में प्रयासरत है। इसके बावजूद आपके द्वारा निजी स्तर पर विभागिय आदेशों, सरकार द्वारा जारी गजट नोटिफिकेशन तथा माननीय सर्वोच्च न्यायालय द्वारा जारी उल्लंघना में अवैध कटान करवाया जा रहा है।

उक्त के संदर्भ में आपको कारण बताओ नोटिस जारी करते हुये निर्देश दिये जाते हैं कि अपना स्पष्टिकरण दें कि क्यों ना आपके विरुद्ध विभागिय कार्यवाही अमल में ला दी जाये अपना जवाब पत्र प्राप्ति के 3 दिन के अन्दर अन्दर इस कार्यालय को भेजना सुनिश्चित करें। (Annexure-II)

*Handwritten signatures and text:*  
 [Signature] [Signature] [Signature] [Signature] [Signature]  
 [Signature] [Signature] [Signature] [Signature] [Signature]

सेवा में,

श्री मुनीर गुप्ता,  
वन राजिक अधिकारी, पंचकूलां

विषय:- गांव मुआस, भोज मटौर पंचकूला रेंज में, PLPA 1900 की धारा 4 तथा माननीय सर्वोच्च न्यायालय द्वारा Civil Appeal no. 10294/2013 10294/2013 में जारी आदेश दिनांक 21.07.2022 की उल्लंघना कर पेड़ों के कटान की अवैध अनुमति देने बारे -कारण बताओ नोटिस।

उपरोक्त विषय के सम्बन्ध में आपको लिखा जाता है कि आज दिनांक 21-03-2025 को निम्नहस्ताक्षरी को सूचना प्राप्त हुई कि पंचकूला रेंज के तहत गांव मुआस, भोज मटौर (जिसमें PLPA, 1900 की धारा 4 लागू होती हैं) में कुछ व्यक्तियों द्वारा पिछले कुछ दिनों से पेड़ों का अवैध कटाना किया जा रहा है। निम्नहस्ताक्षरी ने आज दोपहर 2:30 बजे रायपुर रानी रेंज ईंचार्ज तथा स्टाफ को लेकर मौका निरीक्षण किया। जिसमें पाया गया कि मौके पर श्री महीमा दत्त पुत्र श्री देशराज, निवासी गांव मुआस भोज मटौर जिला पंचकुला द्वारा उसकी निजी भूमि से सफेदा वृक्षों की भारी संख्या में कटाई करवाई जा रही है। कुल 4000 पेड़ों में से लगभग 2000 वृक्ष काटे जा चुके हैं। मौके पर बड़ी मात्रा में कटी हुई लकड़ी तथा खेतों में मुढ़ियां पाई गई है। मौके पर उक्त वृक्षों पर कोई मार्किंग नहीं की गई है परंतु Electric saving machines से अंधाधुंध कटाई कार्य चल रहा था।

टेकेदार तथा मौके पर लेबर से पूछताछ करने पर उन्होंने आप द्वारा जारी पत्र क्र 349 दिनांक 08042024 की प्रति दिखाई जिसमें आप द्वारा लिखा गया है कि सफेदे के वृक्ष कटवाने हेतु हरियाणा सरकार की नोटिफिकेशन दिनांक 04-01-2013 अनुसार सफेदा के वृक्षों को काटने के लिये अनुमति की आवश्यकता नहीं है।

मौके पर वन राजिक अधिकारी, पंचकुला को बुलाया गया जिसने अपने जवाब में रेंज कार्यालय पत्र क्र 930 दिनांक 04-02-2025 की प्रति उपलब्ध करवाई जिसमें आप द्वारा वन मण्डल अधिकारी, मोरनी पिंजौर को उक्त पत्र के माध्यम से स्पष्ट रूप से अवगत करवाया था कि प्रार्थी की भूमि बूंगा बीट के सरकारी जंगल सी0-101 के

*Verat Kumar Pasra*



साथ लगती है। यह क्षेत्र 14 भोज कोटाहा के भोज मटौर में आती है तथा यह क्षेत्र 1900 की धरा 4 के तहत आता है। अतः प्रार्थी को पेड़ कटवाने की स्वीकृति दी जानी नहीं बनती।

तत्पश्चात और पूछताछ करने पर आपने बताया कि उसके द्वारा उक्त पत्र लिखने वो बावजूद वन मण्डल अधिकारी, मोरनी पिंजौर द्वारा यह कटाई होने देने बारे मौखिक निर्देश दिये गये हैं।

जैसा कि आपको ज्ञात है कि PLPA, 1900 की धारा 4 के अंतर्गत आने वाले क्षेत्रों में कटाई की अनुमति वन संरक्षक कार्यालय द्वारा दी जाती है। जिस बारे प्रधान मुख्य वन संरक्षक, हरियाणा, पंचकूला के पत्र क0 FW/3984-90 दिनांक 24.02.2010 द्वारा निर्देश जारी किये गये हैं। इसके अतिरिक्त माननीय सर्वोच्च न्यायालय द्वारा Civil Appeal 19294/2013 में जारी आदेश दिनांक 21.07.2022 में निम्नलिखित निर्देश पारित किये गये हैं—

"Thus, we hold that the lands covered by the special orders issued under section-d of PLPA have all the trappings of the forest lands within the meaning of section-2 of 1980 Forest Act and, therefore the State Government are competent Authority cannot permit its use for non-forest activities without the prior approval of the central Government with effect from 25 October 1980- Prior permission of the Central Government is the quintessence in allow any change of user of forest or to say deemed forest land."

उपरोक्त से स्पष्ट है कि उक्त क्षेत्रों में किसी भी प्रकार का वृक्ष कटान तथा भूमि नौतौड़ वर्जित है तथा आप नियमों सं भलिभांति परिचित हैं उसके बावजूद आप को इस अवैध कार्य में मौन का संलिपत्ता पाई गई है।

उपरोक्त स्थिति के मध्यनजर आपको कारण बताओ नोटिस जारी करते हुये निर्देश दिये जाते हैं कि अपना स्पष्टिकरण दें कि क्यों आपके विरुद्ध विभागीय कार्यवाही अमल में ला दी जायें।

अपना जवाब पत्र प्राप्ति के 3 दिन के अन्दर-2 इस कार्यालय को भेजना संनिश्चित करें। (Annexure-III)

For.  
Vivek Kumar Pandey



**Examination of Office Record:-**

On examination of the office record Divisional Forest Officer, Morni has surfaced that the applicant Mahima Dutt submitted an application bearing date 04.04.2024 for demarcation of his land in hadbast no. 317 in Bhoj-Matour in Khasra No. 2,3,4,5,6,23,24,12,15,16,17,18,19 with an intension to remove eucalyptus trees standing on his land after demarcation of the land (**Annexure-IV**). The said application as forwarded by Divisional Forest officer vide letter No. 319 dated 05.04.2024 (**Annexure-V**) to the then land officer Panchkula. Subsequently vide letter no. 349, dated 08.04.2024 the applicant was informed that vide notification no. S.O. & P.A.2/1900/S.4/2013 dated 04.01.2013, that eucalyptus did not require prior approval before removal. Meanwhile Range Forest Officer Panchkula vide his letter No. 37 dated 09.04.2024 (**Annexure-VI**) forwarded the report of the Block Forest Officer informing that the said land was adjacent to Protected Forest in Block C 101 and invited the applicability of specific section 4 of Punjab Land Preservation Act. Subsequent to the report the Divisional Forest Officer ordered revocation of the clarification issued vide letter No. 349, dated 08.04.2024 to the applicant, vide his letter No. 547-548, dated 15.04.2024 (**Annexure-VII**). It is pertinent to mentioned that in between the issuance of clarification of office of Divisional Forest Officer and revoking the same, there was no removal of trees by the applicant due to compliance regarding to the demarcation of the said land. Meanwhile there is correspondence vide letter No. 3349 dated 09.07.2024, No. 4295 dated 06.08.2024 vide which DFO has asked the applicant regarding No. of trees to be removed and informing the applicant that permission cannot be given as per the Standing order No.55, dated 16.08.2023 of PCCF and letter No. 320 dated 06.07.1989 of CF North (**Annexure-VIII**). The applicant again vide his application No. 23.10.2024 requested the Divisional Forest Officer permission to remove eucalyptus trees 4000 in No. standing on his land (**Annexure-IX**). The Divisional Forest Officer vide letter 6696, dated 02.12.2024 and No. 7117 dated 18.12.2024 directed Range Forest Officer, Panchkula to undertake a site inspection and informed the latest position regarding no. of trees to be removed. The applicant Mahima Dutt S/o Deshraj vide his application dated 27.12.2024 again asked for removing 300 trees from his land citing

*V. V. V. Venkateswar Reddy*



that demarcation of the said has been done (Annexure-X). Range Forest Officer vide his letter No. 930, dated 04.02.2025 informed the DFO that the said land invited applicability of specific Section 4 of PLPA. On receiving the said information the DFO file the application on dated 17.03.2025(Annexure-XI).

From the above paper trail it is evident that the clarification issued by DFO on 08.04.2024 was revoked on 15.04.2024 and meanwhile no removal of tree was done by the applicant. After receiving the information from Range Forest Officer regarding applicability of Section 4 of PLPA of said land on dated 04.02.2025 the application of the applicant regarding removal of tree was filed. There appears no evidence that on receiving information from the Range Forest Officer, The Divisional Forest Officer has issued permission for felling of the eucalyptus trees in village Muwas of Bhoj-Matour, hadbast no. 317 as alleged in the show cause notice issued by the Conservator of Forest North Circle.

The committee visited the site on 24.03.2025 in the afternoon the photographs of the site are enclosed herewith (Annexure-XII). The committee questioned the applicant, the ex-sarpanch who was present during the enquiry and the other villagers.

#### Statement of Applicant and Villagers.

ब्यान श्री राय सिंह सुपुत्र श्री गुरबक्श निवासी गांव बलौटी पूर्व सरपंच Annexure-XIII).

प्रश्न :- कब से सरपंच हैं ?

उत्तर :- 2005-2010 में गांव का सरपंच रहा है। उस समय 4 गांव की एक पंचायत थी। अब

2 गांव हैं- मुआस और बलौटी।

प्रश्न :- क्या मुआस बलौटी पंचायत में है ?

उत्तर :- हां, जी

प्रश्न :- आपके गांव में सफेदा लगाना कब शुरू हुआ ?

उत्तर :- 2005 में VRMC बनी थी तब सबसे पहले यहां पर सफेदे लगाये गये थे। उस समय वन विभाग की योजना के तहत एक कमेटी सेंटर मुआस में तथा एक बलौटी में बनाया गया था। हर VRMC को 30000/- रु दिये गये थे जिसमें 15000 FD में है तथा 15000/- रु के बर्तन दिये गये थे।

प्रश्न :- VRMC बनने से और वन विभाग की परियोजना से गांव में क्या परिवर्तन आया ?

*Vinay Kumar*  
*Venkateshwar Ramesh*

उत्तर :- 2005-06 में यहां पर community में एक बांध बनाया गया था ऐसा ही बांध बलौटी में भी बना जिससे कुछ साल तक सिंचाई का पानी आता था परन्तु अब गांध भरने के कारण साईफन से निकालना पड़ता है। यह बांध विभाग के बड़े अधिकारी धर (PCCF) के समय लगे थे।

प्रश्न :- बांध बनने से गांव में क्या परिवर्तन आया ?

उत्तर :- इससे पहले एक भी फसल नहीं होती थी अब वो गेहूँ की फसल आप देख रहे हो यह इसी बांध के कारण है।

प्रश्न :- पहले कितनी फसल होती थी ?

उत्तर :- पहले एक मक्के की फसल होती थी, अब गेहूँ की फसल भी होती है।

प्रश्न :- सफेदा लगने से क्या फायदा हुआ ?

उत्तर :- जब यहां सफेदा लगाया गया था तो बताया गया था कि यह क्लोन का सफेदा है तथा 4 वर्ष में काटा जाना है। इसे इससे पहले 2 बार काट चुके हैं तथा अब तीसरी बार काट रहे थे।

प्रश्न :- अभी तक सफेदे से क्या फायदा हुआ ?

उत्तर :- एक बीघे से सफेदे से लगभग एक से सवा लाख आमदनी हो जाती है जब इसकी कटाई होती है। यह सफेदे के कारण ही हमारे मकान पक्के हुए हैं, जबकि पहले हमारे मकान कच्चे थे। अपनी लड़की की शादी में मैंने भी 3.50 लाख का सफेदा बेचा जिससे मैं शादी कर सका। इससे हमारी इनकम बढ़ी है।

प्रश्न :- इस गांव में कितने लोगों ने सफेदा लगाया है ?

उत्तर :- सभी गांव वालों द्वारा सफेदा लगाया हुआ है।

प्रश्न :- क्या कोई आंकड़ा है कि कुल कितना सफेदा लगा हुआ है ?

उत्तर :- सभी गांव वालों द्वारा सफेदा लगाया हुआ है। पूरे गांव में लगभग 80 बीघे सफेदा लगा हुआ है।

प्रश्न :- क्या इसका कहीं कार्यवाही रजिस्टर में ईद्राज है ?

उत्तर :- जी, है। पर रजिस्टर डुंढना पड़ेगा। यह रजिस्टर प्यारे लाल जो वर्तमान प्रधान है इसके पास रहता है, उसके आने पर फोटो कॉपी दे दी जायेगी।

प्रश्न :- और कुछ बताना चाहते हो ?

उत्तर :- हमारी इनकम इसी सफेदे से चल रही है, इसकी ज्यादा देख-रेख नहीं करनी पड़ती, एक मुफ्त आय मिल जाती है। जिससे हम परिवार की आवश्यक जिम्मेदारियां पूरी कर पाते हैं। जब बांध और सफेदा नहीं था तब मुश्किल से एक फसल होती थी और सभी को मजदूरी करनी पड़ती थी।

इसके अलावा हमारे गांव की एक पुलिया टूटी हुई है, हो सके तो उसकी भी मुरम्मत करवाई जाये, क्योंकि आने-जाने का वही एक रास्ता है।

*Dr. Vimal Karkatishwar Raut*



ब्यान श्री महिमा दत्त पुत्र श्री देशराज निवासी मुआस Annexure-XIV).

प्रश्न :- आप यहां कब से रह रहे हैं ?

उत्तर :- मैं और मेरा परिवार यहां जब से रह रहा है जब यहां राजा का शासन था।

प्रश्न :- यहां कितनी जमीन है ?

उत्तर :- यहां पर लगभग 100 बीघा जमीन गांव वालों की कास्त की है तथा लगभग 22 बीघे में जमीन सरकारी है जबकि कास्त गांव वालों द्वारा की जा रही है, इसलिए कास्त की जमीन गांव में कुल लगभग 122 बीघे बनती है।

प्रश्न :- आपके पास कितनी जमीन है ?

उत्तर :- मेरी और मेरे भाई की मिलाकर लगभग 38 बीघे जमीन है।

प्रश्न :- आपके भाई का क्या नाम है ?

उत्तर :- मेरे भाई का नाम लक्ष्मण है।

प्रश्न :- इस गांव में कितने परिवार खेती करते हैं ?

उत्तर :- इस गांव में लगभग 15-16 परिवार खेती करते हैं।

प्रश्न :- आपकी कितनी जमीन में सफेदा लगा हुआ है ?

उत्तर :- लगभग 20-22 बीघे में सफेदा लगा हुआ है।

प्रश्न :- आपने कितनी कटाई का आवेदन किया था ?

उत्तर :- अपनी सारी जमीन से कटाई का आवेदन किया था।

प्रश्न :- इससे पहले आप द्वारा कब-कब सफेदा काटा गया ?

उत्तर :- मेरे द्वारा इससे पूर्व 2012 तथा 2018 में सफेदा काटा गया था।

प्रश्न :- इससे आपकी आमदनी कितनी हुई ?

उत्तर :- उक्त सफेदे से 2012 में 2.50 लाख तथा 2018 में 3 लाख की आमदनी हुई थी।

प्रश्न :- सफेदा लगाने से पहले अपने खेतों में क्या फसल तैयार करते थे ?

उत्तर :- इससे पहले खेतों में मक्के की खेती की जाती थी।

प्रश्न :- प्रदेश सरकार का अधिनियम जिसने नौतोड (PLPA 1900) के बारे में आपकी क्या जानकारी है ?

उत्तर :- प्रदेश सरकार में कुछ जमीन बंद है पर वह परले-पासे है जहां पर लोग खेती करते हैं, वह नदी के दूसरी तरफ खसरा नं० 25, 26, 27 में है।

प्रश्न :- जहां पर पेड काटे गये हैं वहां पर प्रदेश सरकार की अधिनियम है ?

उत्तर :- नहीं है। यहां पर खेवट 1 से 24 तक है तथा अधिनियम की जमीन खेवट 25 से 27 में है।

प्रश्न :- आप और क्या कहना चाहते हो ?

उत्तर :- मेरे सफेदे काटने का समाधान कर दीजिए बड़ी मेहरबानी होगी।

प्रश्न :- आपके गांव की सफेदे को काटने बारे में शिकायत आ रही है उसकी जानकारी है आपको ?

उत्तर :- जी, हां। हमने पूरे गांव में एक ही ठेकेदार को सफेदे काटने का ठेका दे रखा है, जिस कारण दूसरे ठेकेदार शिकायत कर रहे हैं, जिससे गांव में सफेदे कटने भी बन्द हो गये हैं। शिकायतबाजी का खामियाजा हम भुगत रहे हैं। कृप्या इसका समाधान करवाये जिससे की हमारी आय का साधन पहले की तरह हो सके।

*Dr. Vinod*  
*Secretary*

ब्यान उपस्थित अन्य ग्रामीण जन गांव मुआस Annexure-XV).

हमारे सफेदे काटने का हल जल्दी से जल्दी करें क्योंकि यही हमारे आय का दारोमदार है क्योंकि हम हर रोज की शिनाख्त और यहां आकर फोटो उतारने वालों से दुखी है। इसी मौसम में पेड़ कट सकते हैं उसके बाद वन विभाग आगजनी का मौसम होने के कारण कटाई की अनुमति नहीं देता। आपसे अनुरोध है कि हमारी समस्या का समाधान करें।

**Statements of Forest Staff Including Range Forest Officer Panchkula (Annexure-XVI)**

ब्यान मनीर गुप्ता वन अधिकारी, पंचकुला

मैं मनीर गुप्ता, वन राजिक अधिकारी इंचार्ज पंचकुला रेंज ब्यान रेंज अधिकारी ब्यान करता हूं कि मैं पंचकुला रेंज पर दिनांक 19-07-24 से कार्यरत हूं। गांव मुवास भोज मटोर में श्री महिमा दत्त द्वारा अपनी निजी भूमि में से निशानदेही होने उपरांत उसकी भूमि में खड़े सफेदे के कोपिस एवं वृक्षों को काटने बारे प्रार्थना पत्र दिया गया था जिसकी रिपोर्ट वन मण्डल अधिकारी मोरनी पिंजोर ने अपने पत्र क्रमांक 7412 दिनांक 30-12-24 व स्मरण पत्र क्रमांक 8183 दिनांक 04-02-25 द्वारा मेरे से मांगी थी। इन पत्रों के संदर्भ में मेरे द्वारा अपने कार्यालय के पत्र क्रमांक 930 दिनांक 04-02-25 को रिपोर्ट की गई थी किये क्षेत्र 14 भोज कोटाहा के भोज मटोर में आता है व यह क्षेत्र पी0एल0पी0 ए0 1900 की विषेश धारा 4 के अंतर्गत है। अतः प्रार्थी को पेड़ कटवाने की स्वीकृति नहीं दी जानी बनती।

इस रिपोर्ट को भेजने के लगभग डेढ़ महीने के बाद महिमा दत्त द्वारा अपनी भूमि में से यह सफेदे के कोपिस की कटाई जबरन लगा दी गई। इस कटाई की पुख्ता सूचना मुझे दिनांक 19-03-25 की शाम को मिली जिस बारे मैंने तुरंत सम्बन्धित वन दरोगा श्री जोगिन्दर सिंह से इस बारे पूछा तो उस द्वारा बताया गया कि महिमा दत्त द्वारा दुर्गम क्षेत्र का फायदा उठाकर कटाई अपनी मर्जी से लगाई गई है और यह कथन दिया गया है कि उसे यह कटाई लगाने बारे वन मण्डल अधिकारी मोरनी पिंजोर से अनुमति मिली है और यह भी बताया कि यह वृक्ष वर्ष 2006-2007 में सामुदायिकी वानिकी परियोजना के तहत लगाये थे जिसे वह दो बार पहले 2012 व 2018 में काट चुका है। वन दरोगा श्री जोगिंदर सिंह को तुरंत यह कटाई बंद करवाने बारे निर्देश दिये और दिनांक 20-03-25 को वन मण्डल अधिकारी मोरनी पिंजोर को इस कटाई बारे अवगत करवा दिया गया था।

*Ujjwal*  
*Kanateshwar Singh*



मेरे द्वारा सम्बन्धित स्टाफ को भोज में किसी भी कटाई को रोकने बारे समय समय पर निर्देश दिये गये हैं व इस कटाई को भी मेरे संज्ञान में आते ही रोकने बारे तुरंत प्रभाव से निर्देश दिये गये थे। मेरा इस कटाई में कोई भी संलिप्तता नहीं है। यही मेरे ब्यान हैं।

दिनांक 26.03.2025  
मनीर गुप्ता, वन राजिक अधिकारी  
इंचार्ज पंचकुला रेंज

ब्यान जोगिन्दर सिंह, इन्चार्ज बलोटी बलॉक पंचकूला।

मैं जोगिन्दर सिंह, इन्चार्ज बलोटी बलॉक पंचकूला रेंज में कार्यरत हूं। कि मैं अपने ब्यान जोकि सफेदे के वृक्ष बताये गये हैं व सफेदे की कोपीस की कटाई किसान द्वारा अपनी निजी भूमि से काटे गए हैं। जिसका खसरा नं० 3,4,5,6,8,11,12,13,14,15,16,17,18,19,22,24 में से काटे गए हैं। जैसेकि किसान द्वारा निशानदेही बारे उच्चअधिकारियों को लिखा गया था निशानदेही में जमीनदार की निकली थी। इस बारे किसान द्वारा अपनी जमीन से सफेदे कटवाने बारे प्रार्थना पत्र दिया गया था। इसमें जो अनुमति वन मण्डल अधिकारी मोरनी द्वारा दिनांक 08.04.2024 को कटाने की अनुमति प्रदान की गई थी वह तुरन्त प्रभाव से वन मण्डल अधिकारी द्वारा दिनांक 15.04.2024 को रदद कर दि गई थी। इसके पश्चात किसान ने अपने सफेदे के वृक्ष (कोपीस) देर रात और सुबह शाम चोरी छुपे काटे हैं। इस दौरान सालाना रेंज के रिकॉर्ड को तैयार करने में व्यस्त होने के कारण नहीं पता चल सका। वन मण्डल अधिकारी मोरनी पिंजौर के कार्यालय का पत्र क्रमांक 547 दिनांक 15.04.2024 की प्रतिछाया साथ संलग्न है। यही मेरा ब्यान है।

दिनांक 26.03.2025

जोगिन्दर सिंह वन दरोगा  
इन्चार्ज बलोटी बलॉक पंचकूला

ब्यान आकाश, वन रक्षक, इन्चार्ज, बुंगा बीट

मैं आकाश वन रक्षक इन्चार्ज बुंगा बीट इन्चार्ज बलोटी बलॉक पंचकूला में कार्यरत हूं। कि मैं अपने ब्यान जोकि सफेदे के वृक्ष बताये गये हैं व सफेदे की कोपीस की कटाई किसान द्वारा अपनी निजी भूमि से काटे गए हैं। किसान का नाम महिमा दत्त पुत्र श्री देशराज निवासी मुआज गांव है। जिसका खसरा नं० 3,4,5,6,8,11,12,13,14,15,16,17,18,19,22,24 में सफेदे के कोपीसे काटे गए हैं। जैसेकि किसान द्वारा निशानदेही बारे उच्चअधिकारियों को लिखा गया था निशानदेही में जमीन जमींदार (किसान) की निकली थी। इसमें सम्बन्धि महिमा दत्त किसान बारे किसान द्वारा अपनी मलकियत जमीन में से सफेदे के कोपीस कटवाने बारे प्रार्थना पत्र दिया

*Umesh Venkateshwar Pandey*

गया था। इसमें जो अनुमति वन मण्डल अधिकारी मोरनी द्वारा दिनांक 08.04.2024 को कटाने कि अनुमति प्रदान की गई थी वह तुरन्त प्रभाव से वन मण्डल अधिकारी द्वारा दिनांक 15.04.2024 को रद्द कर दि गई थी। इसके पश्चात किसान ने अपने सफेदे के वृक्ष (कोपीस) देर रात और सुबह शाम चोरी छुपे काटे है। इस दौरान वार्षिक रेंज के इन्सपेक्शन के लिय रिकॉर्ड मेनटेन करने की व्यस्तता होने के कारण नहीं पता चल सका। वन मण्डल अधिकारी मोरनी पिंजौर के कार्यालय का पत्र क्रमांक 547 दिनांक 15.04.2024 की प्रतिछाया साथ संलग्न है। यही मेरा ब्यान है।

दिनांक 26.03.2025

आकाश, वन रक्षक,  
इन्चार्ज बुंगा बीट इन्चार्ज बलोठी बलॉक पंचकूला

On interaction with villagers and questioning them it surfaces that the said eucalyptus trees were planted under the Community Forestry Project of Forest Department Haryana in 2005-6 by planting clonal eucalyptus. During the project a water harvesting structure was also constructed in village Muwas and adjacent village Balothi. The villagers said that they already taken two crops of eucalyptus in 2012 and 2018 and this is the second coppice crops. The examination of the stumps corroborated with the fact that the said eucalyptus crops was a coppice crop. The villagers including the applicant and ex-sarpanch told the committee that Khasra No. 1 to 24 have been under agriculture since a long time, infact since they started residing here. They also submitted that before the construction of water harvesting structure by Forest Department they used to take one crop in a year i.e. maize but since 2006 they have been able to take two crops in a year maize and wheat which have improvised there economic condition they also said they have been periodically selling the eucalyptus since 2012 which have yielded them economic benefits from 1 to 1.5 lakh per bigha of land. As per the villagers they have extracted eucalyptus from there private land in village Muwas in the year 2012 and later in 2018.

From the above it is evident that the said eucalyptus trees were planted by the Forest department in Community Forestry Project as an agro forestry measure to enhance the income of the local communities and to improve their livelihood. The

*Umesh Varun Kumar*  
*Varun Kumar*  
*Varun Kumar*



interaction with the villagers is testimony to the facts that the purpose of the project as enshrined in the project purpose seems to be achieved. As per the villagers the said trees which have been removed are in the agriculture land from Khasra No. 1 to 24. The ex-sarpanch said that there is land notified in special section 4 of PLPA which falls in Khasra no. 25 to 27 which is across the chow passing through the village land. However, as per notification entire revenue land is notified under special section 4 of PLPA. The nazri-naksha of the said area where trees have been removed and the number of stumps found are enclosed as **Annexure- XVII**.

The committee reviewed the various notifications under PLPA which are applicable on the said land. Village Muwas falls in Bhoj-Matour and is one of the 17 villages of the said Bhoj. The land in Bhoj-Matour is notified vide notification No. S.O. 84/P.A.2/1900/S.4/2000, dated 20.07.2000 under which entire revenue land of 1053 acres is covered. However, as per the revenue record the said land is 1033 acres. As per the said notification section 4 of land preservation Act, 1900 will be applicable to whole private area in acres (excluding Govt. Forests) (**Annexure-XVIII**).

**The notification reads as under:-**

*.....,the Governor of Haryana hereby prohibits the following acts for a period of fifteen years with effect from the date of publication of this order in the official Gazette, in the area more particularly specified in the schedule annexed hereto, the said areas forming part of the village in Tehsil and District Panchkula specified in the Schedule annexed to Haryana Government, Forest Department, notification No. S.O. 50/P.A. 2/1900/S.3/89, dated 24th March, 1989:-*

- (1) The clearing breaking up of the land not ordinary under cultivation prior to the publication of erstwhile Haryana Government, Forest Department, notification No. S.O. 50/P.A.2/1900/S.3/89, dated the 24th March, 1989 provided that the breaking up the land for cultivation may be permitted by the Divisional Forest Officer, Morni-Pinjore, Division.*

*[Signature]*

*[Signature]*

*Secretary*

- (2) The cutting of trees or timber or the collection or removal or subjection to any manufacturing process, of any forest produce other than grass, save for the bonafied domestic or agricultural purposes or right holders in the land; provided that owners of the land may sell trees or timber after first obtaining a permit to do so from the Divisional Forest Officer, Morni-Pinjore Forest Division. Such permit will prescribe such conditions for sale as may, from time to time, appear necessary in the interest of forest conservancy.

**The other notification (Annexure-XIX) applicable on the area in village Muvas pertains to common lands ie Shamlat deh, Charand and Ghasnies vide No. S.O. 9/P.A.2/1900/S.4/93, dated 29.01.1993 reads as under:-**

....., in exercise of the power conferred by Section 4 of the said Act, the Governor of Haryana hereby prohibits the following acts for a period of thirty years, with effect from the date of publication of this order in the official Gazette in the areas specified in the Schedule annexed hereto, the said areas forming part of Kalka and Panchkula Tehsil of Ambala District, specified in the Schedule annexured to Haryana Government Department, notification No. S.O. 50/P.A. 2/1900/S.3/89 dated the 24th March, 1989:-Forest

1. The clearing or breaking for cultivation or for any other purpose of common grazing land or areas recorded in Revenue settlement record as Ghasnies, Charand, Shamlat Deh, not ordinary under cultivation prior to the publication of Haryana Government, Forest Department notification No. S.O. 50/P.A. 2/1900/S.3/89, dated the 24th March, 1989; provided the breaking up of land for cultivation or for other purposes by a right holder may be permitted by the Divisional Forest Officer, Morni-Pinjore Forest Division subject to the consent of all right holder.
- 2 The cutting and felling of tress from Shamlat Deh, Charand and Ghasnies except as provided below-
  - (i) tress other than chil and khair may be cut by the right holders for bona fide domestic and agricultural requirement without permission;

*[Handwritten signature]*  
Umm

*Venatarhwa Pandey*



- View Venkateshwar Pandey

(ii) 2½ feet and over in girth in cultivated lands.

(d) Khasra number of the area on which tapping has been done.

(e) Name and address of the purchaser who carried out resin extraction.

*Note:- Cultivated land means the land which is recorded as cultivated in the current Jama-bandi or land revenue record in force in the year when resin tapping actually commenced.*

- 5 *Lopping of coniferous trees of less than 3 feet in girth of coniferous trees of over 3 feet girth and other trees of any girth not exceeding one-third of their height from the ground.*
6. *The setting on fire of trees, timber or forest produce.*
7. *The herding and pasturing of cattle belonging to non-right holders with the permission of the Divisional Forest Officer, Morni-Pinjore Forest Division and subject to such conditions as he may consider necessary.*
8. *The quarrying of stone or the burning of lime at places where such stone or lime had not ordinarily been so queried or burnt prior to the publication of the said notification except with the permission of Divisional Forest Officer, Morni-Pinjore Forest Division*

It is pertinent to mention that the intention to notify the area under section 4 of PLPA was published on 24<sup>th</sup> March 1989 vide notification no. S.O. 5 O/P.A. 2/1900/S.3/89. As per the provision of the PLPA Act, 1900, the government publishes its intent to notify an area under section 4 or 5 of PLPA, the said section of the Act, reads as under:-

**NOTIFICATION AND REGULATION OF AREAS 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.*

It is pertinent to mention that at the time of notification of the said area under section 3 of PLPA the said land was under agriculture the Girdawari of the year 1989-2023 is enclosed herewith (Annexure-XX)

*U. K.* *U. K.* *Vernatishwar Pandey*



The section 4 of said act read as under:-

*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—*

*(a) the clearing or breaking up or cultivating of land **not ordinarily under cultivation** prior to the publication of the notification under section 3;*

*(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; (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 purposes of rightholder in such area; .....*

Section 4 of the said act clearly states that the clearing, breaking of land or cultivation of land that is not ordinarily under cultivation prior to the publication of notification under section 3 shall have the regulations as entailed section 4 of the Act. In the present case the felling of eucalyptus has taken place in village Muwas, Bhoj-Matour. The area is under private ownership (**Annexure-XXI**) and has been ordinarily cultivation before the notification under section 3 was published in 1989 and since then it has been cultivated, when it was planted under Community Forestry Project in 2005-2006 with eucalyptus plants to promote agro-forestry. Ever since then the villagers have taken 02 crops of eucalyptus from their agriculture land.

If a land is already under agriculture then its can only be restricted for cultivation under section 5 of the said Act. It is pertinent to mention that the said land is notified under section 4 but not under section 5 of the said act. The instructions for marking and felling of trees in area under 38 of the Indian Forest Act and section 4 & 5 in the land preservation Act were issued on dated 19.07.1987 by Conservator of Forest North Circle, Haryana which was circulated by PCCF office vide dated 29.02.2008 (**Annexure-XXII**). The instruction regarding eucalyptus plantation are as under:-

*Uttam Venkateshwar Reddy*

**Eucalyptus Plantation**

- a) The rotation will be of 8-10 years.
- b) 50% of the growing stock will be marked at one time.
- c) The remaining 50% will be marked after two years.
- d) Uprooting of stumps is not permitted.

**Inference**

The field visit, interaction with the villagers, examination of records clarifies as under:-

- i. The trees felled are coppice crop, the number of stumps found were 376 with 772 coppice shoots and not 2000 trees as alleged.
- ii. The examination of office record entails that there has been no permission granted from the office of DFO Morni. The preliminary inquiry does not prove involvement of forest staff as the villagers have been practicing agro-forestry since 2005-06.
- iii. The eucalyptus removed has being planted by the Forest Department in 2005-2006 as is evident from the VRMC register (**Annexure- XXIII**) which mentions plantation of eucalyptus and other crops by the villagers in the land.
- iv. The record of Girdawari entails that the villagers have been practicing agro-forestry in their agriculture land. The rules for removing eucalyptus in the area closed under section 4 & 5 of PLPA have been circulated by the PCCF in the year 2008.
- v. The area under consideration where eucalyptus has been alleged to be felled is notified under section 4 of Punjab Land Preservation Act, 1900. However, when the intent of closing this area for the purpose of soil & moisture conservation was published in 1989 the said area was already under agriculture. Further, when the said area was notified under section 4 of PLPA, the area was under agriculture as substantiated by the record of Girdawari from revenue department. The section 4 of the Act prohibits the activities entiled in sub-section (a) to (g) in the areas which was not ordinarily under agriculture/cultivation prior to notification under section

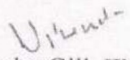
*11-10-11* *U. Singh* *Vakatekar* *Barde*

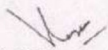


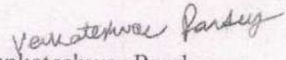
3. In case cultivation had to be prohibited then the area had to be notified in section 5 of the said Act.
- vi. In case there is intent to regulate agro-forestry plantation in the said area, then it needs to be covered in management plan for PLPA area.

Enclosed : as above enquiry report pages 1 to 29 and annexures from 20 to 144.

  
Vasvi Tyagi, IFS,  
CCF (HQ)

  
Virender Gill, IFS,  
DCF (T), Yamunanagar

  
Vijay Laxmi, IFS, Incharge,  
CF, Centre Circle, Rohtak

  
Venkateshwar Pandey,  
Research Associate- III

## FOREST DEPARTMENT GOVT OF HARYANA

Divisional Forest Officer, Morni Forest Division, Pinjore  
Forest complex Pinjore, Tel. No. 01733-230537  
e-mail-dfomorni@gmail.com

No. 658

Dated: 15-07-2026

To

Principal Chief Conservator of Forest-cum-HoFF,  
Haryana, Panchkula.

**Subject: Original Application No. 155/2025, Sheeshpal V/s State of Haryana  
before Hon'ble NGT**

**Ref.: Your office letter no. PS/PCCF/Spl dated 13-07-2026**

With reference to the subject cited above, it is intimated you that the report received from the Committee vide its Letter No. 313 M dated 15.07.2026 is enclosed herewith for your kind information and necessary action.

Enclosed as above

  
Divisional Forest Officer,  
Morni-Pinjore Forest Division,  
Pinjore.



सेवा में,

वन मण्डल अधिकारी,  
मोरनी-पिंजौर वन मण्डल,  
पिंजौर।

क्रमांक:— 313 *m*

दिनांक:— 15.07.2026

विषय:— **Original Application No. 155/2025, Sheeshpal V/s State of Haryana before Hon'ble NGT.**

सन्दर्भ:— **आपका पृ० क्रमांक 3472-74 दिनांक 13.07.2026**

उपरोक्त सन्दर्भांकित पत्र के सम्बन्ध में आपको अवगत करवाया जाता है कि विषयांकित कोर्ट केस पिछले वर्ष गांव मुआस, ब्लौटी ब्लॉक, पंचकूला रेंज, मोरनी पिंजौर वन मण्डल में बिना अनुमति के पेड़ों की कटाई के सम्बन्ध में वादी श्री शीशपाल द्वारा माननीय एन०जी०टी में दायर किया गया है। उक्त केस में मौके की नवीनतम रिपोर्ट उच्चाधिकारियों को प्रस्तुत की जानी है। जिसकी प्रति आपके कार्यालय के संदर्भांकित पत्र द्वारा मौके की रिपोर्ट हेतु प्राप्त हुई है। उच्चाधिकारियों के आदेशों की पालना में दिनांक 14.07.2026 को मुआस गांव की निजी मलकीयत भूमि का पंचकूला रेंज व ब्लौटी ब्लॉक के स्टाफ की उपस्थिति में सम्बन्धित क्षेत्र का मौका निरीक्षण किया गया। जिसकी रिपोर्ट निम्न प्रकार से है:—

1. महिमादत्त व अन्य भूमि मालिकान से सम्बन्धित निजी भूमि का मौका निरीक्षण दिनांक 14.07.2026 को किया गया।
2. मौका पर पाया गया कि सफेदे के कटाई वाले क्षेत्रों में सफेदे के सभी पेड़ों में कोपिस आये हुए है जो कि अब लगभग 15 से 20 फुट की उंचाई के हो गये है।
3. यह कोपिस तीसरा प्रतीत होता है।
4. मौके के फोटोग्राफस साथ संलग्न है।

संलग्न/उपरोक्त।

  
वन राजिक अधिकारी,  
मोरनी।

  
वन राजिक अधिकारी,  
रायपुर रानी।



