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**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI
ORIGINAL APPLICATION NO. 1249 OF 2024**

IN THE MATTER OF:

Yasin & Anr.

...Applicants

VERSUS

State of Haryana & Ors.

... Respondents

**REPLY ON BEHALF OF MOHD. HANEEF, EX-SARPANCH
(RESPONDENT NO. 6)**

PAPER-BOOK

(FOR INDEX: KINDLY SEE INSIDE)

VIKAS KUMAR

ADVOCATE FOR THE RESPONDENT NO. 6

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(Mohd. Haneef, Ex-Sarpanch)



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Date: 11.08.2025
Place: New Delhi

**BEFORE THE NATIONAL GREEN TRIBUNAL
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REPLY ON THE BEHALF OF MOHD. HANEEF, EX-SARPANCH
(RESPONDENT NO. 6)

MOST RESPECTFULLY SHOWETH:

1. That the present reply is being filed on behalf of the Mohd. Haneef, ex-sarpanch (herein after referred as 'Respondent no. 6') against the OA No. 1249 of 2024, wherein it is alleged that a road has been constructed in village Basai Meo, Tehsil Ferozpur Jhirka, District Nuh through the forest area in violation of the statutory provisions.
2. At the very outset, save and except matters of record and except what is specifically admitted to be true herein, each and every averment made by the Petitioner in the Application under reply, are categorically denied. That the Respondent herein seeks liberty of this Hon'ble Court to file a reply without adverting to para wise reply for the sake of brevity.
3. That Respondent No. 6 was elected Sarpanch of the Gram Panchayat, Basai Meo, Firozpur Jhirka, in December 2022, owing to the trust and confidence reposed by the villagers, who regard the Respondent No. 6 as an honest, hardworking leader, dedicated to the welfare and the

development of village Basai Meo. By way of this Reply the Respondent would like to bring the true facts of the matter to light –

Brief Facts

- a) The roads in question, have been longstanding pathways which were being used by the worshippers of Anjani Mata to reach the temple, and also by travellers for transporting goods. Since the condition of these pathways was inadequate, therefore a public demand was raised for the betterment of these paths.
- b) Therefore on the request of the villagers, the process of demarcation of these roads was commenced vide Government notification dated 26.02.2021, with the objective of reorganising and rationalising the agricultural holdings and village infrastructure
- c) Pursuant to this notification, the existing village paths were demarcated and widened based on the notification dated 10.01.2020 issued by the Revenue Department wherein it was mandated that village-to-village and circular roads are to be 5 to 6 karams wide, while roads providing communication from village abadi to agricultural fields are to be 4 to 5 karams wide.
- d) That the roads have not been constructed rather they have been demarcated and widened as part of the Consolidation process under the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948.
- e) That a group of political rivals in the village had raised the allegations that the Respondent No. 6 had undertaken the illegal road construction, connecting the Firozpur Jhirka to nearby hilly areas of Rajasthan, in collusion with certain officials and mining mafia.
- f) That the political rival group has been holding a grudge, since losing the last elections for the post of sarpanch against Respondent No. 6. Thus,

in the sentiment of revenge the rival political group through various members have initiated multiple false cases.

- g) In these false cases they have raised issues related to the concerned roads which were subjected to the consolidation process. The political rivals of Respondent No.6 have also tried to gain media publicity for these false cases and have published these allegations in local newspapers. Hence, the present application is a part of their political agenda and has been filed with a mala fide intent.
- h) Similarly in order to harass the Respondent No.6 the rival group has filed an application before the Hon'ble Supreme Court, namely IA No. 269552 of 2024, on exactly the same set of allegations.
- i) Thus, vide order dated 19.03.2025, Hon'ble Supreme Court of India directed to the Central Empowered Committee (CEC) to investigate the allegations.
- j) Pursuant to Hon'ble Supreme Court's order, the CEC has filed a report dated 15.04.2025, relying on the news publications made by the political rivals and stated that an illegal road was constructed with the involvement of the Respondent No. 6 (Ex- Sarpanch) and the Assistant Consolidation Officer, Nuh.

A true copy of the CEC Report dated 15.04.2025 in W.P (C) 202 of 1995, titled T.N. Godavarman Thirumulpad v. Union of India has been annexed herein as **ANNEXURE R-1**.

- k) Thereafter, The Deputy Commissioner, Nuh suspended the Respondent no. 6 (Ex- Sarpanch) by solely relying on CEC report.

True translated copy of suspension order dated 13.05.2025 issued by Deputy Commissioner has been annexed herein as **ANNEXURE R-2**.

- l) Furthermore, the CEC filed Addendum report No. 29 of 2025 on 26.05.2025. The CEC again heavily relied upon local media publications and photographs of mining and blasting in adjoining areas of Rajasthan to show the activities of mining mafia and also observed inaction by Forest Department and district officials.

A true copy of the CEC Addendum report dated 26.05.2025 in W.P (C) 202 of 1995, titled T.N. Godavarman Thirumulpad v Union of India has been annexed herein as **ANNEXURE R-3**.

- m) That vide order dated 29.05.2025, the Hon'ble Supreme Court noted that officers of Revenue department have acted with utmost 'laxity' and as per the CEC report the concerned officials including collector and representatives of Chief Secretary were not present for meeting with the CEC.

- n) The Hon'ble Supreme Court also noted that the Chief Secretary has passed the buck to other officials without any explanation. Also, the Chief Secretary has attempted to put blame on the DFO for taking action in relation to the illegally constructed roads.

A copy of order dated 29.05.2025, passed by Hon'ble Supreme Court in the W.P (C) 202 of 1995, titled T.N. Godavarman Thirumulpad v Union of India has been annexed herein as **ANNEXURE R-4**.

- o) That vide order dated 29.05.2025, the Hon'ble Supreme Court directed the Chief Secretary to file a detailed Affidavit on the actions taken by the State against the illegal mining activities and explain why an FIR had not been registered against members of the mining mafia and erring officers. Further the Court directed the Chief Secretary to take immediate actions against the involved parties.

- p) Due to such strong observations against the Chief Secretary and the other officials, pressure mounted on the authorities. That various high-

powered committees and investigations were launched. Thereafter, the Anti-Corruption Bureau, Gurugram registered an FIR No. 0018 dated 01.06.2025, against the Respondent No. 6, for various environmental violations.

True translated copy of FIR No. 0018 dated 01.06.2025, filed against the Respondent No. 6 by the Anti-Corruption Bureau, Gurugram has been annexed herein as **ANNEXURE R-5**.

- q) That an inquiry committee had called the Respondent No. 6 for explanation in relation to the suspension from the post of Sarpanch. The Respondent No. 6 duly appeared before the inquiry committee and submitted a written reply, but the inquiry committee denied to provide an acknowledgement of the reply. The Respondent No. 6 also to make its stand clear sent its reply with its annexures dated 03.06.2025 to CEC, and Chief Secretary, Haryana.

A true copy of the reply dated 03.06.2025 with its annexures submitted by the Respondent No. 6 to Additional Deputy Commissioner (ADC) Inquiry officer, District Nuh, Haryana has been annexed herein as **ANNEXURE R-6**.

- r) Thereafter, a formal removal order dated 01.07.2025 was issued by the Deputy Commissioner, Nuh under Section 51(3)(e) of the Haryana Panchayati Raj Act, 1994.

A True and Translated copy of removal order dated 01.07.2025 was issued by the Deputy Commissioner, Nuh has been annexed herein as **ANNEXURE R-7**.

- s) The CEC also filed a status report dated 15.07.2025, wherein

A true copy of the CEC Status Report report dated 15.07.2025 in W.P (C) 202 of 1995, titled T.N. Godavarman Thirumulpad v Union of India has been annexed herein as **ANNEXURE R-8**.

- t) That being aggrieved by the prejudicial conduct of the authorities, the Respondent No. 6 approached the Hon'ble Supreme Court by filing IA No. 149726 of 2025, seeking appropriate directions to the concerned authorities including administrative/department committees and the police to conduct fair and impartial investigation/inquiry, in the present matter.

A true copy of the IA No. 149726 of 2025 praying Appropriate Direction filed on behalf of the Respondent No. 6 before the Hon'ble Supreme Court in W.P (C) 202 of 1995, titled T.N. Godavarman Thirumulpad v Union of India has been annexed herein as **ANNEXURE R-9**.

- u) That the Hon'ble Supreme Court passed order dated 23.07.2025 directing that investigation and enquiry should be done in manner uninfluenced by the Hon'ble Supreme court observation in it earlier order and the Respondent No. 6 should be heard on merit as the Respondent No. 6 has been condemned without hearing.

The True copy of order passed by Hon'ble Supreme Court on 23.07.2025 has been annexed herein as **ANNEXURE R-10**.

SUBMISSIONS

The following submissions are being raised by the Respondent herein: -

1. That this Hon'ble Tribunal lacks the jurisdiction to entertain the present O.A. under the provisions of the National Green Tribunal Act, 2010 ("the Act"). In terms of Section 14 read with Section 2(1)(m) of the Act, the jurisdiction of this Hon'ble Tribunal is confined to matters involving a substantial question relating to the environment, which must arise from the implementation of one or more enactments specified in Schedule I to the Act.
2. In the present case, the Applicant has failed to raise any such substantial question, having not alleged the violation of any specific provision of an enactment enumerated in Schedule I. The Applicant has, therefore, not discharged the burden of proof incumbent upon him.

In light of these arguments, reliance is placed on the Supreme Court Judgement in *State of M.P. v. Centre for Environment Protection Research & Development*, (2020) 9 SCC 781, and *Auroville Foundation v. Navroz Kersasp Mody*, (2025) 4 SCC 150, para 31-33.

3. That the present application has been filed by the Applicants, being aggrieved by alleged 'construction of roads', which was conducted under the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948. Therefore, the proper recourse available to the Applicant lies under Section 21 of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948.
4. That the roads in question are long-standing village passages used for decades by the local population, this fact is substantiated by historical records, litigation, and satellite imagery dating back to 2011. These roads were not newly constructed but were merely re-demarcated under a lawful Consolidation Scheme notified by the competent

authorities under the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948.

5. It is respectfully submitted that a legal notice dated February 22, 2012, was issued by the then Sarpanch, Smt. Parvati, categorically stating that the land in question is fully owned and possessed by the Gram Panchayat and that the Forest Department has no claim or jurisdiction over the said land.
6. The notice further affirms that the road has existed since old times and was historically used by bullock carts and camel carts. Over time, with the evolution of rural infrastructure, the same path is now being used by motor vehicles for agricultural and public purposes, reaffirming its long-standing existence and use.
7. That the Applicants have deliberately suppressed material facts by failing to disclose the pendency of multiple related proceedings based on the same cause of action before different forums including the Hon'ble Supreme Court, the Hon'ble High Court of Punjab & Haryana, and before this Hon'ble Tribunal. Such multiplicity amounts to abuse of the process of law.
8. That multiple FIRs and Civil litigations have happened in past 10 to 15 years over the same alleged constructed roads. The courts have found that the passages were already in existence and they were used by general public since time immemorial. The copies of the FIR/judgments in criminal and civil cases where the disputed roads have been in issue, are being attached herewith.

S. No.	Case Title	Case No.	Date of order	Authority/Court
1	Ahmad and Others vs. Gram	Civil Suit No. RBT 86	15.01.2020	Civil Judge (Jr. Divn.), Ferozepur Jhirka

	Panchayat Basai Meo			
2	Hanif vs. State of Haryana and Others	CWP No. 10241 of 2023	10.05.2024	Punjab & Haryana High Court, Chandigarh
3	Aas Mohd. vs. State of Haryana and Others	CWP No. 20703 of 2024	27.08.2024	Punjab & Haryana High Court, Chandigarh
4	Tahir Hussain and Another vs. Gram Panchayat Basai Meo and others	Appeal No. 19/2020	20.09.2024	Additional District Judge, Nuh
5	Hanif vs. State of Haryana and Another	Case No. 03/DRO	16.12.2024	Settlement Officer and Collector, Nuh
6	DFO vs. Hanif etc.	COMA 252 of 2024	19.11.2024	Sub-Divisional Judicial Magistrate

9. That the political rival group had also filed petitions before the Hon'ble High Court of Punjab and Haryana on the exactly same issue. However the Hon'ble High Court in CWP No. 10241 of 2023 and CWP No. 20703 of 2024, decided that petitions lacked merits and the same were dismissed.
10. That initiating parallel or overlapping proceedings before different forums, without proper disclosure, amounts to suppression of material facts and constitutes abuse of process. Failure to disclose multiple

proceedings renders the litigation mala fide. In light of this argument reliance is placed on the Supreme Court Judgement in *Arun Kumar Sharma v. State of M.P.*, 2025 SCC OnLine SC 1424a and *Jaya Prakash Dabral v. Ministry of Environment and Forest*, 2011 SCC OnLine NGT 2.

11. That the consolidation process was started vide notification dated 26.02.2021, during the tenure of the former Sarpanch Mohd. Anees, who served during 17.01.2016- 16.01.2021 as the office bearer. Mohd. Anees is one of the members of the rival group and has played the main role in the consolidation process. Whereas, the Respondent No. 06 assumed office in December 2022 after having successfully contested and won the election.
12. It has also come to light that the said former Sarpanch not only undertook the road construction but also allegedly collected financial contributions from the villagers for the same. A number of villagers are now voluntarily coming forward and are willing to depose before the appropriate authority, CEC, Police, affirming that the former Sarpanch had demanded and accepted monetary contributions specifically towards the construction of the said road.
13. That no material evidence has been presented by the Applicants to establish any act of illegal road construction or encroachment by Respondent No. 6. The Respondent No. 6 has been wrongfully implicated in present O.A. as well as in ongoing departmental and judicial inquiries which are yet to conclude.
14. That on 20.12.2023, the Gram Panchayat sent a letter requesting the Consolidation Officer to demarcate and widen the path to Anjani Mata Mandir to a minimum width of five to six karam, in accordance with revenue and Disaster Management department Haryana Government vide notification dated 10.01.2020. This request was made in light of public demand and within the framework of consolidation proceedings

initiated by Notification dated 26.02.2021 under the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948.

15. That neither the Respondent No. 6 nor the Gram Panchayat, had any involvement in authorizing or regulating such mining activities or vehicular use. The Panchayat has no authority or control over such mine leaseholders.
16. It is submitted that high-powered committees constituted under the orders of the Hon'ble Supreme Court, including the Central Empowered Committee (CEC), and departmental inquiries by the State Vigilance and Anti-Corruption Bureau are already examining the subject matter. Therefore, parallel adjudication by this Tribunal would be inappropriate and unwarranted.
17. It is pertinent to point out that vide order dated 13.05.2025, Respondent No. 6 has been suspended without issuing any show cause notice or giving an opportunity to explain.
18. That in pursuance of suspension, the order of removal has been passed by DC, Nuh without furnishing the opportunity, under Section 51(3)(e) of the Haryana Panchayati Raj Act, 1994.
19. That the appeals has filed against the suspension order and removal order before the Commissioner, Faridabad Division are presently pending for adjudication.
20. That no private or commercial party stands to benefit from this road. The Respondent No. 6 derives no personal or political gain from the use or maintenance of this road.
21. That at no stage did the Respondent No. 6 act in a manner that violates environmental laws, forest protection norms, or land consolidation regulations. The Respondent No. 6 reaffirms his commitment to lawful governance and sustainable development.
22. The Respondent No. 6, categorically denies the allegation that he exerted any pressure or influence, directly or indirectly, upon the

Consolidation Officer, District Nuh. The Respondent No. 6 holds no legal or administrative authority to interfere in the official duties or decisions of the consolidation authorities.

23. It is humbly submitted that, in accordance with established procedures, any construction or repair work undertaken on the village road ought to have been funded through the Panchayat's duly sanctioned budget. However, no expenditure has been incurred or withdrawn from the Panchayat funds for the said activity.
24. It is humbly submitted that these allegations and depiction against the Respondent No. 6 are wrong and unfounded. The Respondent No. 6 has no role in any mining or transportation of mined material or construction of any illegal road/passages. As stated in the present reply the concern authorities who regulate and oversee all the mining operations and transportation or constructions of road are responsible for such acts or omissions which are against the law of the land.
25. The allegations of environmental violations are further discredited by the absence of any actual deforestation, damage to wildlife corridors, or ecological disturbance attributable to the Respondent No. 6. Moreover, the Gram Panchayat neither initiated nor approved any mining activities, and the use of the road by mining trucks is incidental and outside the purview of the Panchayat's authority.
26. It is denied that any wildlife corridor or biodiversity habitat has been disturbed. The road existed prior to Respondent No. 6's tenure and runs through revenue land, not forest land. No tree-felling or ecological disturbance attributable to Respondent occurred.
27. It is submitted that the Respondent No. 6 acknowledges that the right to a clean and healthy environment is a part of the fundamental right to life under Article 21 of the Constitution. The alleged road being used by the villagers has not caused any deforestation, land degradation, or disruption to wildlife corridors.

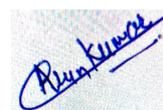
28. That the Sarpanch has been removed from his post vide order dated 01.07.2025, and in the present application before the Hon'ble Green Tribunal, the Sarpanch has been arrayed as a party. It is therefore respectfully prayed that his designation be appropriately corrected to "Mohd. Haneef" or "Ex-Sarpanch."

PRAYER

In view of the foregoing facts and submissions, it is most respectfully prayed that this Hon'ble Tribunal may be pleased to:

- a) Dismiss the present Original Application filed by the Applicants, as the same is devoid of merits, politically motivated, and constitutes an abuse of the process of law; and/or
- b) Take note that the present proceedings amount to forum shopping, as the subject matter is already sub-judice before the Hon'ble Supreme Court and the Hon'ble High Court of Punjab and Haryana, and therefore, continuation of the present proceedings would result in parallel adjudication and judicial inconsistency; and/or
- c) Pass such other and further orders as this Hon'ble Tribunal may deem just, fit, and proper in the facts and circumstances of the case.

Advocate for the Respondent No. 6



Vikas Kumar, Arun Kumar and Kedar R.S,
Advocates

Corporate Legal Partners
Office-First Floor, Block-I, Building No. 16 &
17, Lajpat Nagar-1, New Delhi-110024,
Ph: -011-44709831, 011-36800977

Date: 11.08.2025
Place: New Delhi

BEFORE THE NATIONAL GREEN TRIBUNAL
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ORIGINAL APPLICATION NO. 1249 OF 2024

IN THE MATTER OF:

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... Respondents

AFFIDAVIT

I, Mohd Haneef, aged about 40 years, son of Rustam, resident of Basai Meo, Tehsil- Firozpur, Jhirka, District- Nuh, Haryana- 122107, do hereby solemnly affirm and states as under: -

1. That I am the Respondent No. 6 in the aforesaid matter and as such I am well conversant with the facts and circumstances of the present case. Hence, I am competent to swear the present affidavit.

2. That I have gone through the contents of the reply and have been read over to me in vernacular language and I have understood the same and say that they are true and correct to the best of my knowledge. I say that the same has been drafted on my instructions.

That the Annexures accompanying with the said application is correct and best of my knowledge and information and I believe the same to be true and correct.

DEPONENT

Mohd Haneef

VERIFICATION

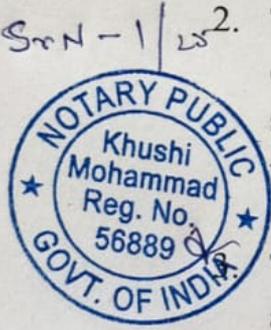
I, Mohd Haneef, the deponent above named do hereby state that the contents of the affidavit are true to the best of my knowledge & belief, no part of it is false and nothing material has been concealed there from.

ATTESTED BY

Khushi Mohammad
Khushi Mohammad
Notary Public Govt. of India
Civil Court, F.P. Jhirka (Nuh)

DEPONENT

Mohd Haneef



CENTRAL EMPOWERED COMMITTEE
(CONSTITUTED BY THE HON'BLE SUPREME COURT OF INDIA)

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Email cecindia202@gmail.com, Website: www.cecindia.in

F. No: 1-19/CEC/SC/2024-Pt. (71)

Dated: 15th April 2025

To

The Registrar
Supreme Court of India
New Delhi-110001
(Attn: PIL Writ Section)

SUB: CEC REPORT NO. 17 OF 2025 – REPORT OF THE CENTRAL EMPOWERED COMMITTEE ON I.A. Nos. 269550, 269552, AND 269553 OF 2024 IN WRIT PETITION ON 202 OF 1995 FILED BEFORE THE HON'BLE SUPREME COURT OF INDIA BY JUMMA AND OTHERS, REGARDING PROTECTION AND CONSERVATION OF FOREST RESOURCES, IN LIGHT OF THE GRAVE ENVIRONMENTAL HARM BEING CAUSED IN DISTRICT NOOH, HARYANA, SPECIFICALLY IN VILLAGE BASAI, ADJACENT TO THE HARYANA RAJASTHAN BORDER.

Sir,

I am directed to inform you that Report No.17 of 2025 filed in W.P.(C) 202 of 1995 of the Central Empowered Committee on the above subject is enclosed (Four copies). It is requested that the Report may please be placed before the Hon'ble Court for kind consideration.

Yours faithfully


(Banumathi G.)
Member Secretary

Copy to :

1. Mr. Harish N. Salve, Sr. Advocate & Amicus Curiae.
2. Mr. A.D.N. Rao, Sr. Advocate & Amicus Curiae.
3. Mr. Siddhartha Choudhary, Advocate & Learned Amicus Curiae
4. Mr. K. Parameshwar, Advocate & Amicus Curiae
5. Secretary, MoEF&CC, New Delhi
6. The Chief Secretary, Government of Haryana, Chandigarh
7. The Principal Chief Conservator of Forests, Haryana Forest Department, Chandigarh
8. The District Magistrate, District Nooh, Haryana
9. The District Forest Officer, District Nooh, Haryana
10. Advocate on Record on behalf of the Applicants
11. Sh. Jumma Sb Sh. Hoshiya Khan, R/o village — Bansaimo (149), Mewat, Haryana - 122104
12. Standing Counsel for the State of Haryana
13. Standing Counsel for the MoEF&CC
14. All Members of CEC

CENTRAL EMPOWERED COMMITTEE

REPORT No. 17 of 2025

IN

**I.A. No. 269550, 269552,
and 269553 of 2024**

IN

W.P. (C) No. 202 of 1995

**Filed by:-
Jumma & others**

Dated: 15th April, 2025

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CENTRAL EMPOWERED COMMITTEE

REPORT OF THE CENTRAL EMPOWERED COMMITTEE ON I.A. Nos. 269550, 269552, AND 269553 OF 2024 IN WRIT PETITION ON 202 OF 1995 FILED BEFORE THE HON'BLE SUPREME COURT OF INDIA BY JUMMA AND OTHERS, REGARDING PROTECTION AND CONSERVATION OF FOREST RESOURCES, IN LIGHT OF THE GRAVE ENVIRONMENTAL HARM BEING CAUSED IN DISTRICT NOOH, HARYANA, SPECIFICALLY IN VILLAGE BASAI, ADJACENT TO THE HARYANA RAJASTHAN BORDER.

BACKGROUND

The Applicants in this I.A., filed on 20.11.2024 represent the villagers of Village Basai, Tehsil Firozpur, District Nuh, where a road has been constructed without requisite approvals connecting Firozpur Jhirka to the adjoining hilly regions of Rajasthan. They have alleged that the local Sarpanch, Mr. Hanif alias Hannah, along with some government officials and the mining mafia, has violated laws, including the relevant MoEFCC Notifications and the provisions of Punjab Land Preservation Act (PLPA), 1900, by constructing the road without consulting or seeking approval from the forest department.

2. The Applicants have submitted that a newly constructed road connects three villages bordering Rajasthan—Chhapra, Dhaulet, and Naget—with Village Basai. This road cuts through both forest land and

cultivable agricultural land. The construction appears to have been initiated by the Sarpanch in collusion with certain government officials, allegedly driven by their personal financial interests. Given the proximity to mining areas near the Rajasthan border, this road is being misused to facilitate illegal mining activities and the transportation of illegally mined minerals, enabling the accumulation of wealth for personal gain.

3. It has also been submitted that the illegal construction of the road not only breaches established laws but infringes upon the rights of local farmers. Their cultivable agricultural land has also been unlawfully grabbed without any prior consultation or compensation. Acting in collusion with government officials, the mining mafia has forcibly appropriated this land for road development. This has endangered agriculture in the region, which is the primary livelihood of the poor villagers. The destruction of this limited and vital agricultural land poses a serious threat to both the livelihood and very survival of the affected communities.

4. According to the Applicants, the previously existing roads connecting Village Basai to Rajasthan did not impact agricultural land; however, the newly constructed road is unnecessary and appears to

have been built solely to facilitate illegal mining operations. This has led to the empowerment of the mining mafia and sparked serious unrest and conflict within the village. The illegally made road is in blatant violation of the Ministry of Environment and Forests and Climate Change Notification of 07.05.1992 and the Punjab Land Preservation Act (PLPA), 1900, and also without obtaining the requisite clearance from the Forest Department. In addition to encroaching upon protected forest areas, cultivable agricultural land was forcibly seized from local farmers, disregarding their rights and leaving them economically vulnerable.

5. The Applicants have submitted their following prayer before this Hon'ble Court:

a) Direct the Central Empowerment Committee to investigate and submit a status report on the illegalities committed by various individuals, including government officials, in connection with the construction of the road.

b) Direct the State to take penal action against the individuals involved in the illegal construction of the road.

c) Order the restoration of the area affected by the illegal construction of the road.

d) Grant exemplary environmental compensation to the affected parties under the "polluter pays" principle.

e) Pass any other order(s) that this Hon'ble Court may deem fit and proper in the interest of justice and to protect the environment and livelihood of the villagers.

6. This Hon'ble Court has on 19.03.2025 passed the following order:

“2. It is the case of the applicants that certain persons are illegally, without approval of the competent authority, carrying on mining activities and construction of the road.

3. We, therefore, request the Central Empowered Committee (CEC) to examine the matter and submit a report pertaining to the aforesaid within four weeks from today.

4. List on 16.04.2025.”

DISCUSSIONS AND SITE VISIT

7. A meeting of all stakeholders was convened by the CEC on 09.04.2025. The meeting was attended by the Divisional Forest Officer, Nuh and Principal Chief Conservator of Forests & Head of Forest Force, Haryana. In spite of timely information, none of the officers from the Revenue Department attended the meeting. The officers shared the details of the construction of the illegal road, their efforts to demobilise that and also about the sentiments of the local residents.

8. As none of the officers from the Revenue Department were present during the meeting held on 09.04.2025 and a report requires to be submitted before this Hon'ble Court before 16.04.2025, the CEC

while inviting attention of the Chief Secretary of Haryana towards this serious issue of illegal road construction in Nuh's forest areas, requested him to direct the District Magistrate, Nuh, and the Additional Chief Secretary (Forests) to personally attend a meeting on 11.04.2025 with all relevant documents and maps. This was to facilitate a detailed investigation and report on accountability of the implicated officials. However, neither anyone except the forest officials attended the meeting nor any information was supplied to the CEC. A copy of the CEC's letter (without annexures) addressed to the Chief Secretary of Haryana is enclosed as **ANNEXURE R-1** to this Report.

9. With the above backdrops a site visit was conducted on 13.04.2025. During this visit, it was observed that the road has been illegally constructed as alleged. The photographs taken during the site visit are enclosed as **ANNEXURE R-2 (Colly.)** to this Report.

OBSERVATIONS AND ANALYSIS

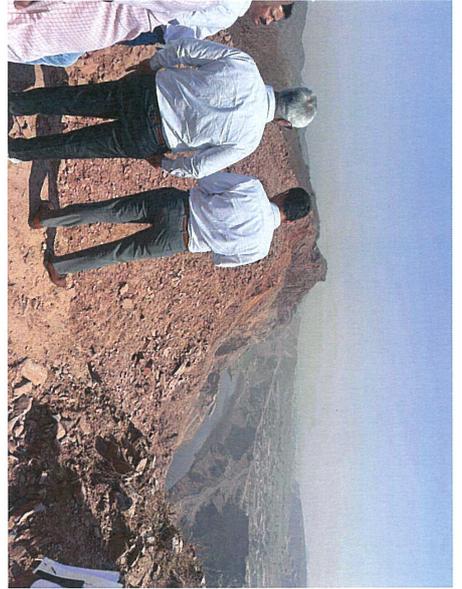
10. Basai Meo Village is located in the foot hills of Aravalli Mountain ranges in Nuh District, Haryana. Ferozpur Jhirka to Biwan road passes through Basai Meo village. It share borders with Rajasthan from two sides (Nangal in North and Chapra in South). As per

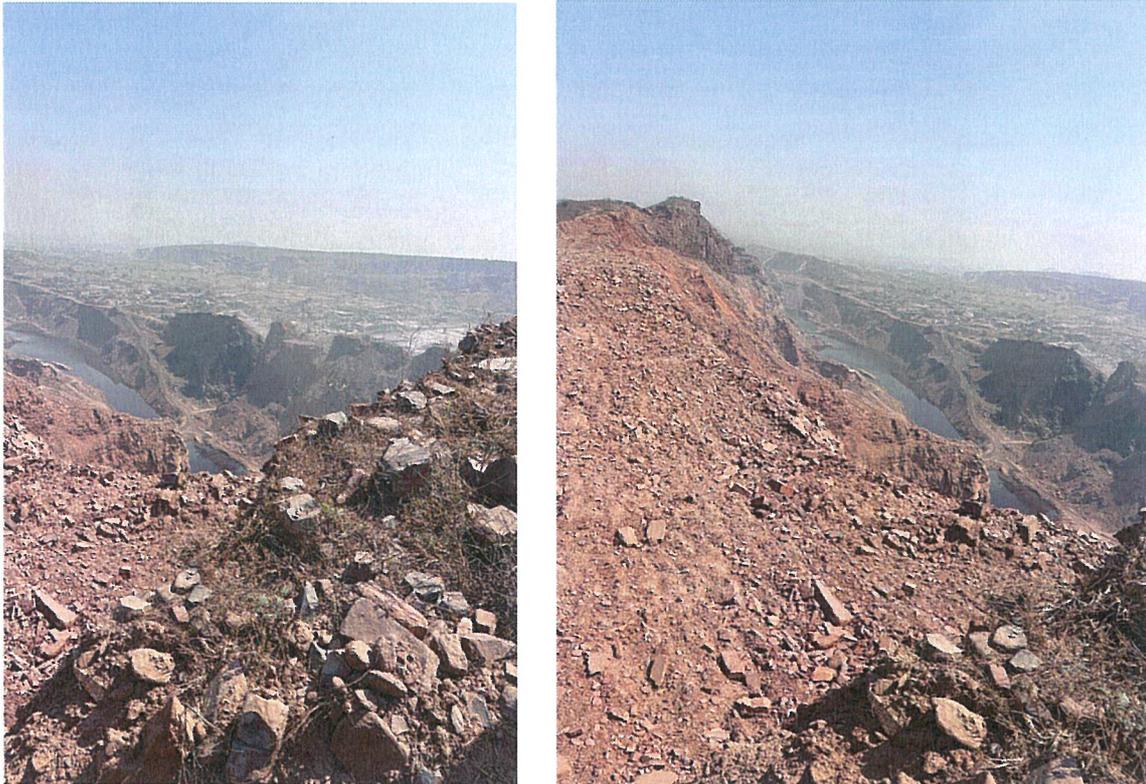
notification No. S.O. 96/P.A.-2/1900/S.5/70 dated 12.03.1970 of the Government of Haryana provisions of Section 4 of PLPA-1900 are applicable on Khasra Nos. 1 to 3, 13, 61, 62, 1127 to 1129, 1131 to 1137 of Basai Meo Village. In Civil Appeal No. 10294 of 2013, this Hon'ble Court has on 21.07.2022 held as follows:

“64. Thus, we hold that the lands covered by the special orders issued under Section 4 of PLPA have all the trappings of forest lands within the meaning of Section 2 of the 1980 Forest Act and, therefore, the State Government or competent authority 80 cannot permit its use for non-forest activities without the prior approval of the Central Government with effect from 25th October 1980. Prior permission of the Central Government is the quintessence to allow any change of user of forest or so to say deemed forest land.”

Hence, the provisions of Forest (Conservation) Act 1980 are applicable on these Khasras. Furthermore, in 1991-92 during Aravalli Plantation project, various Khasra Nos. of Basai Meo village were taken up for Plantations.

11. The extent of illegal mining in Rajasthan just across the Nuh District of Haryana can be seen from the following photographs:





12. As is evidently clear, to facilitate the transport of illegally mined material, the aforesaid unauthorized road was needed and constructed by damaging forest department plantations located in Khasra Numbers 3, 204, 205, and 206 of Village Basai Meo, as well as through areas notified under the Punjab Land Preservation Act (PLPA), 1900. The road in question was built without any prior approval from the Forest Department and in violation of the Forest (Conservation) Act, 1980. The road construction has severely impacted the Aravalli ecosystem and encroached upon the agricultural lands of the local villagers, who have resorted to file the present I.A. seeking justice from this Hon'ble Court. The road

connects Basai Meo to the Rajasthan-bordering villages of Chhapra, Dhaulet, and Naget, and has become a key route for the mining mafia to reach the mining spots, extract minerals illegally and transport them through trucks, resulting in extensive environmental degradation. As per the Haryana Forest Department's inspection, a road approximately 1.5 kilometers in length was constructed using heavy machinery without requisite permissions. The photographs of the road are as enclosed as **ANNEXURE R-3 (Colly.)** to this Report.

13. Widespread media coverage has highlighted the illegal road construction during the consolidation process in Basai Meo, with the involvement of the Sarpanch of Gram Panchayat and the Assistant Consolidation Officer, Nuh. Unauthorized roads were created towards Behrali and Nangal, causing significant damage to forest land. A summary of the media coverage is enclosed as **ANNEXURE R-4** to this Report. A large number of complaints against the illegal mining on the Haryana-Rajasthan Border and the illegal road constructed for transporting illegally extracted minerals have also been received from the local villagers.

14. Similarly, media reports have brought to light the rampant illegal mining taking place in the Aravalli hills. It has been reported that the Rajasthan State Mining Department has imposed penalties amounting to Rs. 180 crores on 15 leaseholders found to be involved in illegal mining activities. Newspaper clippings confirming the imposition of this penalty on the 15 leaseholders are enclosed herewith as enclosed as **ANNEXURE R- 5 (Colly.)** to this Report.

15. The Forest Department has actively pursued the protection of forest land and prevention of illegal activities in the Basai Meo region. Initially, the department engaged with the Revenue and Consolidation authorities to ensure its participation in the consolidation process and to prevent fragmentation of the forest land. Repeated objections were raised by them against the alteration of Khasra numbers pertaining to the forest areas, particularly in the Aravalli region, and several communications were made to concerned authorities, including the SDM, Tehsildar, Deputy Commissioner, and other higher officials, to prevent encroachment and safeguard these lands. Subsequently, reports of illegal mining activities and unauthorized path construction prompted the forest department to escalate the matter. Damage reports were filed against individuals involved, including local elected village representatives and government officials. A prosecution case

was prepared and submitted before the appropriate court. The Forest Department also repeatedly sought police support to cut off illegal mining routes and prevent further encroachments, while requesting the deployment of duty magistrates to assist in enforcement. The Forest department, understandably, also pursued registration of FIRs against the culprits and insisted on the maintenance of law and order to prevent recurrence of such activities, but to no avail. However, these actions demonstrate the department's firm stance in protecting notified forest land and upholding environmental safeguards. An abstract of the actions taken by the Forest Department, along with the copies of relevant correspondence, is enclosed as **ANNEXURE R-6 (Colly)** to this Report.

16. The Committee has also learnt that on 18.7.2024, a meeting was conducted under the Chairmanship of the Additional Chief Secretary, Department of Environment, State of Haryana, wherein the issue regarding illegal mining in the Aravalli hills was discussed at length. As per the minutes of the meeting dated 26.7.2024, the following decisions were taken in the said meeting:

A. Methodology to be adopted for enforcement and monitoring to prevent illegal mining and transportation

- i. The Department of Forest shall submit its proposal for deploying forest guards in district Nuh, Gurugram, Faridabad, Mahendergarh, and Rewari, and provisions for setting up of check post at appropriate sites/locations to the State Government within 10 days.
- ii. The Department of Mines and Geology shall comply with all the remaining 10 points of Annexure 2 relating to the prevention of illegal mining and transportation of illegal mined material, and a compliance report in this regard may be submitted within 10 days.

B. Finalization of the Aravalli Rejuvenation Plan of each of the 07 Districts

- i. The Department of Forest shall submit the details of funds required for the baseline study/survey of each of the 07 districts to HSPCB within 10 days.
- ii. After receiving the details of funds required for said study, HSPCB shall release funds to the Forest Department from the environmental compensation funds available with the HSPCB after getting necessary approval from the Competent Authority for release of such funds from environmental compensation funds.
- iii. HSPCB may submit the Aravalli Rejuvenation plan of 07 Districts to the Hon'ble National Green Tribunal in compliance of the order dated 11.12.2023 as mentioned in para no. 32 in O.A no. 362 of 2022 in the matter of Aravalli Bachao Citizen movement Vs Union of India and Ors.
- iv. After the completion of the baseline study, these Aravalli Rejuvenation plans may be further updated and submitted to the Hon'ble National Green Tribunal

C. Action taken on imposition and realization of environmental compensation funds as per SOP prepared by HSPCB.

- i. The Department of Mines and Geology and the Department of Forest shall submit the details of the illegal mining sites identified by the Field Officers, mentioning the name of the site and its coordinates, area of the illegal mining site, and quantity of illegal mined material to HSPCB within 10 days.
- ii. Based on the data sent by the Department of Mines and Geology and the Department of Forest, HSPCB and the Mining Department shall calculate the Environmental Compensation as per the provisions of SOP prepared by HSPCB on 30.04.2024 within the next 15 days.

D. Monitoring the Compliance of environmental norms by the departments

- i. The Department of Mines and Geology shall submit the report on compliance of environment norms as mentioned in the checklist (Annexure 3) within 15 days.
- ii. The Department of Mines and Geology, the Department of Forest, and HSPCB shall continue to submit the report on the compliance of environment norms as per the checklist prepared by them on a quarterly basis.

E. Precautionary/preventive steps to control illegal mining

- i. The Department of Mines and Geology shall implement/comply with both the above two points within 01 month after taking approval from the Competent Authority.
- ii. The Department of Forest shall submit their proposal for the procurement of equipment/machinery and the development of infrastructure to prevent illegal mining and its transportation to the State Government within 15 days.

A copy of the Minutes of the meeting dated 26.7.2024 is enclosed herewith as ANNEXURE R-7 to this Report.

RECOMMENDATIONS

17. Based on the relevant information, available facts, and circumstances detailed above, the CEC makes the following recommendations:

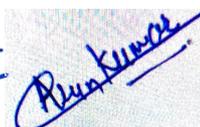
- i. The District Magistrate Nuh shall ensure that the said unauthorized road is made non-motorable and there is no movement of any vehicle on it.
- ii. The State Government of Haryana shall ensure that the damaged area is restored by reforestation with native species, and also by rehabilitation of farmers' cultivable land.
- iii. The State Government of Haryana shall constitute an independent high-power committee to investigate the Sarpanch's conduct, and if found guilty, recommend appropriate preventive action in accordance with extant norms and rules, and also suggest measures to be taken to strengthen oversight mechanisms for Gram Panchayats in Aravalli hills and ranges.
- iv. The State Vigilance Department shall investigate allegations of collusion between the Sarpanch, government officials, and the mining mafia and submit a report to the Government within 90 days, under intimation to the CEC and the MOEFCC.
- v. The State Government of Haryana shall provide fair compensation or alternative land to villagers for their unlawfully seized agricultural lands, along with appropriate financial support to restore their livelihoods.

- vi. The Forest and Wildlife Department, Haryana shall establish a monitoring system with satellite surveillance and mandatory environmental impact assessments for Aravalli projects, and to formulate and implement a comprehensive Aravalli Conservation Plan.
- vii. The Chief Secretary, Haryana and Principal Chief Conservator of Forests shall reaffirm compliance of the orders of this Hon'ble Court passed on 21.07.2022 in Civil Appeal No. 10294 of 2013.
- viii. The District Magistrates of all districts of Haryana sharing boundary with Rajasthan shall be made answerable to this Hon'ble Court if transport of any illegal mining material takes place through the area under their jurisdiction.
- ix. The State Government of Haryana shall implement the decisions taken by it in its Minutes of Meeting dated 26.07.2024 and report compliance to the MOEFCC.
- x. The Hon'ble Court may kindly take note of the non-cooperative attitude of the District Magistrate, Nuh towards a matter under consideration of this Hon'ble Court and also of the fact that in spite of repeated letters from the Forest Department to Revenue Officers and wide media coverage no perceptible action has been taken by him to stop the illegal movement of materials and traffic on this illegal road. As deem fit, suitable action is required to be taken against him for his misconduct by the State Government of Haryana.

This report has the approval of the Chairman and all Members of the CEC and is submitted for the kind consideration of this Hon'ble Court.


(Banumathi. G)
Member Secretary

Dated: 15.04.2025


//True copy//

आदेश

ग्राम पंचायत बसई मेव खण्ड फिरोजपुर झिरका में अरावली पौधारोपण क्षेत्र में अवैध रास्ता निर्माण होने के कारण Forest Conservation Act-1980 व माननीय सर्वोच्च न्यायालय के आदेश दिनांक 12.12.1996 की उल्लंघना बारे माननीय सर्वोच्च न्यायालय द्वारा गठित Central Empowered Committee की रिपोर्ट पत्र F. No: 1-19ICECISCI2024-Pt. (71) Dated: 15th April 2025 के माध्यम से उक्त कमेटी द्वारा विस्तृत रिपोर्ट प्रस्तुत की गई है।

उक्त रिपोर्ट में अवैध माईनिंग गतिविधियों को बढ़ावा देने में संलिप्त सभी संबंधित अधिकारियों/कर्मचारियों/व्यक्तियों के विरुद्ध कार्यवाही की संस्तुति की गई है। इस बारे उक्त कमेटी द्वारा अपने पत्र F. No: 1-26/CEC/SC/2024-Pt. (71) Dated: 9th April 2025 के माध्यम से माननीय मुख्य सचिव हरियाणा सरकार को भेजी गई रिपोर्ट में अवैध रूप से की गई रास्ता बनाने की कार्यवाही के लिए संबंधित अधिकारी/कर्मचारियों/व्यक्तियों के विरुद्ध कार्यवाही की गई संस्तुति की गई है। उक्त रिपोर्ट के साथ संलग्न अन्य दस्तावेजों अनुसार अवैध रास्ता निर्माण के संबंध में वन विभाग नूंह द्वारा वन क्षति रिपोर्ट 80/25 दिनांक 28.08.2024 के आधार पर वन खण्ड अधिकारी, वन परिक्षेत्र अलीपुर तिगरा, रेंज फिरोजपुर झिरका द्वारा आपको नोटिस जारी किये जा चुके हैं।

उक्त रिपोर्ट व साथ संलग्न समाचार पत्रों में प्रकाशित खबरों से अधोहस्ताक्षरी के संज्ञान में यह मामला आया है। परन्तु उक्त मामला माननीय सर्वोच्च न्यायालय तक पहुंचने के बावजूद भी आपके द्वारा सरपंच ग्राम पंचायत बसईमेव रहते हुए अधोहस्ताक्षरी तथा पंचायत विभाग के किसी भी अधिकारी के संज्ञान में मामला न लाकर अपने कर्तव्य का भली प्रकार से निर्वहन न करके हरियाणा पंचायती राज अधिनियम 1994 की धारा 19 में सरपंच द्वारा किये जाने वाले कर्तव्यों के बारे में दिये गये प्रावधानों की उल्लंघना करके अपने आपको कड़ी कार्यवाही का दायी बनाया है।

अतः Central Empowered Committee की रिपोर्ट व रिपोर्ट के साथ संलग्न समाचार पत्रों में प्रकाशित खबरों, वन विभाग नूंह की रिपोर्ट के मद्देनजर हरियाणा पंचायती राज अधिनियम 1994 की धारा 19 व नियम में दिये गये प्रावधानानुसार अपने कर्तव्यों के प्रति कोताही बरतने के संबंध में मैं, विश्राम कुमार मीणा, भा.प्र.से., उपायुक्त, नूंह, हरियाणा पंचायती राज अधिनियम 1994 की धारा 51 (3) (e) के तहत प्रदत्त शक्तियों का प्रयोग करते हुए श्री मौ0 हनीफ पुत्र श्री रूस्तम, सरपंच ग्राम पंचायत बसई मेव खण्ड फिरोजपुर झिरका को सरपंच ग्राम पंचायत बसईमेव खण्ड फिरोजपुर झिरका के पद से निलम्बित करते हुए खण्ड विकास एवं पंचायत अधिकारी, फिरोजपुर झिरका को निर्देश देता हूँ कि वह हरियाणा पंचायती राज अधिनियम 1994 की धारा 51 (1) (i) के तहत ग्राम पंचायत बसईमेव का समस्त रिकॉर्ड श्री मौ0 हनीफ पुत्र श्री रूस्तम से अविलम्ब कब्जे में लेकर बहुमत वाले पंच को सौंपना सुनिश्चित करें। इसके अतिरिक्त श्री मौ0 हनीफ पुत्र श्री रूस्तम के सरपंच ग्राम पंचायत बसई मेव खण्ड फिरोजपुर झिरका के पद से निलम्बन के संबंध में अतिरिक्त उपायुक्त नूंह को नियमित जांच अधिकारी नियुक्त करते हुए निर्देश देता हूँ कि उपरोक्त मामले में विधिवत्/नियमानुसार जांच करके विस्तृत जांच रिपोर्ट अधोहस्ताक्षरी को प्रस्तुत करें।

ये आदेश तुरन्त प्रभाव से लागु समझे जावें।


१८ विश्राम कुमार मीणा, भा.प्र.से.
उपायुक्त, नूंह।

पृ0क्रमांक 874-881 /पंचायत दिनांक 13.05.2025

इसकी एक प्रति निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है:-

- माननीय मुख्य सचिव हरियाणा सरकार की सेवा में Central Empowered Committee के पत्र F. No: 1-26/CEC/SC/2024-Pt. (71) Dated: 9th April 2025 की पालना में सूचनार्थ प्रेषित है।
- राज्य निर्वाचन आयोग हरियाणा, पंचकुला।
- आयुक्त एवं सचिव हरियाणा सरकार, विकास एवं पंचायत विभाग, चण्डीगढ।
- महानिदेशक, विकास एवं पंचायत विभाग, चण्डीगढ।
- अतिरिक्त उपायुक्त नूंह एवं जांच अधिकारी।
- मुख्य कार्यकारी अधिकारी, जिला परिषद, नूंह।
- खण्ड विकास एवं पंचायत अधिकारी, फिरोजपुर झिरका को उक्त आदेशों की पालनार्थ।
- रजि0-श्री मौ0 हनीफ पुत्र श्री रूस्तम, सरपंच (निलम्बित) ग्राम पंचायत बसईमेव खण्ड फिरोजपुर झिरका


१८ उपायुक्त, नूंह।

Order

Gram Panchayat Basai Meo, Firozpur Jhirka, in the Aravali afforestation area, has been found to have constructed an illegal road, violating the Forest Conservation Act-1980 and the Supreme Court's order dated 12.12.1996. The Central Empowered Committee, constituted by the Hon'ble Supreme Court, has submitted its report vide letter No. 1-19ICECISCI2024-Pt. (71) dated 15th April 2025, through which the committee has presented a detailed report.

In the aforementioned report, all concerned officials/employees/persons involved in illegal mining activities have been recommended for action. This has been mentioned in the aforementioned report. In this regard, the aforementioned report has been sent to the Hon'ble Chief Secretary, Government of Haryana, vide letter No. 1-26/CEC/SC/2024-Pt. (71) dated 9th April 2025. The report recommends action against the concerned officials/employees/persons involved in illegal road construction. The aforementioned report, along with other documents related to illegal road construction, has been sent to the Forest Division, Nuh, vide letter No. 80/25 dated 28.08.2024. Based on this, a notice has been issued to the Forest Range Officer, Alipur Tigra, Range Firozpur Jhirka.

This matter has come to the notice of the undersigned through the aforementioned report and the news articles attached to it. Despite the matter reaching the Honorable Supreme Court, you, as the Sarpanch of Gram Panchayat Basai Mewat, did not bring this to the notice of any officer of the undersigned or the Panchayat Department. You failed to perform your duties properly. Under Section 19 of the Haryana Panchayati Raj Act, 1994, and the rules framed thereunder, I, Vishram Kumar Meena, IAS, Deputy Commissioner, Nuh, Haryana, exercising the powers vested in me under Section 51 (1) (i) of the Haryana Panchayati Raj Act, 1994,

hereby direct Shri Mohd. Haneef, son of Shri Rustam, Sarpanch of Gram Panchayat Basai Mewat, Ferozpur Jhirka.

Finally, in view of the report of the Central Empowered Committee and the news published in the attached newspapers, the report of the Forest Department, Nuh, regarding negligence towards my duties as per the provisions of section 19 and rule of Haryana Panchayati Raj Act 1994, I, Vishram Kumar Meena, IAS, Deputy Commissioner, Nuh, Haryana Panchayati Raj 1994, exercising the powers conferred under Section 51 (3) (e) of the Haryana Panchayati Raj Act 1994, suspend Shri Mohd Haneef son of Shri Rustam, Sarpanch Gram Panchayat Basai Meo, Block Firozpur Jhirka from the post of Sarpanch Gram Panchayat Basai Meo Block Firozpur Jhirka and direct the Block Development and Panchayat Officer, Firozpur Jhirka to take action under Section 19 of the Haryana Panchayati Raj Act 1994. Under Section 51(1) (i). Ensure to take possession of all the records of Gram Panchayat Basai Meo from Shri Mohd. Haneef son of Shri Rustam immediately and hand them over to the majority Panch. Apart from this, in relation to the suspension of Shri Mohd. Haneef son of Shri Rustam from the post of Sarpanch Gram Panchayat Basai Meo Block Firozpur Jhirka, I appoint Additional Deputy Commissioner Nuh as regular investigation officer and direct him to investigate the above case in a legal manner/as per rules and submit a detailed investigation report to the undersigned. These orders should be deemed to be effective with immediate effect.

These orders should be considered effective with immediate effect.

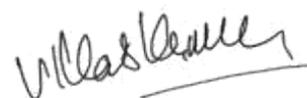
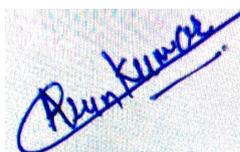
Vishram Kumar Meena, IAS

Deputy Commissioner, Nuh.

Date 13.05.2025

A copy of this is sent to the following for information and necessary action:-

1. Central Empowered Committee to the Honourable Chief Secretary, Government of Haryana in compliance with the letter F.No:1-26/CEC/SC/2024-Pt. (71) Dated: 9th April 2025 of the Government of India Sent for information.
2. State Election Commission Haryana, Panchkula.
3. Commissioner and Secretary to Government of Haryana, Development and Panchayat Department, Chandigarh.
4. Director General, Development and Panchayat Department, Chandigarh.
5. Additional Deputy Commissioner Nuh and Investigation Officer.
6. The Chief Executive Officer, Zila Parishad, Nuh.
7. Block Development and Panchayat Officer, Ferozpur Jhirka for compliance of the above orders.
8. Regd. Shri Mohd. Hanif son of Shri Rustam, Sarpanch (suspended) Gram Panchayat Basaimeo Khand, Ferozpur Jhirka.



//True & translated copy//



Office of the Deputy Commissioner, Nuh

37

Mini Secretariat, Palwal Road, Nuh
Phone No. 01267-274602 Email denuh@hry.nic.in

माननीय सर्वोच्च न्यायालय मामला
अति आवश्यक/तिथि बद्ध
बैठक दिनांक 30.05.2025 प्रातः 11:15 बजे

ANNEXURE R-3

प्रेषित

1. उप मण्डल अधिकारी (ना0), फिरोजपुर झिरका ।
2. जिला परिवहन अधिकारी, नूह ।
3. वन मण्डल अधिकारी, नूह ।
4. उप पुलिस अधीक्षक, फिरोजपुर झिरका ।
5. जिला राजस्व अधिकारी /चकबंदी अधिकारी, नूह ।
6. तहसीलदार/नायब तहसीलदार, फिरोजपुर झिरका ।
7. खंड विकास एवं पंचायत अधिकारी, फिरोजपुर झिरका ।
8. सहायक चकबंदी अधिकारी, फिरोजपुर झिरका ।
9. थाना प्रबंधक, (प्रवर्तन), नूह ।
10. सहायक खनन अभियंता, नूह ।
11. हल्का पटवारी (राजस्व), ग्राम बसई मेव ।
12. हल्का पटवारी (चकबंदी), ग्राम बसई मेव ।
13. ग्राम सचिव, ग्राम बसई मेव ।

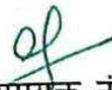
विषय:-

क्रमांक 3347-60 /एम0बी
दिनांक 28.05.25
CEC REPORT NO. 29 OF 2025-ADDENDUM TO REPORT NO. 17 OF 2025 OF THE CENTRAL EMPOWERED COMMITTEE ON I.A. NOS. 269550, 269552, AND 269553 OF 2024 IN WRIT PETITION ON 202 OF 1995 FILED BEFORE THE HON'BLE SUPREME COURT OF INDIA BY JUMMA AND OTHERS, REGARDING PROTECTION AND CONSERVATION OF FOREST RESOURCES, IN LIGHT OF THE GRAVE ENVIRONMENTAL HARM BEING CAUSED IN DISTRICT NUH, HARYANA, SPECIFICALLY IN VILLAGE BASAI MEO, ADJACENT TO THE HARYANA RAJASTHAN BORDER.

उपरोक्त विषय पर Chairman, Central Empowered Committee (constituted by the Hon'ble Supreme Court of India) के F. No: 1-19/CEC/SC/2024-Pt. (74) dated 26.05.2025 के संदर्भ में।

जैसा कि आपको विदित है कि गाँव बसई मेव, जिला नूह में अवैध खनन गतिविधियों से संबंधित मामला माननीय सर्वोच्च न्यायालय में विचाराधीन है। उक्त मामले की गंभीरता को दृष्टिगत रखते हुए आपको सूचित किया जाता है कि दिनांक 30.05.2025 को प्रातः 11:15 बजे अधोहस्ताक्षरी की अध्यक्षता में कॉन्फ्रेंसिंग हॉल, लघु सचिवालय, कार्यालय उपायुक्त, नूह में एक बैठक होनी तय हुई है। उक्त बैठक में Central Empowered Committee की संदर्भित रिपोर्ट द्वारा की गई अनुशांसा की पालना में जिला प्रशासन द्वारा ठोस कार्ययोजना पर विचार विमर्श भी किया जाएगा तथा यह बैठक नियमित अंतराल पर भविष्य में आयोजित होने वाली समीक्षात्मक बैठकों की श्रृंखला की प्रथम कड़ी भी होगी।

अतः आपसे अनुरोध है कि आप उक्त बैठक में निश्चित समय, तिथि एवं स्थान पर मय रिकार्ड भाग लेना सुनिश्चित करें।


उपायुक्त, नूह।

Honorable Supreme Court case

Urgent/Dated

Meeting date 30.05.2025 at 11:15 am

Sent

1. Sub-Divisional Officer (Civil), Ferozpur Jhirka.
2. District Transport Officer, Nuh.
3. Divisional Forest Officer, Nuh.
4. Deputy Superintendent of Police, Ferozpur Jhirka.
5. District Revenue Officer/Consolidation Officer, Nuh.
6. Tehsildar, Deputy Tehsildar, Ferozpur Jhirka.
7. Block Development and Panchayat Officer, Ferozpur Jhirka.
8. Assistant Consolidation Officer, Ferozpur Jhirka.
9. Police Station Manager, (Enforcement), Nuh.
10. Assistant Mining Engineer, Nuh.
11. Halka Patwari (Revenue), Village Basai Meo.
12. Light Patwari (Consolidation), Village Basai Meo.
13. Village Secretary, Village Basai Meva.

S.No. 3347-60 /M.B

Date 28.05.25

SUBJECT: CEC REPORT NO. 29 OF 2025-ADDENDUM TO REPORT NO. 17 OF 2025 OF THE CENTRAL EMPOWERED COMMITTEE ON I.A. NOS. 269550, 269552, AND 269553 OF 2024 IN WRIT PETITION ON 202 OF 1995 FILED BEFORE THE HON'BLE SUPREME COURT OF INDIA BY JUMMA AND OTHERS, REGARDING PROTECTION AND CONSERVATION OF FOREST RESOURCES, IN LIGHT OF THE GRAVE ENVIRONMENTAL HARM BEING CAUSED IN DISTRICT NUH, HARYANA, SPECIFICALLY IN VILLAGE BASAI MEO, ADJACENT TO THE HARYANA RAJASTHAN BORDER.

In reference to F. No: 1-19/CEC/SC/2024-Pt. (74) dated 26.05.2025 of the Chairman, Central Empowered Committee (constituted by the Hon'ble Supreme Court of India) on the above subject.

As you are aware that the matter related to illegal mining activities in village Basai Meo, District Nuh is pending in the Hon'ble Supreme Court. Keeping in view the seriousness of the said matter, you are informed that a meeting has been scheduled to be held on 30.05.2025 at 11:15 am in the Conferencing Hall, Mini Secretariat, Office of Deputy Commissioner, Nuh under the chairmanship of the undersigned. In the said meeting, a concrete action plan will also be discussed by the District Administration in compliance with the recommendation made by the referenced report of the Central Empowered Committee and this meeting will also be the first link in the series of review meetings to be held in future at regular intervals. Therefore, you are requested to ensure that you attend the meeting at the fixed time, date and place with the records.

Deputy Commissioner, Nuh

CENTRAL EMPOWERED COMMITTEE
(CONSTITUTED BY THE HON'BLE SUPREME COURT OF INDIA)

III Floor, Chanakya Bhawan, Chanakyapuri, New Delhi – 21, Tel: 21610612, 21610613
Email cecindia202@gmail.com, Website: www.cecindia.in

F. No: 1-19/CEC/SC/2024-Pt. (74)

Dated: 26th May 2025

To

The Registrar
Supreme Court of India
New Delhi-110001
(Attn: PIL Writ Section)

SUB: CEC REPORT NO. 29 OF 2025 – ADDENDUM TO REPORT NO. 17 OF 2025 OF THE CENTRAL EMPOWERED COMMITTEE ON I.A. NOS. 269550, 269552, AND 269553 OF 2024 IN WRIT PETITION ON 202 OF 1995 FILED BEFORE THE HON'BLE SUPREME COURT OF INDIA BY JUMMA AND OTHERS, REGARDING PROTECTION AND CONSERVATION OF FOREST RESOURCES, IN LIGHT OF THE GRAVE ENVIRONMENTAL HARM BEING CAUSED IN DISTRICT NUH, HARYANA, SPECIFICALLY IN VILLAGE BASAI MEO, ADJACENT TO THE HARYANA RAJASTHAN BORDER.

Sir,

The CEC Report No. 29 of 2025 filed in W.P.(C) 202 of 1995 of the Central Empowered Committee on the above subject is enclosed (Four copies). It is requested that the Report may please be placed before the Hon'ble Court for kind consideration.

Yours faithfully


(Siddhanta Das)
Chairman

Copy to :

- I. Mr. Harish N. Salve, Sr. Advocate & Amicus Curiae.
- II. Mr. A.D.N. Rao, Sr. Advocate & Amicus Curiae.
- III. Mr. Siddhartha Choudhary, Advocate & Learned Amicus Curiae
- IV. Mr. K. Parameshwar, Advocate & Amicus Curiae
- V. The Secretary, MoEF&CC, New Delhi
- VI. The Chief Secretary, Government of Haryana, Chandigarh
- VII. The Principal Chief Conservator of Forests, Haryana Forest Department, Panchkula
- VIII. The District Magistrate, District Nooh, Haryana
- IX. The District Forest Officer, District Nooh, Haryana
- X. Advocate on Record on behalf of the Applicants
- XI. Sh. Jumma Sb Sh. Hoshiya Khan, R/o village — Bansaimo (149), Mewat, Haryana - 122104
- XII. Standing Counsel for the State of Haryana
- XIII. Standing Counsel for the MoEF&CC
- XIV. All Members of CEC

CENTRAL EMPOWERED COMMITTEE

REPORT No. 29 of 2025

**ADDENDUM TO THE
REPORT NO.17 OF 2025**

IN

**I.A. No. 269550, 269552,
and 269553 of 2024**

IN

W.P. (C) No. 202 of 1995

**Filed by:-
Jumma & others**

Dated: 26th May, 2025

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S.NO.	PARTICULARS	PAGE NO.
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2	<u>ANNEXURE R-1</u> A copy of the Affidavit dated 15.05.2025 of the Chief Secretary, Haryana	13-34

CENTRAL EMPOWERED COMMITTEE

ADDENDUM TO REPORT NO. 17 OF 2025 OF THE CENTRAL EMPOWERED COMMITTEE ON I.A. NOS. 269550, 269552, AND 269553 OF 2024 IN WRIT PETITION ON 202 OF 1995 FILED BEFORE THE HON'BLE SUPREME COURT OF INDIA BY JUMMA AND OTHERS, REGARDING PROTECTION AND CONSERVATION OF FOREST RESOURCES, IN LIGHT OF THE GRAVE ENVIRONMENTAL HARM BEING CAUSED IN DISTRICT NUH, HARYANA, SPECIFICALLY IN VILLAGE BASAI MEO, ADJACENT TO THE HARYANA RAJASTHAN BORDER.

Basai Meo Village is located in the foothills of the Aravalli range in Nuh District, Haryana. The Ferozepur Jhirka to Biwan road passes through Basai Meo village. It shares borders with Rajasthan from two sides (Nangal in the North and Chapra in the South). The CEC in its Report No. 17 of 2025, dated 15.04.2025 has observed that an unauthorized road was illegally constructed through the Forest Department's plantations in Khasra Numbers 3, 204, 205, and 206 of Village Basai Meo and areas protected under the Punjab Land Preservation Act, 1900, without any approval from the Forest Department, violating the Forest (Conservation) Act, 1980. This road, built using heavy machinery, spans approximately 1.5 kilometers and serves as a key route for illegal mining activities, enabling the transport of illegally extracted minerals to nearby Rajasthan-bordering villages.

The construction has caused severe damage to the Aravalli ecosystem and encroached on villagers' agricultural lands, compelling them to seek judicial intervention.

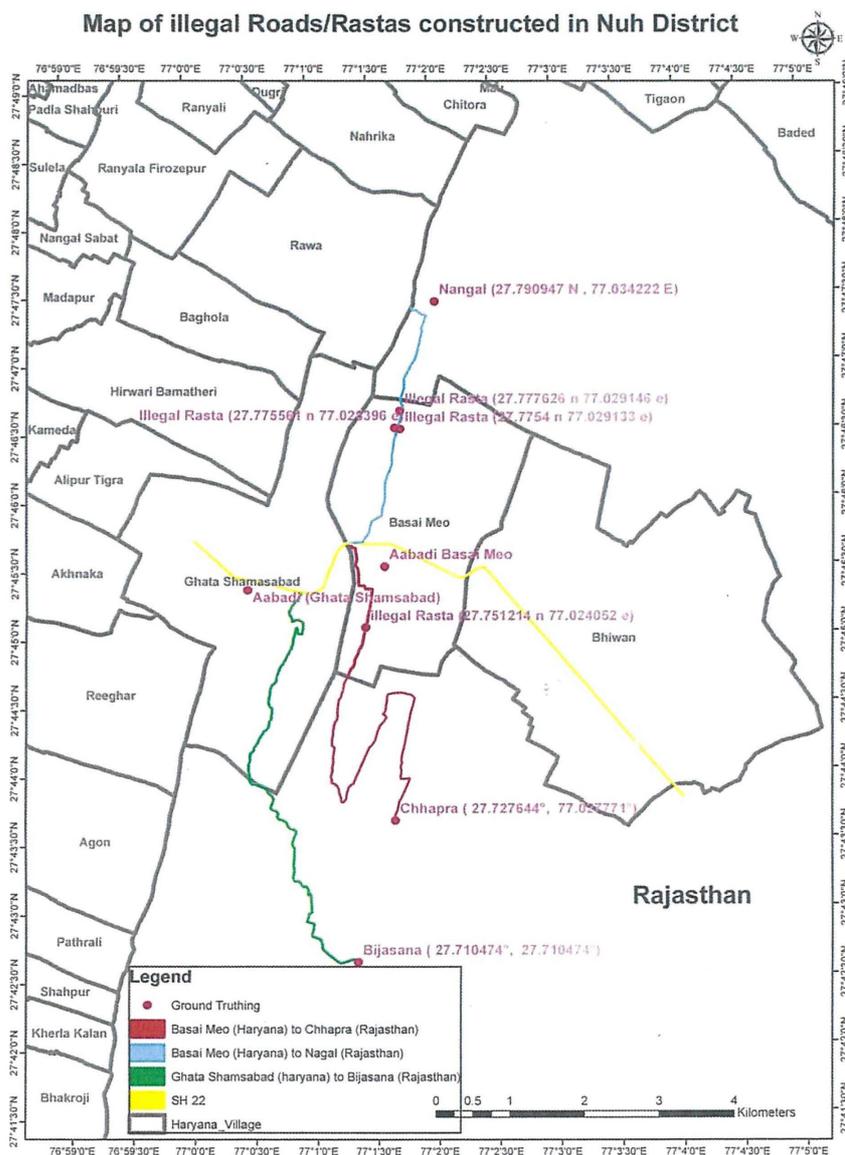
2. This Hon'ble Court has on 29.04.2025 passed the following order:

- “1. The present petition(s)/application(s) pertain to a new road being constructed connecting Village Basai in District Nooh to the State of Rajasthan.***
- 2. In our order dated 16.04.2025, we had noted that neither the Revenue Authority nor the Chief Secretary of Haryana had responded to the request of the Central Empowered Committee (CEC) to attend the joint survey.***
- 3. We had therefore issued notice to the State of Haryana and directed the matter to be listed on 29.04.2025.***
- 4. Today, Ms. Monika Gosain, learned senior counsel appearing for the State of Haryana, states that she will file an affidavit of the State Government within two weeks.***
- 5. Two weeks' time is granted for the same.***
- 6. The affidavit should clarify as to why the District Magistrate and Chief Secretary, Haryana did not cooperate the CEC in conducting the joint survey.***
- 7. The said affidavit be filed prior to 16.05.2025 and post the matter for hearing in the last week of May, 2025.”***

3. The Chief Secretary of Haryana has submitted his Affidavit dated 15.05.2025, which is enclosed as ANNEXURE R-1 to this Report. Going through the affidavit, it seems that he has passed the entire responsibility of the construction of the said illegal road to the local officers of the Forest Department on the pretext that they remained silent when the road was being constructed and became active only after it had been constructed. However, this does not seem to be factually correct as it can be seen from the list of actions taken by the officers of the Forest Department, which is enclosed as ANNEXURE R-6 of CEC Report No. 17 of 2025, dated 15.04.2025. The aforesaid affidavit is also more or less silent on the role of the other officers of the District who did not take any action when the road was being constructed, or the revenue plot numbers were being changed by consolidation, or when the illegally mined material was being actually transported or also when this illegal act was being regularly reported in the newspapers, till this Hon'ble Court intervened in the matter and action was taken to make the road non-motorable.

4. The District Magistrate, District Nuh, interacted with the CEC on 15.05.2025 at the office of the CEC at New Delhi, and explained about the steps being undertaken to stop the transport of illegally mined material through District Nuh, which he currently looks after.

5. Meanwhile, the CEC tried to obtain other details regarding the illegal transportation of mining material through the District Nuh, and also illegal mining in the district. The CEC has received the following map from the villagers of Basai Meo:



The yellow line represents the State Highway, while the red, blue, and green lines indicate three illegal roads allegedly used for transporting illegally mined materials from Rajasthan to Haryana. A newspaper report dated 24.03.2025 provides further details and is reproduced below:

रक्षा में ब्यवहार थी | MONDAY MOTIVATION | २४ मार्च २०२५ | एक काय | कलना बड़ा है | नहर

हिमाकत: एक किलोमीटर तक पहाड़ और 1500 से अधिक पेड़ काटे खनन माफिया ने राजस्थान-हरियाणा के बीच बना दी 6 किमी अवैध सड़क

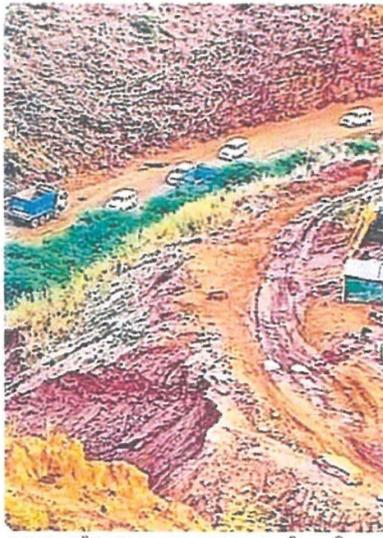
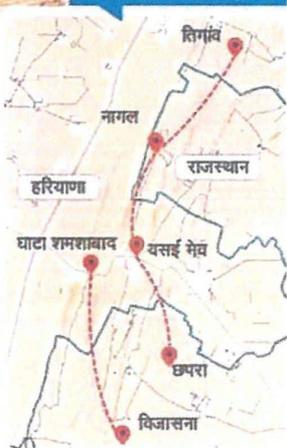
मेघश्याम पाराशर
patrika.com

भरतपुर. राजस्थान और हरियाणा के खनन माफिया ने मिलकर अवैध खनन और परिवहन के लिए के अरावली पर्वत में वन विभाग की जमीन पर ही सड़क बना दी। सारा खेल सामने आने के बाद भी दोनों राज्यों के जिम्मेदार पत्थर झड़ रहे हैं। छह किमी लंबी और 33 फीट चौड़ी सड़क के लिए एक किमी के परिया में पहाड़ और 1500 से अधिक पेड़ों को काट दिया गया। हरियाणा में सरपंच अवैध खनन का सड़क से अवैध परिवहन राजस्थान का खनन माफिया कर रहा है। इतना ही नहीं, दोनों राज्यों के बीच अरावली पर्वत पर सड़क बनाने के लिए हरियाणा में नूह के चक्रवर्ती अधिकारी और गांव बसई मेव के सरपंच ने वन भूमि का खसरा नंबर तक बदल दिया। हरियाणा में अवैध खनन का पत्थर राजस्थान तो राजस्थान का अवैध खनन बाजार मूल्य के हिस्से से हरियाणा ले जाने के लिए पूरा खेल चल रहा है।

सामग्री वन विभाग के अगर मुख्य सचिव तक पहुंचा तो वन विभाग ने चक्रवर्ती अधिकारी व सरपंच पर 99 लाख 22 हजार 500 रुपए व 31 लाख 51 हजार 440 रुपए का जुर्माना लगाया। जब उसे नहीं चुकाया गया तो फिरोजपुर डिवीजनल कोर्ट में केम दायर किया गया है। एनजीटी में दो अपील कर मुनवाई होनी है। दरअसल राजस्थान के खनन माफिया को और से सीमा से सटे पहाड़ों पर अवैध खनन व सामग्री को क्रशर प्लांटों तक पहुंचाने के लिए आसानी रास्ता नहीं था इसलिए 85 लाख रुपए चंदे से जुटाकर सड़क बनाई गई। 27 नवंबर 2024 को डीएफओ के आदेश पर

सड़क के लिए चक्रवर्ती अधिकारी और सरपंच ने खसरा नंबर तक बदल दिया, एनजीटी में दो अपील को सुनवाई

चक्रवर्ती अधिकारी पर 99 लाख तो व सरपंच पर 31 लाख रुपए जुर्माना यह है अवैध सड़क

भरतपुर. अवैध सड़क पर चल रहा खनन सामग्री का परिवहन।

हमने कार्रवाई कर दी
विभाग के स्तर पर जो कार्रवाई होनी थी, वह हमने पूरी कर दी है। रास्ता भी बंद करा दिया, लेकिन राजस्थान का खनन माफिया बार-बार खेल देता है। अधिकारियों पर कार्रवाई की बात डीसी ऑफिस जाने। **प्रदीप गुलिया**, डीएफओ नूह (हरियाणा)

हम क्या कर सकते हैं
अगर अवैध सड़क हरियाणा के क्षेत्र में बनी हुई है तो हम क्या कर सकते हैं। क्योंकि वह क्षेत्राधिकार उनका है। बाकी हमारे पास अगर वहां से अवैध खनन का इनपुट मिलता है तो कार्रवाई करते हैं। **उत्सव कौशल**, जिला कलक्टर, डीज

यह सड़क राजस्थान के नांगल से हरियाणा के बसई, राजस्थान के छपरा से बसई, राजस्थान के विजाराणा से घाटा शमशाबाद, राजस्थान के देहराली से बसई सड़क बनाई गई, जो कि हरियाणा के डिरका फिरोजपुर के मुख्य मार्ग से जुड़ रही है।

खनन सामग्री राजस्थान में बाईर पर लगे क्रशर प्लांट तक ले जाने के लिए अवैध रास्ता निकाला जा रहा है। पढ़ें खनन @ पेज 03

6. According to a news report published in The Tribune on 08.04.2025, the Rajasthan Government has ordered the closure of six roads being constructed illegally by the mining mafia in Aravalli, which connect with Haryana.

Officials launch crackdown on illegal pathways in Aravallis.

R'sthan shuts six illegal pathways in Aravallis; CM writes to Haryana

SUMEDHA SHARMA
TRIBUNE NEWS SERVICE

GURUGRAM, APRIL 8

The Rajasthan Government has ordered the closure of six roads being constructed illegally by the mining mafia in the Aravallis to connect Haryana. State Chief Minister Bhajan Lal has ordered an inquiry and initiated a crackdown after reports emerged of hills being removed and trees felled illegally to carve out pathways to ferry mined resources between the two states.

Bhajan Lal has further written to his Haryana counterpart Nayab Singh Saini highlighting the menace involving the mining mafia operating from Rajasthan.

"We have a zero-tolerance policy towards illegal mining and undertaken several measures to counter this. There are reports of the mining mafia making illegal roads between Rajasthan and Haryana. These are being used to transport illegally mined resources. This is not possible without active connivance of local authorities. We are probing this and will take penal action against those found involved," said the Rajasthan

CM and added that the authorities had been asked to shut such roads on their side.

"We have alerted Haryana for proper action in this regard," said the CM, while addressing officials in Deeg district through video conferencing.

A joint team of the police and Deeg administration later initiated action on at least six illegal roads connecting Haryana. Raids were being conducted to arrest the accused and FIRs registered by the police.

Among the "illegal pathways" is a 6-km stretch connecting Pahadi village in Deeg to Ferozepur Jhirka in Nuh district of Haryana.

Four more 6-km roads — from **Nangal (Rajasthan) to Basai (Haryana), Chhapra (Rajasthan) to Basai, Vijasana (Rajasthan) to Ghata Shamshabad (Haryana) and Dahrail (Rajasthan) to Basai** — were built to connect the mining zone in the hilly area of Rajasthan with Ferozepur Jhirka.

The forest department alleged that the khasra number was changed by a consolidation officer and sarpanch to get the pathways legalised.

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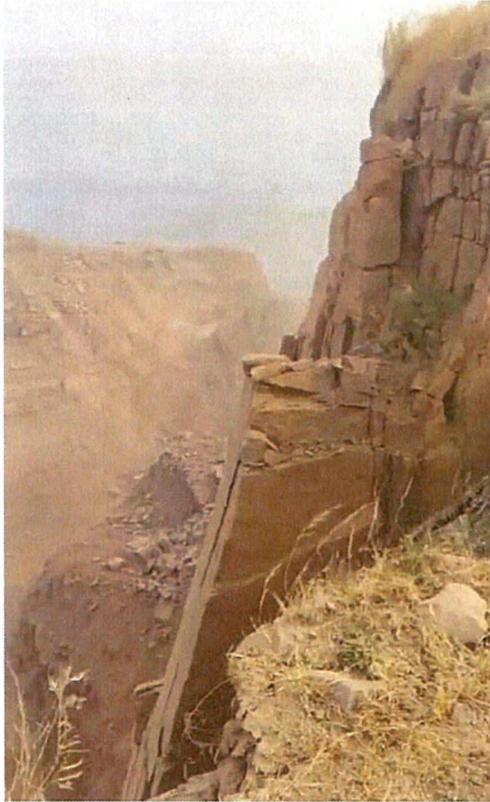
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7. Apart from this, pictures and video clips have also been sent to the CEC by the residents of village Basai Meo to highlight large-scale illegal mining in Rawa village, an area notified under Section 4 of the PLPA. An entire hill in this village of Nuh District has reportedly disappeared. According to the newspaper reports attached later in this Report, approximately 80 lakhs MT of mining material have been stolen by the illegal mining mafia. Some photographs showing the blast of a hill in succession are as follows:





Below is the picture taken after the dust settled following the blast:



8. Hence, all the above-mentioned observations evidently point out that large-scale illegal mining did take place in the Nuh District, and some of the affected areas are even covered under the purview of the Forest (Conservation) Act, 1980.

9. Thus, in the light of the foregoing, apart from the Recommendations submitted by the CEC in its Report No. 17 of 2025, dated 15.04.2024, the CEC further recommends the following:

- a) A detailed report on all the above aspects may be sought from the Chief Secretary of Haryana, to be submitted within the next 15 days.
- b) The Principal Chief Conservator of Forests & HoFF, Haryana, may be asked to submit a report identifying the names and designations of officials responsible for constructing the illegal roads in areas covered under the Forest (Conservation) Act, 1980. Additionally, the Divisional Forest Officer, Nuh, may be directed to initiate legal proceedings against these officials as per the provisions of Sections 3(A) and 3(B) of the Forest (Conservation) Act, 1980.
- c) Any other order that this Hon'ble Court may deem fit to pass to check the menace of illegal mining in Haryana and Rajasthan, particularly to strengthen the hands of the two State Governments.

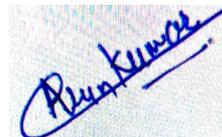
This Report is being submitted for the kind consideration of this Hon'ble Court and appropriate orders.


(Siddhanta Das)
Chairman

Dated: 26.05.2025







//True and translated copy//

ITEM NO.27

COURT ²⁷⁰ NO.1

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

WRIT PETITION(S)(CIVIL) NO(S). 202/1995

IN RE : T.N. GODAVARMAN THIRUMULPAD

PETITIONER(S)

VERSUS

UNION OF INDIA & ORS.

RESPONDENT(S)

INTERLOCUTORY APPLICATION FOR 29.05.2025 (THROUGH SUPPLEMENTARY LIST) "ONLY"

[1] I.A. NOS. 269550, 269552 AND 269553 OF 2024 [Application for Impleadment, Directions and O.T. filed by Ms. Rani Mishra, Advocate] WITH I.A. NO. 100529 OF 2025 [CEC REPORT NO. 17 OF 2025] WITH I.A. NO. 137359 OF 2025 [CEC REPORT NO. 29 OF 2025- ADDENDUM TO THE REPORT NO. 17 OF 2025 IN I.A. NO. 269550, 269552 AND 269553 OF 2024] IN RE : JUMMA & ORS. AND

[2] IN RE : CORBETT I.A. NO. 20650 OF 2023 (CEC REPORT NO. 3/2023 - REPORT OF CEC IN APPLN. NO. 1558/2021 FILED BEFORE IT BY GAURAV KUMAR BANSAL) WITH I.A. NO. 75033 OF 2023 (Application For Exemption From Filing O.T.) AND I.A. NO. 199355 OF 2024 (CEC REPORT NO. 16/2024 - INTERIM REPORT OF THE CEC ON APPLN. NO. 1578/2024 FILED BY SHRI ABHIJAY NEGI IN I.A. NO. 20650/2023) IN RE : GAURAV KUMAR BANSAL (FOR COMPLIANCE OF ORDER DATED 06.03.2024) AND

[3] I.A. NO. 285881 OF 2024 (Application for Impleadment as Co-competitioners filed by Mr. Arun K. Sinha, Advocate) WITH I.A. NOS. 285829 & 285830 OF 2024 (Applications for Directions and Exemption from filing O.T. filed by Mr. Arun K. Sinha, Advocate) AND I.A. NO. 300603 OF 2024 (Application seeking Impleadment of the owner of the Land as Party Respondent filed by Mr. Arun K. Sinha, Advocate) IN RE : UDIT NARAYAN SONAKIYA & ANR. AND

[4] I. A. NOS. 79569 AND 79576 OF 2019 [Applications for Intervention and Directions] WITH I. A. NOS. 159670 AND 159677 OF 2019 [Application for Exemption from filing Official Translation] WITH I. A. D. NOS. 14261 AND 14262 OF 2021 [Applications for Urgent Listing of I.A. Nos. 79569 and 79576/2019 and Exemption from filing duly Attested Affidavit] AND I. A. NOS. 40599 AND 40624 OF 2023 [Applications for Intervention and Modification of Court's order dated 12.05.2022] AND I. A. NO. 220675 OF 2023 [Application for Direction in I.A. No. 79576/2019] AND I. A. NO. 111336 OF 2025 [Application permission to file Additional documents in I.A. No. 79569 & 79576/2019 filed by Mr. Aaditya A. Pande, Advocate] AND I. A. NO. 137276 OF 2025 [Application permission to file Additional documents in I.A. No. 40599 & 40624/2021 filed by M/s. Karanjawala & Co., Advocate] IN RE : SHRMIK RICKSHAW CHALAK-MALAK SEVASANSTHA IN RE : E-RICKSHAW IN MATHERAN AND

[5] I. A. NOS. 62990 & 62991 OF 2025 [Applications for Impleadment and Directions filed by Ms. Rani Mishra, Advocate] WITH I.A. NO. 138126 OF 2025 [CEC REPORT NO. 28 OF 2025] IN RE : SANJAY KUMAR AND

[6] I.A. NO. 5891 OF 2019 [Application For Directions] AND I.A. NOS. 259426, 259429 & 259431 OF 2024 (Applications for Impleadment, Directions and Exemption from filing O.T. filed by Ms. Rani Mishra, Advocate) IN RE : COMPENSATORY AFFORESTATION MANAGEMENT AND PLANNING AUTHORITY (CAMPA) FUNDS ALONGWITH IN RE: STATUS OF FUNDS IN RE: VAISHALI RANA AND

[7] I.A. NOS. 122148 & 122149 of 2025 [Applications for Impleadment and Directions] IN RE : MOHAN LAL & ORS. AND

[8] ISSUE REGARDING ORDER DATED 16.04.2025 PASSED IN W.P.(C)NO. 4677 OF 1985. AND

[9] I.A. NOS. 132289 AND 132290 of 2025 [Applications for Intervention and Directions] WITH I. A. NO. 138819 OF 2025 [Applications for permission to file Additional documents in I.A. 132290/2025 filed by Ms. Swathi H. Prasad, Advocate] IN RE : KICHU K. RAVI AND

[10] I. A. NOS. 100352 & 100351 OF 2024 [Applications for Impleadment and Directions filed by Mr. Rajeev Kumar Dubey, Advocate] AND I. A. NOS. 56927, 56928 & 56929 OF 2025 [Applications for Amendment of I.A. Nos. 100351 & 100352/2024 , Amended application for Directions and Exemption form filing O.T. filed by Mr. Rajeev Kumar Dubey, Advocate] IN RE : SHRI RAM KRISHNA PANDEY AND

[11] I.A. NO. 126582 OF 2025 (CEC REPORT NO. 25 OF 2025) AND I.A. NOS. 135736 & 136040 OF 2025 (Applications for Intervention and Directions in I.A. 126582/2025 filed by Ms. Tanya Srivastava, Advocate) AND I.A. NO. 135654 OF 2025 (Applications for Intervention in I.A. 126582/2025 filed by Ms. Ranu Purohit, Advocate) AND I.A. NO. 138810 OF 2025 (Applications for permission to file Additional documents in I.A. 136040/2025 in I.A. 126582/2025 filed by Ms. Tanya Srivastava, Advocate) AND I.A. NO. 138813 OF 2025 (Applications for permission to file Additional documents in I.A. 136040/2025 in I.A. 126582/2025 filed by Ms. Tanya Srivastava, Advocate) IN RE: M/S. RR TEXKNIT LLP IN RE: RAJEEV RANJAN IN RE: VASANT KUNJ RESIDENTS WELFARE ASSOCIATION AND

[12] I. A. NO. 82534 OF 2025 [Application for Clarification filed by Mr. M.K. Maroria, Advocate in I.A. No. 47367/2019 (CEC Report No. 08/2019)] IN RE : REFERAL AND RESEARCH (R AND R) ARMY HOSPITAL, MINISTRY OF DEFENCE AND

[13] ISSUE REGARDING ORDER DATED 18.03.2025 PASSED IN W.P.(C)NO. 13381 OF 1984. AND

[14] I.A. NO. 218391 OF 2024 (CEC REPORT NO. 19 OF 2024) IN RE :
TO PREVENT THE CONSTRUCTION OF BAL-BHARATI PAUD PHATA (BBPP) ROAD,
BY PUNE MUNICIPAL CORPORATION (PMC)

Date : 29-05-2025 This matter was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

(PARTIAL COURT WORKING DAYS BENCH)

Mr. Harish N. Salve, Sr. Adv. [A.C.] (NP)
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Ms. Aparajita Singh, Sr. Advocate [A.C.] (NP)
Mr. Siddhartha Chowdhury, Advocate [A.C.] (NP)

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Mr. Mukunda, Adv.
Mr. Shreenivas Patil, Adv.
Ms. Chitransha Singh, Adv.

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M/S. Mitter & Mitter Co., AOR
M/S. Lawyer S Knit & Co, AOR
M/S. Plr Chambers And Co., AOR
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Mr. Syed Mehdi Imam, AOR
Mr. Mohd Parvez Dabas, Adv.
Mr. Uzmi Jamil Husain, Adv.
Ms. Pooja Kumari, Adv.

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 Ms. Indira Bhakar, Adv.
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 Mr. Krishna Kant Dubey, Adv.
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 Mr. Kaushik Choudhury, AOR

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 Mr. G.S. Makker, AOR
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 Mr. Lalit Mohan, Adv.
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Mr. Ashok Panigrahi, Sr. Adv.
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Mr. Milind Kumar, AOR
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Mr. Vaibhav Gaggar, Sr. Adv.
Ms. Ranu Purohit, AOR
Mr. Yashas Rk, Adv.

Ms. Adarsh Nain, AOR
Mr. Guntur Pramod Kumar, AOR
Mr. Amrish Kumar, AOR
Ms. Purnima Krishna, AOR

Ms. Aishwarya Bhati, A.S.G.
Mrs. Ruchi Kohli, Sr. Adv.
Mr. Mukesh Kumar Maroria, AOR
Mr. Raghav Sharma, Adv.
Mr. Jagdish Chandra Solanki, Adv.
Mr. Suhasini Sen, Adv.
Mr. Gaurang Bhushan, Adv.

Dr. Surender Singh Hooda, AOR
Mr. Sunil Kumar Verma, AOR
Mr. Prakash Kumar Singh, AOR
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Ms. Seita Vaidyalingam, AOR
Mr. Anando Mukherjee, AOR
Ms. Anzu. K. Varkey, AOR
Ms. Astha Sharma, AOR

Mr. Shreyas Gacche, Adv.
Mr. T. R. B. Sivakumar, AOR

Mr. Sujit Kumar Mishra , AOR
Mr. Aldanish Rein, AOR
Mr. Kunal Mimani, AOR

Mr. Shantanu Kumar, AOR

Nishanth Patil, AOR
M/S. Venkat Palwai Law Associates, AOR
Mr. Ajay Marwah, AOR
Mr. Ravindra S. Garia, AOR

Mr. Vivek Jain, A.A.G.
Mr. Karan Sharma, AOR

Ms. Sugandha Anand , AOR
Mr. Avijit Mani Tripathi, AOR

Mr. Deeptakirti Verma, AOR
Ms. Usha Nandini V., AOR
Ms. Vanshaja Shukla, AOR

Mr. Chirag M. Shroff, AOR

Ms. Mayuri Raghuvanshi, AOR
Mr. Vivek Jain, AOR

Ms. Garima Prashad, Sr. A.A.G.
Mr. Sudeep Kumar, AOR
Ms. Manisha, Adv.
Ms. Rupali, Adv.

Ms. Rani Mishra, AOR

Mr. Pukhrambam Ramesh Kumar, AOR
Mr. Karun Sharma, Adv.
Ms. Anupama Ngangom, Adv.
Ms. Rajkumari Divyasana, Adv.

Mr. Venkata Raghuvamsy D. , AOR

Ms. Swathi H. Prasad, AOR
Mr. M K S Menon, Adv.
Mr. Matin Chacko, Adv.
Mr. Amit Mittel, Adv.

Mr. Kamendra Mishra, AOR
Mr. Somesh Chandra Jha, AOR
Ms. Ruchira Goel, AOR

Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande, AOR
Mr. Bharat Bagla, Adv.
Mr. Sourav Singh, Adv.
Mr. Aditya Krishna, Adv.
Mr. Adarsh Dubey, Adv.

Mr. Parth Awasthi, Adv.
Mr. Pashupathi Nath Razdan, AOR
Ms. Richa Tiwari, Adv.

Mr. Tarun Gupta, AOR

Mr. Sameer Abhyankar, AOR
Mr. Rahul Kumar, Adv.
Mrs. Aakash Thakur, Adv.

Ms. Ranjeeta Rohatgi, AOR
Mr. Shubham Upadhyay, AOR
Mr. P. S. Sudheer, AOR

Mr. Sunny Choudhary, AOR
Mr. Siddhartha Jha, AOR

M/S. V. Maheshwari & Co., AOR
Mr. Naveen .n, Adv.
Mr. K. Nagan Pillai, Adv.

Mr. Mayank Aggarwal, AOR
Mr. Sanjeev Kumar, AOR
Mr. Shovan Mishra, AOR

Mr. J K Sethi, D.A.G.
Mr. Ashutosh Kumar Sharma, AOR
Ms. Sakshi Singh Rawat, Adv.

Ms. Suman Kukrety, AOR
Mr. Naveen Kumar, AOR
Mr. P. K. Manohar, AOR
Mr. Vinod Sharma, AOR
Ms. Surbhi Mehta, AOR
Mr. Rajeev Singh, AOR
Ms. Parul Shukla, AOR
Mr. Prashant Kumar Umrao, AOR
Mr. Arun K. Sinha, AOR
Ms. Sakshi Kakkar, AOR
Mr. B. K. Pal, AOR
Mr. James P. Thomas, AOR
Mr. S. Gowthaman, AOR
Mr. A. Karthik, AOR
Mr. Rajiv Kumar Choudhry , AOR

Mr. Anurag Tandon, AOR

Ms. Dr. Monika Gusain, Sr. Adv.
Mr. Akshay Amritanshu, AOR
Mr. Hariom Yaduvanshi, Adv.
Mr. Arjun Yaduvanshi, Adv.
Ms. S. Harini, Adv.
Mr. Avi Dhankhar, Adv.
Mr. Vansmani Tripathi, Adv.
Ms. Aahana Jaiswal, Adv.
Ms. Drishti Rawal, Adv.
Ms. Drishti Saraf, Adv.

Mr. Omanakuttan K. K., AOR

Mr. Ajit Sharma, AOR
Mr. Kanchan Kumar, Adv.
Mr. Lareb Habin Ansari, Adv.
Mr. Yuvraj Singh C. Solanki, Adv.

Ms. Shalini Kaul, AOR

Mr. Sunil Kumar Sharma, AOR

Ms. Swati Ghildiyal, AOR

Ms. Neha Singh, Adv.

Mr. Siddharth Sharma, AOR

Mrs. Aishwrya Bhati, A.S.G.

Mrs. Archana Pathak Dave, A.S.G.

Mr. Raj Bahadur Yadav, AOR

Mr. Uday Prakash Yadav, Adv.

Mr. Raghav Sharma, Adv.

Mr. Sughosh Subramaniam, Adv.

Ms. Ruchi Kohli, Adv.

Ms. Suhasini Sen, Adv.

Mr. Samir Ali Khan, AOR

Mr. Sachin Patil, AOR

Mr. Shubhranshu Padhi, AOR

Mr. Nishe Rajen Shonker, AOR

Mr. Nishit Agrawal, AOR

Mr. Krishna Ballabh Thakur, AOR

Ms. Aruna Gupta, AOR

Ms. K. Enatoli Sema, AOR

Mr. Amit Kumar Singh, Adv.

Ms. Chubalemla Chang, Adv.

Mr. Prang Newmai, Adv.

Mr. Nalin Kohli, Sr. Adv.

Ms. Ruchira Gupta, Adv.

Mr. Shishir Deshpande, AOR

Ms. Pooja Tripathi, Adv.

Mr. Amit Kumar, Adv.

Mr. Abhishek Verma, Adv.

Mr. Yusuf, AOR

UPON hearing the counsel, the Court made the following
O R D E R

[1] I.A. NOS. 269550, 269552 AND 269553 OF 2024 WITH I.A. NO. 100529 of 2025 (CEC REPORT NO. 17 OF 2025) WITH I.A. NO. 137359 of 2025 (CEC REPORT NO. 29 OF 2025)- In Re:Jumma & Ors.

1. This matter pertains to the construction of road by cutting from an area falling within the State of Haryana to the mines in the State of Rajasthan, in order to facilitate illegal mining

activities undertaken by the mafia. ²⁸³

2. When the said issue was brought to the notice of this Court, *vide* order dated 19th March 2025, this Court requested CEC to investigate in the matter. Consequently, the CEC had filed its report on 15th April 2025. Pursuant thereto, the Chief Secretary, State of Haryana has filed an affidavit addressing the aforesaid issue.

3. A perusal of the affidavit dated 15th May 2025 filed by the Chief Secretary would clearly show that the construction of road has been orchestrated in collusion with the Sarpanch of the concerned village, the officials of the Revenue Department and the Police Department. It is only on account of the intervention of the CEC on the basis of the orders passed by this Court, on the applicant bringing it to the notice of this Court, that the things have moved.

4. A perusal of the affidavit would also reveal that the officers of the Revenue Department have acted with utmost laxity. Though notice dated 1st April 2025 was received by the office of the Chief Secretary on 3rd April 2025, informing him about the meeting with CEC scheduled on 9th April 2025 - neither the Collector nor the Chief Secretary nor their representatives were present before the CEC on the said date.

5. To pass the buck, the Chief Secretary in his affidavit states that he had forwarded a copy of the notice to the Additional Chief Secretary of Environment, Forest and Wildlife, Government of Haryana for taking his opinion. However, there is no explanation in the affidavit as why at least the Additional Chief Secretary was

not present in the said meeting. The affidavit further reveals that after the CEC noticed that the officers of the Revenue Department were not present, it issued another notice to the said officers calling upon them to remain present in the office of CEC on 11th April 2025 at 15:30 hours.

6. Again, the game of passing the buck does not stop. The Chief Secretary in the affidavit blames it on the staff of his office and states that the notice was never presented before him. Furthermore, the affidavit does not state as to what action the Chief Secretary has taken against such an officer/official.

7. The Chief Secretary, further in the affidavit, comments on the proposal made by the Forest Department authorising DFO, Nuh to initiate the proceedings against the CEO, Zila Parishad, Nuh; DRO, Nuh; ACO, Nuh and Sarpanch Gram Panchayat, Basaimeo and further initiate disciplinary action against officials/officers of staff of several other departments like the development and Panchayat, officers of Revenue Department, Environmental Department and that of the Haryana State Pollution Control Board.

8. Thereafter, the Chief Secretary attempts to put the blame on the DFO by stating that the DFO should have been the first person to take action when a wide road had been constructed through a forest area, which had remained closed for last 55 years or so.

9. If that be the approach we may simply remind the learned Chief Secretary that he is not the Chief Secretary only of the Revenue Department but is the Chief Secretary heading all departments in the State. Rather than finding out when the illegal activities were carried out, the Chief Secretary attempted to put the blame on the

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officers of the other departments.

10. The issue with regard to the possession of forest land with the Revenue Department and the Forest Department having no control over such land has been considered by us in the two recent judgments viz. *In Re: Construction of Multi-Storeyed Buildings in Forest Land of Maharashtra* [Judgment dated 15.05.2025 in W.P.(C) 202 of 1995] and *In Re: Zudpi Jungle Lands* [Judgment dated 22.05.2025 in the W.P.(C) 202 of 1995].

11. We have, in the aforesaid order, specifically directed the Chief Secretary of all the State Governments and Administrators of the Union Territories to take steps for handing over of the reserved forest land to the Forest Department which is in possession of the revenue land, for its management and conservation. Had the State of Haryana done it earlier, such an issue would not have arisen.

12. From the perusal of the affidavit of the Chief Secretary, it is not reflected as to what action has been taken against the concerned officers for such a gross violation which has resulted in disappearance of some of the hills entirely.

13. It appears that the mafia is strong enough to protect not only its members but also the errant officers of the State Government who have acted in collusion to benefit the members of such mafia.

14. Ms. Monica Gosain, learned Senior Counsel appearing for the State of Haryana states that a meeting is scheduled by the Chief Secretary for 30th May 2025 so as to discuss the issue with regard to taking action against the erring officers of all the departments.

15. We have no hesitation to observe that the Chief Secretary as well as the Deputy Commissioner, Nuh have acted with utmost laxity in such an important matter pertaining to ecology and environment. It is only after the orders passed by this Court and the visits conducted by the CEC that the State Government woke up from its deep slumber.

16. We, therefore, direct the Chief Secretary to take immediate action against all the erring officers and file a detailed affidavit in this Court on or before 15th July 2025. We clarify that if we find that the State Government is not paying due attention to the issue involved, we will be constrained to take steps as are permissible in law against the Chief Secretary as well as other erring officers.

17. We fail to understand as to why, in spite of the requests made by the concerned DFO, the First Information Reports have not been registered, or investigation / consequential action have not been initiated against either the members of the mafia or the erring officers. The Chief Secretary, State of Haryana would also call an explanation from the District Superintendent of Police, Nuh with regard to the aforesaid.

18. List on 16th July 2025.

[2] N RE : CORBETT I.A. NO. 20650 OF 2023 (CEC REPORT NO. 3/2023 - REPORT OF CEC IN APPLN. NO. 1558/2021 WITH I.A. NO. 75033 OF 2023 AND I.A. NO. 199355 OF 2024 (CEC REPORT NO. 16/2024 - INTERIM REPORT OF THE CEC ON APPLN. NO. 1578/2024 IN I.A. NO. 20650/2023) IN RE : GAURAV KUMAR BANSAL

1. This Court, vide judgment dated 06.03.2024 passed in I.A. No. 20650 of 2023 in the present proceedings ¹, had directed

1 . 2024 SCC Online SC 243

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the Central Bureau of Investigation (CBI) to conduct an investigation and submit a report to this Court.

2. The CBI had from time to time submitted its status report and this Court was satisfied with the progress of the investigation.

3. It is now informed that the field investigation of case is complete and the chargesheet/final report under Section 173(2) of the Criminal Procedure Code, 1973 for the commission of offences under Sections 120-B, 218, 409, 467, 471 of Indian Penal Code, 1860; Section 13(2) read with 13(1)(a) of the Prevention and Corruption Act, 1988; Section 26-1(f) & (h) of the Indian Forest Act, 1927; Section 2(iv) (read with Section 3A & 3B) of the Forest Conservation Act, 1980 and Sections 27(2)(a), 27(4) & 35(6) read with Section 51 of the Wildlife (Protection) Act, 1972 has been filed against the following accused public servants, namely;

(i) Shri Kishan Chand, the then Deputy Conservator of Forest/Divisional Forest Officer, Kalagarh Tiger Reserve Division, Lansdowne.

(ii) Shri Brij Bihari Sharma, the then Forest Range Officer, Sonanadi & Pakhro Range, Kalagarh Tiger Reserve Division, Lansdowne.

(iii) Shri Rahul, the then Director, Corbett Tiger Reserve, Ramnagar, Nainital.

(iv) Shri Akhilesh Tiwari, the then Dy Conservator of Forest/Divisional Forest Officer, Kalagarh Tiger Reserve Division, Lansdowne.

(v) Shri Mathura Singh Mavdi, Deputy Ranger, Pakhro Range, Kalagarh Tiger Reserve Division, Lansdowne.

(vi) Shri Surendra Singh, the then Forester/Van Daroga, Pakhro Range, Kalagarh Tiger Reserve Division, Lansdowne.

(vii) Shri Sandeep Arya, the then Forest Guard, Sonanadi Range, Kalagarh Tiger Reserve Division, Lansdowne.

(viii) Shri Rajesh Rawat, the then Wireless Operator (Daily wages), Pakhro Range, Kalagarh Tiger Reserve Division, Lansdowne.

4. Since the CBI has brought the matter to its logical end, these applications shall stand disposed of insofar as the directions issued to the CBI are concerned.

5. List on 30.05.2025.

[3] I.A. NO. 285881 OF 2024 WITH I.A. NO. 285829, 285830 OF 2024 AND I.A. NO. 300603 OF 2024

List in the month of July, 2025.

[4] I. A. NOS. 79569 AND 79576 OF 2019 WITH I. A. NOS. 159670 AND 159677 OF 2019 WITH I. A. D. NOS. 14261 AND 14262 OF 2021, I. A. NOS. 40599 AND 40624 OF 2023, I.A. NO. 220675 OF 2023 AND I. A. NO. 111336 OF 2025 WITH I.A. NO. 137276 OF 2025

List in the month of July, 2025.

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[5] I.A. NO.62990 & 62991 OF 2025 WITH I.A. NO. 138126 OF 2025
(CEC REPORT NO. 28 OF 2025)

List on 30.07.2025

[6] I.A. NO. 5891 OF 2019 AND I.A. NOS. 259426, 259429 & 259431
OF 2024

1. List in July, 2025.
2. Rejoinder, if any, be filed in the meantime.

[7] I.A. NOS. 122148 & 122149 of 2025

1. Issue notice, returnable in eight weeks.
2. Dasti service, in addition, is granted.
3. In addition to the usual mode, liberty is granted to the applicant(s) to serve notice through the Standing Counsel for the respondent(s)/non-applicant(s).

[8] ISSUE REGARDING ORDER DATED 16.04.2025 PASSED IN W.P.(C)NO.
4677 OF 1985

List after partial court working days.

[9] I.A. Nos. 132289 & 132290 of 2025 WITH I.A. NO. 138819 OF
2025

1. The applicant(s) has approached this Court , inter-alia, seeking the following relief:-

“(a) Declare that the area delineated in the MoEF draft notification shall be treated as ESZ until the final notification is issued, specifically in the context of the State of Kerala.

(b) Permit the Applicant to continue operations of his quarry, located 7.5 km from the PeechiVazhani Wildlife Sanctuary, in compliance with the applicable regulatory framework.

(c) Pass such other or further orders as this Hon'ble Court may deem fit and proper, in the interest of justice."

2. Learned counsel for the applicant submits that the main grievance of the applicant is with regard to condition no.5 of the Environment Clearance imposed by the State Level Environment Impact Assessment Authority, Kerala, Thiruvananthapuram, which reads thus:-

"5. Since, the project is located within 10 km of Peechi Vazhani Wildlife Sanctuary, the Project Proponent has to obtain Wildlife Clearance from the SCNBWL, as per the OM dated 17.05.2022 of MoEF&CC as per the directions in the Hon'ble Supreme Court Judgment dated 26.04.2023 in IA.12177 OF 2022 before the commencement of mining."

3. Learned counsel for the respondent/State justifies the said condition by submitting that the said condition is in tune with the judgment and order of this Court dated 26th April, 2023 and particularly paragraph 50 thereof.

4. It is to be noted that in the I.A. No.138819/2025 (Application for permission to file additional documents) the applicant has

placed on record a copy of the inspection report conducted by the Wildlife Warden, Wildlife Division, Peechi. It will be relevant to refer to the following observations in the said inspection report:-

“The area mentioned in Part I or it’s near neighboring forest area is not part of any National Park, Elephant Corridor and Tiger Reserve. Considering the facts above and hardly have any ecological impact on wildlife of Peechi-Vazhani Wildlife Sanctuary, which is 8.54 km aerially separated, due to the functioning of the above mining unit is found to be insignificant.”

5. It could thus be seen that the area where the applicant is purportedly conducting mining activities is at an aerial distance of 8.54 kms., from the border of the wildlife sanctuary. Insofar as the contention of the respondent/State in the paragraph 51 of the judgment of this Court dated 26th April, 2023, we find the same to be misplaced.

5. Vide an earlier judgment dated 03rd June, 2022, this Court had prohibited mining activities within an area of 10 kms., from the boundaries of the Wildlife Sanctuary and National Park.

6. Subsequently, vide judgment and order dated 26th April, 2023, this Court had reduced the same to 1 km., from such boundaries or ESZ.

7. In that view of the matter, we are inclined to allow the present application. Application for direction being IA No. 132290 of 2025 is allowed in terms of prayer clause (a) and (b), which are extracted below:-

“(a) Declare that the area delineated in the MoEF draft notification shall be treated as ESZ until the final notification is issued, specifically in the context of the State of Kerala.

(b) Permit the Applicant to continue operations of his quarry, located 7.5 km from the PeechiVazhani Wildlife Sanctuary, in compliance with the applicable regulatory framework.”

8. In view of the above, rest of the applications are disposed of.

[10] I.A. NO.100351 & 100352 OF 2024 AND I.A. NOS. 56927, 56928 & 56929 OF 2025

List in July, 2025.

[11] I.A. NO. 126582 OF 2025 (CEC REPORT NO. 25 OF 2025) WITH I.A. NOS. 135736, 136040 OF 2025 WITH I.A. NO. 135954 OF 2025 WITH I.A. NO. 138810 OF 2025 WITH I.A. NO. 138813 OF 2025

List in July, 2025.

REST OF THE MATTERS

List in July, 2025.

I.A. NOS.128159, 127240 AND 127241 OF 2025 (MM)

1. Learned counsel for the State submits that these applications would be treated as a representation and the same will be

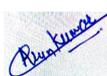
considered by the Rationalization Committee on its own merits.

2. The application are, accordingly, disposed of.

(NARENDRA PRASAD)
DEPUTY REGISTRAR

(DEEPAK SINGH)
AR-CUM-P.S

(ANJU KAPOOR)
ASSISTANT REGISTRAR



//True copy//



HARYANA POLICE CITIZEN SERVICES (हरियाणा पुलिस नागरिक सेवा)

**FIRST INFORMATION REPORT
(Under Section 173 B.N.S.S)**

प्रथम सूचना रिपोर्ट

1. **District (ज़िला):** Anti Corruption Bureau, Haryana **P.S. (थाना):** ACB, Gurugram **Year (वर्ष):** 2025
FIR No. (प्र.सू.रि. सं.): 0018 **Date (दिनांक):** 01/06/2025
 15:17

2.

S.No. (क्र.सं.)	Acts (अधिनियम)	Sections (धारा(एँ))
1	ENVIRONMENT PROTECTION ACT 1986	15(1)
2	MINES AND MINERALS (DEVELOPMENT AND REGULATION) ACT, 1957	21
3	THE PUNJAB LAND AND PRESERVATION ACT 1900 (Amendment)	19
4	THE BHARATIYA NYAYA SANHITA (BNS), 2023	201
5	THE BHARATIYA NYAYA SANHITA (BNS), 2023	270
6	THE BHARATIYA NYAYA SANHITA (BNS), 2023	303
7	THE BHARATIYA NYAYA SANHITA (BNS), 2023	316(2)
8	THE BHARATIYA NYAYA SANHITA (BNS), 2023	318(2)
9	THE BHARATIYA NYAYA SANHITA (BNS), 2023	329(3)
10	THE BHARATIYA NYAYA SANHITA (BNS), 2023	61



HARYANA POLICE CITIZEN SERVICES (हरियाणा पुलिस नागरिक सेवा)

FIRST INFORMATION REPORT (Under Section 173 B.N.S.S)

प्रथम सूचना रिपोर्ट

3. (a) Occurrence of offence (अपराध की घटना):

1 Day (दिन): Date from (दिनांक से): Date To (दिनांक तक):
Time Period (समय अवधि): Time From (समय से): Time To (समय तक):

(b) Information received at P.S. (थाना जहां सूचना प्राप्त हुई): Date (दिनांक): Time (समय):
01/06/2025 14:40 hrs

(c) General Diary Reference (रोजनामचा संदर्भ): Entry No. (प्रविष्टि सं.): Time (समय):
004 01/06/2025 14:54 hrs

4. Type of Information (सूचना का प्रकार): Written

5. Place of Occurrence (घटनास्थल):

1. (a) Direction and distance from P.S. (थाना से दूरी और दिशा): SOUTH, 55 Km Beat No. (बीट सं.):
(s)

(b) Address (पता): जिला नुहँ,

(c) In case, outside the limit of this Police Station, then Name of P.S. (यदि थाना सीमा के बाहर है तो थाना का नाम):

District (State) (जिला (राज्य)):

6. Complainant / Informant (शिकायतकर्ता / सूचनाकर्ता):

(a) Name (नाम): Ashok Kumar

(b) Father's/Husband's Name (पिता/पति का नाम):

(c) Date/Year of Birth (जन्म तिथि / वर्ष): 01/01/1978 (d) Nationality (राष्ट्रीयता): INDIA



HARYANA POLICE CITIZEN SERVICES (हरियाणा पुलिस नागरिक सेवा)

**FIRST INFORMATION REPORT
(Under Section 173 B.N.S.S)**

प्रथम सूचना रिपोर्ट

(e) UID No. (यूआईडी सं.):

(f) Passport No. (पासपोर्ट सं.):

Date of Issue (जारी करने की तिथि): Place of Issue (जारी करने का स्थान):

(g) Occupation (व्यवसाय):

(h) Address
(पता):

S.No. (क्र.सं.)	Address Type (पता का प्रकार)	Address (पता)
1	Present Address	part 1 sec-15, GURGAON CITY, GURUGRAM, HARYANA, INDIA
2	Permanent Address	part 1 sec-15, GURGAON CITY, GURUGRAM, HARYANA, INDIA

(i) Phone number (दूरभाष सं.):

Mobile (मोबाइल सं.):



HARYANA POLICE CITIZEN SERVICES (हरियाणा पुलिस नागरिक सेवा)

**FIRST INFORMATION REPORT
(Under Section 173 B.N.S.S)**

प्रथम सूचना रिपोर्ट

7. Details of known / suspected / unknown accused with full particulars (ज्ञात / संदिग्ध / अज्ञात अभियुक्त का पूरे विवरण सहित वर्णन):

S. No. (क्र.सं.)	Name (नाम)	Alias (उपनाम)	Relative's Name (रिश्तेदार का नाम)
1	हनीफ		
2	सरकारी अधिकारी कर्मचारी		
3	सरकारी अधिकारी कर्मचारी		
4	सरकारी अधिकारी कर्मचारी		
5	सरकारी अधिकारी कर्मचारी		
6	खनन माफियाओं		
7	अन्य विभाग के कर्मचारी अधिकारी		

8. Reasons for delay in reporting by the complainant / informant (शिकायतकर्ता / सूचनाकर्ता द्वारा रिपोर्ट देरी से दर्ज कराने के कारण):



HARYANA POLICE CITIZEN SERVICES (हरियाणा पुलिस नागरिक सेवा)

FIRST INFORMATION REPORT (Under Section 173 B.N.S.S)

प्रथम सूचना रिपोर्ट

9. Particulars of properties of interest (संबन्धित सम्पत्ति का विवरण):

S. No. (क्र.सं.)	Property Type (सम्पत्ति के प्रकार)	Sub Type (उप प्रकार)	Value(In Rs/-) (मूल्य (रु में))

10. Total value of property stolen (In Rs/-) (चोरी हुई सम्पत्ति का कुल मूल्य(रु में)):

11. Inquest Report / U.D. case No., if any (मृत्यु समीक्षा रिपोर्ट / यू.डी.प्रकरण सं., यदि कोई हो):

S. No. (क्र.सं.)	UIDB Number (यू.डी.प्रकरण सं.)

12. First Information contents (प्रथम सूचना तथ्य):

सेवा में, प्रबन्धक थाना, भ्रष्टाचार निरोधक ब्यूरो, गुरुग्राम मण्डल गुरुग्राम। विषय:- प्रथम सूचना रिपोर्ट दर्ज करने बारे तहरीर। श्रीमान जी, निवेदन यह है कि माननीय सर्वोच्च न्यायालय दिल्ली में I.A. Nos. 269550, 269552 269553 of 2025 in W.P. (C) No. 202 of 1995 titled as T.N. Godavarman Thirumulpad V/s Union of India and Ors. के सम्बन्ध में माननीय सर्वोच्च न्यायालय द्वारा सुनवाई करते हुये दिनांक 19.03.2025 को Central Empowered Committee, New Delhi (constituted by the Hon'ble Supreme Court of India) को मामले की जांच करने और चार सप्ताह के अन्दर अपनी रिपोर्ट प्रस्तुत करने के निर्देश दिए। CEC द्वारा दिनांक 15.04.2025 को अपनी रिपोर्ट सर्वोच्च न्यायालय के समक्ष पेश की, जिसमें CEC द्वारा जांच रिपोर्ट के पैरा संख्या 17 में कुल 10 recommendation की गई है, और जांच रिपोर्ट के पैरा संख्या 17 (IV) की recommendation के अनुसार राज्य सतर्कता विभाग हरियाणा द्वारा सरपंच, सरकारी अधिकारियों और खनन माफिया के बीच मिलीभगत करके जिला नूंह के गांव बसई मेव की सीमा में वन विभाग की जमीन पर अवैध तरीके से सडक के निर्माण करने बारे आरोपो की जांच करने वा 90 दिन के अन्दर सरकार को रिपोर्ट प्रस्तुत करने की सिफारिश की गई है। Central Empowered Committee द्वारा माननीय सर्वोच्च न्यायालय में दिनांक 15.04.2025 को प्रस्तुत की गई जो CEC की जांच रिपोर्ट मूल परिवाद के साथ संलग्न है। CEC की जांच रिपोर्ट का मुख्यतः विवरण निम्न प्रकार से है "It has been observed that an illegal road has been constructed in village Basai Meo



HARYANA POLICE CITIZEN SERVICES (हरियाणा पुलिस नागरिक सेवा)

FIRST INFORMATION REPORT (Under Section 173 B.N.S.S)

प्रथम सूचना रिपोर्ट

of Distt. Nuh connecting Firozpur Jhirka to the adjoining hilly regions of the State of Rajasthan without the requisite approvals from the government authorities. The involvement of the local Sarpanch, Mr. Hanif alias Hannah, along with certain government officials and the mining mafia, has resulted in violations of various laws, including the relevant MoEFCC Notifications and the provisions of the Punjab Land Preservation Act (PLPA), 1900, by constructing the illegal road without consulting or seeking approval from the Forest Department. It has also been observed that the newly constructed road connects three villages bordering Rajasthan-Chhapra, Dhaulet, and Naget-with Village Basai (Firozpur Jhirka, Haryana). This road cuts through both forest land and cultivable agricultural land. The construction appears to have been initiated by the Sarpanch in collusion with certain government officials, allegedly driven by personal financial interests. Given the proximity to mining areas near the Rajasthan border, this road is being misused to facilitate illegal mining activities and the transportation of illegally mined minerals, enabling the accumulation of wealth for personal gain. This road not only breaches established laws but also infringes upon the rights of local farmers. Their cultivable agricultural land has been unlawfully grabbed without any prior consultation or compensation. The illegally constructed road is in blatant violation of the Ministry of Environment, Forest and Climate Change Notification dated 07.05.1992 and the Punjab Land Preservation Act (PLPA), 1900. It was also constructed without obtaining the requisite clearance from the Forest Department. To facilitate the transport of illegally mined material, the aforesaid unauthorized road was constructed by damaging Forest Department plantations located in Village Basai Meo, as well as through areas notified under the Punjab Land Preservation Act (PLPA), 1900. The road in question was built without any prior approval from the Forest Department and in violation of the Forest (Conservation) Act, 1980 उक्त रिपोर्ट में

Central Empowered Committee द्वारा पैरा नम्बर 17 (iv) में सिफारिश की गई कि "The State Vigilance Department shall investigate allegations of collusion between the Sarpanch, government officials, and the mining mafia and submit a report to the Government within 90 days, under intimation to the CEC and the MOEFCC", जिस पर श्रीमान मुख्य सचिव हरियाणा सरकार कार्यालय के आदेश क्रमांक CFMS No. DA/CS/SPL 57 Dated 16-05-2025 व श्रीमान अतिरिक्त महानिदेशक भ्रष्टाचार निरोधक ब्यूरो, हरियाणा पंचकुला के पृष्ठ क्रमांक 9873/आई-2/भ०नि०ब्यू० (ह) दिनांक 28.05.2025 के अनुसार सरपंच ग्राम पंचायत बसई मेव, तहसील फिरोजपुर झिरका जिला नूह, वन विभाग, खनन विभाग, राजस्व विभाग Consolidation Department के सरकारी अधिकारी / कर्मचारी व खनन माफियाओं के विरुद्ध अभियोग अंकित करने के लिये ड्राफ्ट तहरीर तैयार करके अनुमोदन हेतु भेजने के आदेश प्राप्त हुये है। इसके अतिरिक्त सरकारी अधिकारी / कर्मचारियों के विरुद्ध अभियोग दर्ज करने के लिए मुख्य सचिव हरियाणा सरकार के मिमो नम्बर 42/11/2025-4 VIII दिनांक 31.05.2025 के अनुसार अनुमति प्राप्त की गई है। हनीफ उर्फ हन्नाह, सरपंच ग्राम पंचायत बसई मेव, तहसील फिरोजपुर झिरका जिला नूह ने वन विभाग, खनन विभाग, राजस्व विभाग Consolidation Department के सरकारी अधिकारी/कर्मचारी व खनन माफियाओं के साथ मिलीभगत करके जिला नूह के गांव बसई मेव की



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प्रथम सूचना रिपोर्ट

सीमा में वन विभाग की जमीन पर अवैध तरीके से सड़क के निर्माण करने बारे अपराध के आरोप हैं। अतः हनीफ उर्फ हन्नाह, सरपंच ग्राम पंचायत बसई मेव, तहसील फिरोजपुर झिरका जिला नूंह, वन विभाग, खनन विभाग, राजस्व विभाग Consolidation Department के सरकारी अधिकारी / कर्मचारी व खनन माफियाओं तथा अन्य किसी विभाग के कर्मचारी/अधिकारी की कोई संलिप्तता पाई जाती है, के विरुद्ध Section 201, 318(2), 316(2), 61, 270, 329(3), 303 of BNS, 2023 (r/w Section 420, 409, 1208, 268, 447, 379 IPC), Section 21 of The Mines and Minerals (Development and Regulation) Act, 1957, Section 15(1) of Environment (Protection) Act, 1986 and Section 19 of Punjab Land Preservation Act (PLPA), 1900 के अन्तर्गत अभियोग दर्ज करने के लिए मुख्यालय से अनुमति प्राप्त करने के लिए ड्राफ्ट तहरीर अनुमोदन हेतु भेजी गई थी जो मुख्यालय भ्रष्टाचार निरोधक ब्यूरो हरियाणा पंचकूला के पत्र क्रमांक 9980/I-2/ACB(H)दिनांक 01.06.2025 के अनुसार ड्राफ्ट तहरीर अनुमोदित होने उपरान्त प्राप्त हुई है। अतः हनीफ उर्फ हन्नाह, सरपंच ग्राम पंचायत बसई मेव, तहसील फिरोजपुर झिरका जिला नूंह, वन विभाग, खनन विभाग, राजस्व विभाग Consolidation Department के सरकारी अधिकारी/कर्मचारी व खनन माफियाओं तथा अन्य किसी विभाग के कर्मचारी/अधिकारी के विरुद्ध उक्त धाराओं के अनुसार अभियोग अंकित करने के लिए तहरीर बदस्त ई०एच०सी० दिनेश कुमार न० 1144/ रेवाडी के हाथो थाना भेजी जा रही है। अभियोग दर्ज करके अभियोग संख्या से सूचित किया जावे। अभियोग की स्पेशल रिपोर्ट नियमानुसार स्पेशल वाहक के माध्यम से इलाका मजिस्ट्रेट व उच्च अधिकारियों को भिजवाई जावे। अभियोग की मिशल मय असल तहरीर आगामी अनुसंधान हेतु श्री गौरव फोगाट, उप पुलिस अधीक्षक, गुरुग्राम के पास भिजवाई जावे। sd Ashok kumar (अशोक कुमार, ह०पु०से०) उप पुलिस अधीक्षक, भ्रष्टाचार निरोधक ब्यूरो, गुरुग्राम मैण्डल गुरुग्राम। दिनांक – 01.06.2025 AT – 2.30 PM अज थाना - आमदा तहरीर पर मुकदमा हजा बा जुर्म मजकुर दर्ज रजिस्टर किया गया । FIR की प्रतिया CCTNS द्वारा तैयार की गई । जो नियमानुसार अफसरान बाला व इलाका मैजिस्ट्रेट साहब व अफसरान बाला को नियमानुसार भेजी जायेगी एक प्रति FIR बतौर स्पेशल रिपोर्ट ई-मेल द्वारा इलाका मजिस्ट्रेट साहब नुहँ भेजी जा रही है । मुकदमा हजा की मिशल मय असल तहरीर आने वाले ई ०एच०सी० दिनेश कुमार न० 1144/ रेवाडी के हाथ आगामी अनुसंधान हेतु DSP अशोक कुमार के पास भेजी जा रही है ।

13.



HARYANA POLICE CITIZEN SERVICES (हरियाणा पुलिस नागरिक सेवा)

**FIRST INFORMATION REPORT
(Under Section 173 B.N.S.S)**

प्रथम सूचना रिपोर्ट

Action taken: Since the above information reveals commission of offence(s) u/s as mentioned at Item No. 2.

(की गयी कार्यवाही : चूंकि उपरोक्त जानकारी से पता चलता है कि अपराध करने का तरीका मद सं. 2 में उल्लेख धारा के तहत है.):

(1) Registered the case and took up the investigation (प्रकरण दर्ज किया गया और जांच के लिए लिया गया): or (या) Rank (पद): Dy. SP (Deputy Superintendent of Police)

(2) Directed (Name of I.O.) (जांच अधिकारी का नाम): GAURAV FOGAT

No. (सं.): HPS to take up the Investigation (को जांच अपने पास में लेने के लिए निर्देश दिया गया) or (या)

Directed (Mobile No. of I.O.) (जांच अधिकारी का मोबाइल नंबर): 919812588331

(3) Refused investigation due to (जांच के लिए): or (के कारण इंकार किया या) District (ज़िला):

(4) Transferred to P.S. (थाना):

on point of jurisdiction (को क्षेत्राधिकार के कारण हस्तांतरित).

F.I.R. read over to the complainant / informant, admitted to be correctly recorded and a copy given to the complainant /informant, free of cost. (शिकायतकर्ता / सूचनाकर्ता को प्राथमिकी पढ़ कर सुनाई गयी, सही दर्ज हुई माना और एक कॉपी निशुल्क शिकायतकर्ता को दी गयी)

R.O.A.C. (आर.ओ.ए.सी.)

14.

Signature of Officer in charge, Police Station (थाना प्रभारी के हस्ताक्षर)

Name (नाम): Jaipal



HARYANA POLICE CITIZEN SERVICES (हरियाणा पुलिस नागरिक सेवा)

FIRST INFORMATION REPORT (Under Section 173 B.N.S.S)

प्रथम सूचना रिपोर्ट

Signature / Thumb
impression
of the complainant /
informant (शिकायतकर्ता /
सूचनाकर्ता के हस्ताक्षर / अंगूठे
का निशान)

Rank (पद): I (Inspector)

No. (सं.): 94

15. Date and time of dispatch to the court (अदालत में प्रेषण की दिनांक और समय):

Attachment to item 7 of First Information Report (प्रथम सूचना रिपोर्ट के मद 7 संलग्नक):

Physical features, deformities and other details of the suspect/accused: (If known / seen)

(संदिग्ध / अभियुक्त की शारीरिक विशेषताएँ, विकृतियाँ और अन्य विवरण: (यदि ज्ञात / देखा गया))

S. No. (क्र.सं.)	Sex (लिंग)	Date / Year Of Birth (जन्म तिथि / वर्ष)	Build (बनावट)	Height (cms) (कद (से.मी.))	Complexion (रंग)	Identification Mark(s) (पहचान चिन्ह)
1	2	3	4	5	6	7
1	Male	01/01/1970				Is pox pitted: Yes
2	Unknown	01/01/1984				Is pox pitted: Yes
3	Unknown	01/01/1983				Is pox pitted: Yes
4	Unknown	01/01/1984				Is pox pitted: Yes



HARYANA POLICE CITIZEN SERVICES (हरियाणा पुलिस नागरिक सेवा)

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प्रथम सूचना रिपोर्ट

Language/Dialect (भाषा/बोली)	Place of (का स्थान)					Others (अन्य)
	Burn Mark (जले हुए का निशान)	Leucoderma (लुकोदेर्मा(सफ़ेद धब्बे))	Mole (मस्सा)	Scar (घाव)	Tattoo (गूदे हुए का)	
14	15	16	17	18	19	20

These fields will be entered only if complainant/informant gives any one or more particulars about the suspect/accused.

(यह क्षेत्र तभी दर्ज किए जाएंगे यदि शिकायतकर्ता / सूचनाकर्ता संदिग्ध / अभियुक्त के बारे में कोई एक या उससे अधिक जानकारी देता है)



HARYANA POLICE CITIZEN SERVICES (Haryana Police Citizen Services)

FIRST INFORMATION REPORT
(Under Section 173 BNSS)

I Information Form

1. **District :** Anti Corruption Bureau,
Haryana **PS (ANA):** ACB, Gurugram **Year :** 2025
- FIR No. (Serial No.):** 0018 **Date :** 01/06/2025
15:17

2. S.No. (.San.)	Acts	Sections
1	ENVIRONMENT PROTECTION ACT 1986	15(1)
2	MINES AND MINERALS (DEVELOPMENT AND (REGULATION) ACT, 1957	21
3	THE PUNJAB LAND AND PROVISION ACT 1900 (Amendment)	19
4	THE BHARATIA NYAYA SANHITA (BNS), 2023	201
5	THE BHARATIA NYAYA SANHITA (BNS), 2023	270
6	THE BHARATIA NYAYA SANHITA (BNS), 2023	303
7	THE BHARATIA NYAYA SANHITA (BNS), 2023	316(2)
8	THE BHARATIA NYAYA SANHITA (BNS), 2023	318(2)
9	THE BHARATIA NYAYA SANHITA (BNS), 2023	329(3)
10	THE BHARATIA NYAYA SANHITA (BNS), 2023	61



HARYANA POLICE CITIZEN SERVICES (Haryana Police Citizen Services)

FIRST INFORMATION REPORT

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I Information Form

Occurrence of offence :

3. (a)

1 Day :

Date from :

Date To :

Time Period :

Time From :

Time To :

(b) Information received at PS :

Date :

Time :

01/06/2025

14:40 hrs

(c) General Diary Reference :

Entry No. (and sankranti):

Time :

004

01/06/2025

14:54 hrs

4. Type of Information : Written

5. Place of Occurrence

(Cube):

1. (a) Direction and distance from PS : SOUTH, 55 Km

Beat No .:

(s)

(b) Address : District Nuh,

(c) In case, outside the limit of this Police Station, then Name of PS:

District (State) (य्य्य्य्य (य्य्य)):

6. Complainant / Informant:

(a) Name : Ashok Kumar

(b) Father's/Husband's Name :

(c) Date/Year of Birth :

01/01/1978

(d) Nationality : INDIA

**HARYANA POLICE CITIZEN SERVICES** (Haryana Police Citizen Services)**FIRST INFORMATION REPORT**
(Under Section 173 BNSS)

I Information Form

(e) UID No .: (f) Passport**No .:****Date of Issue:****Place of Issue:****(g) Occupation :****(h) Address :**

S.No. (.San.)	Address Type	Address
1	Present Address	part 1 sec-15, GURGAON CITY, GURUGRAM, HARYANA, INDIA
2	Permanent Address	part 1 sec-15, GURGAON CITY, GURUGRAM, HARYANA, INDIA

(i) Phone number :**Mobile No.:**



HARYANA POLICE CITIZEN SERVICES (Haryana Police Citizen Services)

FIRST INFORMATION REPORT
(Under Section 173 BNSS)

I Information Form

7. **Details of known / suspected / unknown accused with full particulars:**

S.No. (.San.)	Name	Alias (nickname)	Relative's Name (relative's name)
1	Haneef		
2	government official employee		
3	government official employee		
4	government official employee		
5	government official employee		
6	mining mafia		
7	of other departments staff officer		

8. **Reasons for delay in reporting by the complainant / informant :**

HARYANA POLICE CITIZEN SERVICES (Haryana Police Citizen Services)**FIRST INFORMATION REPORT**
(Under Section 173 BNSS)

Information Form

9. Particulars of properties of interest (of the concerned

Description:

S.No. (.San.)	Property Type car)	Sub Type	Value(In Rs/-) (With (m))
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10.	Total value of property stolen (In Rs/-) (Total value of property stolen(in rupees)):
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11. Inquest Report / UD case No., if any:

S.No. (.San.)	UIDB Number (Unification No.)
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12. First Information contents :

To, Requesting Sir, Achar Dhanadhik Year, Guam Middle Guam Subject – Information Report

The request is that in the Hon'ble Supreme Court of Delhi IA Nos. 269550, 269552 269553 of 2025 in WP (C) No. 202 of 1995 titled as TN Godavarman Thirumulpad V/s Union of India and Ors. Hearing by the Hon'ble Supreme Court on date

The Central Empowered Committee, New Delhi (constituted by the Hon'ble Supreme Court of India) was directed on 19.03.2025 to investigate the matter and submit its report within four months. The CEC submitted its report before the Supreme Court on 15.04.2025, in which a total of 10 recommendations have been made by the CEC in paragraph no. 17 of the inquiry report, and as per the recommendation of paragraph no. 17 (IV) of the inquiry report, it has been recommended that the State Vigilance Department, Haryana should file a complaint regarding illegal construction of road on Forest Department land in the limits of village Basai Meva, District No. 2025 by collusion between mafia. The Central Empowered Committee has Sarpanch, Government official and mining been constituted by the Hon'ble Supreme Court to investigate the matter within 90 days. The CEC investigation report submitted on 15.04.2025 is attached with the petition. The main details of the CEC investigation report are as follows: “It has been observed that an illegal road has been constructed in village Basai Distt. Nuh connecting regions of the State of Rajasthan without the requisite approvals from the government authorities. The involvement of the local Sarpanch, Mr. Haneef alias Hannah, along with certain government officials and the mining mafia, has resulted in violations of various laws, including the relevant MoEFCC Notifications and the provisions of the Punjab Land Preservation Act (PLPA), 1900, by constructing the illegal road without consulting or seeking approval from the Forest Department. It has also been observed that the newly constructed road connects three villages bordering Rajasthan-Chhapra, Dhaulet, and Naget-with Village Basai (Firozpur Jhirka,

Haryana). This road cuts through both forest land and cultivable agricultural land. The construction appears to have been initiated by the Sarpanch in collusion with certain government officials, allegedly driven by personal financial interests. Given the proximity to mining areas near the Rajasthan border, this road is being misused to facilitate illegal mining activities and the transportation of illegally mined minerals, enabling the accumulation of wealth for personal gain. This road not only breaches established laws but also infringes upon the rights of local farmers.

Their cultivable agricultural land has been unlawfully grabbed without any prior consultation or compensation. The illegally constructed road is in blatant violation of the Ministry of Environment, Forest and Climate Change Notification dated 07.05.1992 and the Punjab Land Preservation Act (PLPA), 1900. It was also constructed without obtaining the requisite clearance from the Forest Department. To facilitate the transport of illegally mined material, the aforementioned unauthorized road was constructed by damaging Forest Department plantations located in Village Basai Meo, as well as through areas notified under the Punjab Land Preservation Act (PLPA), 1900. The road in question was built without any prior approval from the Forest Department and in violation of the Forest (Conservation) Act, 1980)

It was recommended by the Central Empowered Committee in Para No. 17 (iv) that "The State Vigilance Department shall investigate allegations of collusion between the Sarpanch, government officials, and the mining mafia and submit a report to the Government within 90 days, under intimation to the CEC and the MOEFCC", on which order No. CFMS No. DA/CS/SPL 57 Dated 16-05-2025 of the office of the Hon'ble Chief Secretary, Government of Haryana, vide letter No. 9873/I-2/0D(H) dated 28.05.2025 of the present Director General, Anti-Corruption Fund, Haryana, Panchkula, orders have been given to prepare a written complaint for filing a case of murder of the Sarpanch, Gram Panchayat Basai Meva, Tehsil Dafarpur, Jarka District No. and send it for approval. Apart from this, a written complaint has been sent

to the Chief Secretary, Government of Haryana for filing a case of murder of the Government officer / employee. Permission has been given as per the decree No. 42/11/2025-4 VIII dated 31.05.2025 Haneef uff Hanah, Sarpanch Gram Panchayat Basai Meo, Tehsil Dafarpur Jarka District Nahin in connivance with the government officials/employees of Forest Department, Mining Department, Revenue Department Consolidation Department and mining mafias to build a mine in village Basai Meo, District Nahin of the crime of illegal construction of road on the land of Forest Department in the border, hence, many collusion is found between Haneef alias Hanah, Sarpanch Gram Panchayat Basai Meo, Tehsil Dafarpur Jarka District No., Government officials/employees of Forest Department, Mining Department, Revenue Department, Consolidation Department and mining mafia and employee/officer of any other department, that Graph for seeking permission from Headquarters to file prosecution under Section 201, 318(2), 316(2), 61, 270, 329(3), 303 of BNS, 2023 (r/w Section 420, 409, 1208, 268, 447, 379 IPC), Section 21 of The Mines and Minerals (Development and Regulation) Act, 1957, Section 15(1) of Environment (Protection) Act, 1986 and Section 19 of Punjab Land Preservation Act (PLPA), 1900, sent to the Headquarters, Corruption Commissioner, Haryana Panchkula, letter No. 9980/I-2/ACB(H) dated, for permission to file prosecution under Section 201, 318(2), 316(2), 61, 270, 329(3), 303 of BNS, 2023 (r/w Section 420, 409, 1208, 268, 447, 379 IPC), Section 21 of The Mines and Minerals (Development and Regulation) Act, 1957, Section 15(1) of Environment (Protection) Act, 1986 and Section 19 of Punjab Land Preservation Act (PLPA), 1900 As per 01.06.2025, after the approval of the draft, hence, for filing a complaint against Hanif uff Hanaah, Sarpanch Gram Panchayat Basai Meo, Tehsil Dafarpur Jarka District No., Government officer/employee of Forest Department, Mining Department, Revenue Department Consolidation Department and mining mafia and employee/officer of any other department as per the above sections, the complaint is being sent to EHC Dinesh Kumar

No. 1144/Hanan of Rewari. The complaint should be registered and informed with the complaint number. Special form of complaint should be sent to the area magistrate and higher officer through special carrier as per rules. The original complaint along with the details of the complaint should be sent to Shri Garv for further investigation. Faga, should be sent to Deputy Police Officer, Goam sd Ashok Kumar (Ashuk Kumar, H.P.S.) Deputy Police Officer, Corruption Officer, Goam Medal Goam Date – 01.06.2025 AT –2.30 PM Ajana –

On the basis of the original complaint, a case has been registered in Hazara Bazar, the copy of the FIR has been prepared by CCTNS, which will be sent to the officers and area Majje Saheb as per the rules. A new FIR is being sent to the area Majje Saheb through personal form e-mail. The original complaint of the case along with the original complaint OHC Dinesh Kumar No. 1144/ of Rewari is being sent to DSP Ashok Kumar for further investigation.





HARYANA POLICE CITIZEN SERVICES (Haryana Police Citizen Services)

FIRST INFORMATION REPORT
(Under Section 173 BNSS)

I Information Form

Action taken: Since the above information reveals commission of offence(s) u/s as mentioned at Item No. 2.

(Action taken : From the above information it is evident that the modus operandi of committing the crime is Item No. 2 is mentioned under section:

(1) Registered the case and took up the investigation:

or

Rank (P): Dy. SP (Deputy Superintendent of Police)

(2) Directed (Name of IO) (Name of Investigating Officer):
GAURAV FOGAT

No. (San.): HPS to take up the Investigation or

Directed (Mobile No. of IO) (Investigating Officer's Mobile Number): 919812588331

(3) Refused investigation due to (for investigation): or (due to District : or

(4) Transferred to PS (Ana):

on point of jurisdiction (transfer due to point of jurisdiction).

FIR read over to the complainant / informant, admitted to be correctly recorded and a copy given to the complainant /informant, free of cost .

ROAC

14.

Signature of Officer in charge, Police Station (Anna Bhaari Ke Hataar)

Name : Jaipal



HARYANA POLICE CITIZEN SERVICES (Haryana Police Citizen Services)

FIRST INFORMATION REPORT (Under Section 173 BNSS)

I Information Form

**Signature / Thumb
impression
of the complainant /
informant**

Rank (P): I (Inspector)

No. (No.): 94

15. Date and time of dispatch to the court :

Attachment to item 7 of First Information Report :

**Physical features, deformities and other details of the suspect/accused: (If known/
seen)**

(Physical features, characteristics and other particulars of the suspect/accused: (if known/
seen))

S.No. (.San.)	Sex (Dhalang)	Date / Year of birth (Date of deposit / Year)	Build Height (cms) (km)	Complexion (colour)	Identification Mark(s)	
1	2	3	4	5	6	7
1	Male	01/01/1970				Is pox pitted: Yes
2	Unknown	01/01/1984				Is pox pitted: Yes
3	Unknown	01/01/1983				Is pox pitted: Yes
4	Unknown	01/01/1984				Is pox pitted: Yes



HARYANA POLICE CITIZEN SERVICES (Haryana Police Citizen Services)

FIRST INFORMATION REPORT
(Under Section 173 BNSS)

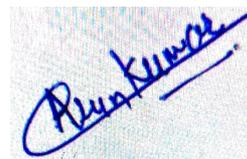
I Information Form

Language/Dialect (language/s)	Place of (य्य)					Others (Ay)
	Burn Mark (Sign of the burnt one)	Leucoderma (white spots)	Mole (wart)	Scar (wound)	Tattoo (leukemia Of)	
14	15	16	17	18	19	20

These fields will be entered only if complainant/informant gives any one or more particulars about the suspect/accused.

FIR will be lodged only if the complainant / informant gives information about one or more persons (such as the suspect / accused)





// True and Translated Copy //

**BEFORE THE ADDITIONAL DEPUTY COMMISSIONER
& INQUIRY OFFICER, DISTRICT NUH, HARYANA.**

**In Re: Subject: Reply in compliance with Letter S.No. 1341-43 dated
27.05.2025**

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Dated:03.06.2025

Mohd. Hanif, Sarpanch(Suspended)
Gram Panchayat Basai Meo.
Block Ferozepur Jhirka District Nuh

To

The Additional Deputy Commissioner & Inquiry Officer, District
Nuh, Haryana.

Subject: Reply in compliance with S.No. 1341-43 dated 27.05.2025
regarding suspension of Shri Mohd. Hanif, Sarpanch, Gram
Panchayat Basai Meo.

Respected Sir,

1. Since assuming the office of Sarpanch in 2022, I have acted lawfully and in accordance with my official duties. No unauthorized road construction or development activities beyond the legally sanctioned consolidation proceedings have been undertaken by the Gram Panchayat during my tenure.
2. The roads mentioned in the notice form part of an ongoing Consolidation Scheme under the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948, initiated following the demand of villagers and in coordination with the Revenue Department.
3. The Panchayat's involvement has been limited to cooperating with this lawful administrative process. Mining-related activities and vehicular traffic using these roads are entirely beyond my control or authority, as well as beyond that of the Gram Panchayat. Neither I nor the Panchayat have granted any permission or regulated mining leases or related transportation. Litigation concerning these roads has been finally decided in favor of the Gram Panchayat.
4. Recent attempts by the District Revenue Officer- cum-Settlement Officer to overturn consolidation orders lack jurisdiction and are currently subject to judicial review. I have fully complied with all notices, inquiries, and directives issued by competent authorities and

have cooperated transparently with all concerned departments, including the Block Development and Panchayat Officer and the Pollution Control Board.

5. It is respectfully submitted that I, as the Sarpanch, have not constructed any road, nor facilitated any illegal activity. **My only role has been limited to forwarding the villagers' request for improved access under the consolidation framework and apprising the competent authorities of the factual situation.**
6. Allegations relating to illegal mining, if any, are entirely the domain of the Forest Department, Mining Department, Revenue Department, and the Police. These departments interact with one another and are fully empowered under respective statutes to prevent or prosecute illegal mining. The Gram Panchayat, and specifically the Sarpanch, has no legal authority, jurisdiction, or infrastructure to monitor or restrain such activities independently. I have duly informed the BDPO and concerned departments in writing. No omission or dereliction can be attributed to me in this regard.
7. I have been suspended vide the order 13.05.2025 on the basis of CEC Report dated 15.04.2025 and certain media reports. It is pertinent to point out that I have been suspended without issuing me any show cause notice or giving me an opportunity to explain thus violating the rule of natural justice. That the statutory scheme of the Section 51 of the Haryana Panchayati Raj Act 1994 is clear where the concern authority is duty bound to give a reasonable opportunity to Sarpanch/Panch to explain the allegation on which the proposed action is being taken.
8. That the order passed by the Deputy commissioner must reflect application of mind to the explanation offered by the concerned Sarpanch but in the present case no opportunity of explanation was given thus violating the scheme and intent of Section 51. There are

catena of judgments by the Hon'ble Courts to supports the above contention.

9. In the present case, it is first time that the undersigned is being asked to put forward its stand on the allegation. That neither any authority, nor CEC deemed fit to seek any explanation form the undersigned resulting the undersigned being condemned without hearing. No explanation was ever asked from the Sarpanch (now suspended) nor any documents or factual background taken or considered.
10. There is a lengthy litigation history on these roads/paths in question which reflect the existence and regular usage of these roads since time immemorial. That various complaints and representations were made by Gram Panchayat through Sarpanch in 2011 onwards whereby it was complained that some unsocial elements have started taking money from Trucks/Dumpers for passing through the roads in village in 2011 and sometime they dig-up these roads/passage causing inconvenience to villagers for using these roads/passages. The complaint of illegal transportation of mined materials were also made in 2011 and 2012 and prayers were made to the authorities to open the usage of these roads/passage for the convenience of common person and vehicles (**Copies of these complaints are enclosed herewith**).
11. That multiple FIRs and Civil litigations have happened in past 10 to 15 years where the issue of access, use and digging were raised and answered by the Court. The copies of the FIR/judgments in criminal and civil cases where the disputed roads have been in issue, are being attached herewith.
12. That the findings of the court is referred whereby the court has found that the passages are already in existence and they are used by general public since time immemorial. In the related case, in FIR no. 22 dated 27.01.2012 was lodged by BDPO, FP Jhirka alleging that some

accused had blocked the open passage by digging and raising a hut on the path from the village Basai to village Nangal, Rajasthan. The accused were charge-sheeted and tried however got acquittal due to the prosecution witnesses becoming hostile.

13. It is respectfully submitted that there is a political rivalry against the undersigned in the village due to rival group losing out the election of Sarpanch. Due to that rivalry, in revenge, the rival group through its various members have initiated multiple false cases raising the issue of existing road which were widened under the consolidation proceedings. However, false allegations were levelled against the undersigned without there being any basis and also wrongly published in various local newspapers. The undersigned is in process of filing defamation proceedings against the concerned persons and local newspapers for false and defamatory publication against the undersigned.
14. That the rival group in its political grudge and vendetta have filed multiples cases at multiple forums like CWP No.10241 of 2023 and CWP No.20703 of 2024 pending before the Hon'ble High Court of Punjab and Haryana alleging laying down of illegal passages from their agricultural land and misusing of power as Sarpanch. The Hon'ble High Court did not find any merit and both the cases were disposed off (**Copy of orders are enclosed herewith**).
15. Again to satisfy their political grudge, the rival group **have filed O.A No. 1249 of 2024 before the Hon'ble National Green Tribunal**, New Delhi where same set of allegations have been levelled. The undersigned has now come to know that on the same set of allegations, some applications have been filed before the Hon'ble Supreme Court. Whereby the Hon'ble Supreme Court appointed CEC to report the matter but no explanation or any reply or any document have been asked by any authority or CEC on the issue from the undersigned.

16. It is respectfully submitted that the present proceedings amount to forum shopping, as the subject matter in question is already sub-judice before the Hon'ble Supreme Court of India. Furthermore, parallel proceedings concerning related environmental aspects are also pending adjudication before the Hon'ble National Green Tribunal. The initiation of multiple proceedings on the same subject matter before different forums amounts to a misuse of judicial process and wastage of valuable judicial time. As from the perusal of the facts and circumstances including satellite data, it is clear that any allegation against the undersigned regarding mining, transportation or construction of road are wrong, unfounded and motivated due to the local political rivalry as the alleged road already exists and are in usage.
17. It is submitted that several civil proceedings have previously been instituted before the Learned District Court regarding the ownership and legal status of the road in question, including matters concerning its construction. The very pendency of such litigation is indicative of the existence of the said road prior to the present dispute. Consequently, the allegation that the road has been newly constructed is misconceived, factually incorrect, and devoid of any evidentiary support.
18. That a legal notice dated February 22, 2012, was issued by the then Sarpanch, Smt. Parvati, categorically stating that the land in question is fully owned and possessed by the Gram Panchayat and that the Forest Department has no claim or jurisdiction over the said land. The notice further affirms that the road has existed since old times and was historically used by bullock carts and camel carts. Over time, with the evolution of rural infrastructure, the same path is now being used by motor vehicles for agricultural and public purposes, reaffirming its long-standing existence and use.

19. That the google satellite real time image data pertaining to years 2011 to 2024 have been enclosed herewith. Your good-self and all the concern authorities are humbly requested to peruse the satellite image of past years which clearly demonstrate the existence of the roads/passages in the village in the year 2011. That the satellite recordings clearly shows the existence of road well before the undersigned assumed office of Sarpanch i.e. 2022. These visual evidences substantiate the fact that the road is not of recent origin, thereby disproving the allegations of unauthorized or recent construction alleged against the undersigned.
20. That the satellite image date also shows that there is no plantation of any tree or existing forest along with the roads/passages or nearest land thereby falsifying the allegation of destruction of forest or degradation of Aravali plantation. That the assessment notices issued by the forest department against the undersigned are also unfounded, untenable and misconceived. It is pertinent to point out that there is no forest department's plantation in Khasra Nos. 3,204, 205, 206 of village Basai Meo. There are some bushes and naturally grown Dakhni-kikar (Neltuma Velutina) and other small plants which are not tree or planted by forest department under any scheme or budget. The same fact can be perused from the satellite image from the year 2011 to 2024. Therefore, any contrary allegation of destruction of forest plantations are wrong and unfounded.
21. That the consolidation officer **vide its order dated 11.06.2024** after hearing all the parties concerned including the villagers and gram panchayat representatives held as follows: -
- “At this juncture, it is all the more necessary to mention here that the Director of Consolidation of Holdings Haryana, vide notification bearing endorsement No. EA4/2021 dated 26.02.2021 directed to Consolidation of Holdings in the Mewat District (for the villages wherein the consolidation of holdings was not taken place in 1961-62) and the*

revenue estate Basai Meo was one of them. In pursuance of the said notification proceedings for consolidation of holdings of revenue estate basai Meo are being carried out.

It is further quintessential to mention here that the Govt. of Haryana Department of Revenue and Disaster Management through its notification dated 10.01.2010 categorically made an amendment East Punjab Cultivation (Consolidation and Fragmentation Prevention) Rule 1949 (for state of Haryana) appendix Part-I to the effect that village to village and Circular (Peripheral ways/roads) shall be carved out from 5 to 6 Karam width i.e. 27.6 ft to 33 ft.

Further it was also inserted in the appendix part-1 that the passages from village Abadi to agricultural holdings would be from 4-5 Karam. In light of the aforesaid amendment, village to village common passages/way/ road shall be carved out as per the new amended mandatory rules of East Punjab Cultivation (Consolidation and Fragmentation Prevention) Rules 1949 (for state of Haryana) appendix Part-2 not as per the wishes of land owners of concern revenue estate and therefore, the grievance of the Hanif son of Chaw Khan (Petitioner) is not genuine. (Copy of the amendment is attached herewith).

Allegations made in the intimation/representation found false and frivolous one. Procedure which has been carried out hitherto for Consolidation of holdings of revenue estate Basai Meo is found as per the rules.

Apart from the above, regarding the issue in hand, an appeal was also filed before the District Revenue Officer cum Settlement Officer (consolidation), Nuh and same dismissed in view of the afore quoted amendment.

After hearing the petitioner and villagers of Basai Meo and considering the facts and circumstances of the matter in hand, the undersigned has a considered view that petitioner filed a motivated

representation with a hidden agenda to linger on the consolidation of holdings of revenue estate Basai Meo, Petitioner has no merit in his claim and also has no genuine grievance in the matter and therefore, representation of the petitioner is disposed of as same is motivated, vexatious, frivolous and against the mandatory rules and officials are directed to complete the consolidation of holdings of revenue estate Basai Meo as per rules.”

22. That any widening of road if done then it is due the above direction under the consolidation proceedings after hearing all the concern by the officials. In the various media publications and in the CEC Reports also various photographs and news report depicting illegal mining in Rava village are mentioned and somehow the impression is given that undersigned is involved in illegal mining or facilitating an illegal mining vide constructing the illegal roads through the village Basai Meo.
23. All these allegations and depiction against the undersigned are wrong and unfounded. The undersigned has no role in any mining or transportation of mined material or construction of any illegal road/passages. As stated in the present reply the concern authorities who regulate and oversee all the mining operations and transportation or constructions of road are responsible for such acts or omissions which are against the law of the land.

In compliance with your notice under reference, I respectfully submit the following point-wise reply for your kind consideration.

Point-1

- a. In Village Basai Mev, two roads pass through the Aravalli Hills - one connecting **Basai Mev to Nangal** and the other leading to the **Anjali Mata Mandir**. Additionally, two other roads connect to Chhapra and Dholet villages, but as per the Consolidation Scheme dated

13.02.2024 issued by the concerned Officer, only the first two roads fall within the Aravalli range. The copy of confirmation Scheme dated 13.02.2024 is enclosed herein. **(R-7 and R-8 pages 44-48)**

Point-2

- a. The roads in question were never constructed earlier by the Gram Panchayat. There is a lengthy litigation history on these roads/paths in question which reflect the existence and regular usage of these roads since time immemorial. That various complaints and representations were made by Gram Panchayat through Sarpanch in 2011 onwards whereby it was complained that some unsocial elements have started taking money from Trucks/Dumpers for passing through the roads in village in 2011 and sometime they dig-up these roads/passage causing inconvenience to villagers for using these roads/passages. The complaint of illegal transportation of mined materials were also made in 2011 and 2012 and prayers were made to the authorities to open the usage of these roads/passage for the convenience of common person and vehicles **(Copies of these complaints are enclosed herewith R-1 to R-6 pages 18-43)**.
- b. That multiple FIRs and Civil litigations have happened in past 10 to 15 years where the issue of access, use and digging were raised and answered by the Court. The copies of the FIR/judgments in criminal and civil cases where the disputed roads have been in issue, are being attached herewith.
- c. That the findings of the court is referred whereby the court has found that the passages are already in existence and they are used by general public since time immemorial. In the related case, in FIR no. 22 dated 27.01.2012 was lodged by BDPO, FP Jhirkha alleging that some accused had blocked the open passage by digging and raising a hut on the path from the village Basai to village Nangal, Rajasthan. The accused were charge-sheeted and tried however got acquittal due to

the prosecution witnesses becoming hostile.

- d. That It is submitted that several civil proceedings have previously been instituted before the Learned District Court regarding the ownership and legal status of the road in question, including matters concerning its construction. The very pendency of such litigation is indicative of the existence of the said road prior to the present dispute. Consequently, the allegation that the road has been newly constructed is misconceived, factually incorrect, and devoid of any evidentiary support.
- e. That a legal notice dated February 22, 2012, was issued by the then Sarpanch, Smt. Parvati, categorically stating that the land in question is fully owned and possessed by the Gram Panchayat and that the Forest Department has no claim or jurisdiction over the said land. The notice further affirms that the road has existed since old times and was historically used by bullock carts and camel carts. Over time, with the evolution of rural infrastructure, the same path is now being used by motor vehicles for agricultural and public purposes, reaffirming its long-standing existence and use.
- f. That the google satellite real time image data pertaining to years 2011 to 2024 have been enclosed herewith. Your good-self and all the concern authorities are humbly requested to peruse the satellite image of past years which clearly demonstrate the existence of the roads/passages in the village in the year 2011. That the satellite recordings clearly shows the existence of road well before the undersigned assumed office of Sarpanch i.e. 2022. These visual evidences substantiate the fact that the road is not of recent origin, thereby disproving the allegations of unauthorized or recent construction alleged against the undersigned.
- g. This is evident from the consolidation records. On 20.12.2023, the Gram Panchayat sent a letter requesting the Consolidation Officer to demarcate and widen the path to Anjali Mata Mandir to a minimum width of five to

six karam, in accordance with revenue and Disaster Management department Haryana Government vide notification dated 10.01.2020. this request was made in light of public demand and within the framework of consolidation proceedings initiated by Notification dated 26.02.2021 (enclosed herein) under the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948. Consequently, the consolidation process was initiated by the Revenue Department for Village Basai (Hadbast No. 149), comprising 2758 acres. **The copy of panchayat demand letter dated 20.12.2023 and along with copy of consolidations reports and orders are enclosed herein.(R-9 page 49-54)**

Point-3

- a. Initially, the road was primarily used by local residents and devotees of **Anjali Mata Mandir**. However, following the grant of mining leases by the Rajasthan Government, mining-related trucks and other vehicles began using the same route for many past years. The undersigned submit that neither I as Sarpanch, nor the Gram Panchayat, had any involvement in authorizing or regulating such mining activities or vehicular use. The Panchayat has no authority or control over such mine leaseholders.

Point-4

- a. The Gram Panchayat Basai Meo in my tenure (From 2022 till date) has not proposed or initiated the construction of any roads in the area.
- b. The Panchayat has not implemented any such **project under any development scheme**. Its only involvement relates to the consolidation proceedings initiated based on villagers' demand for better connectivity. **Proceedings under Section 20(3)** of the

Consolidation Act, 1948 have been completed, but proceedings under Section 20(4) are still pending for publication. **(Letter Enclosed R-22 page 92)**

Point-5

- a. There is no scheme under which the roads have been built. As explained in detailed and also evident vide the earlier litigations and satellite data's these roads exist and used for time immemorial.

Point-6

- a. There have been many litigations in the past relating to these roads/passages. As explained above the rival group in its political grudge and vendetta have filed multiples cases at multiple forums like CWP No.10241 of 2023 and CWP No.20703 of 2024 pending before the Hon'ble High Court of Punjab and Haryana alleging laying down of illegal passages from their agricultural land and misusing of power as Sarpanch. The Hon'ble High Court did not find any merit and both the cases were disposed off **(Copy of orders are enclosed herewith as R-10 page 55-57 and R-12 page 61-62)**.
- b. Again to satisfy their political grudge, the rival group have filed O.A No. 1249 of 2024 (pending) before the Hon'ble National Green Tribunal, New Delhi where same set of allegations have been levelled. The undersigned has now come to know that on the same set of allegations, some applications have been filed before the Hon'ble Supreme Court. Whereby the Hon'ble Supreme Court appointed CEC to report the matter but no explanation or any reply or any document have been asked by any authority or CEC on the issue from the undersigned. **(R-21 page 91)**
- c. Earlier in the related case, in FIR no. 22 dated 27.01.2012 was lodged by BDPO, FP Jhirka alleging that some accused had blocked the open passage by digging and raising a hut on the path from the village Basai to village Nangal, Rajasthan. The accused were charge-sheeted

and tried however got acquittal due to the prosecution witnesses becoming hostile.

- d. With regard to litigation, a civil suit was filed in 2016 before the Civil Court, Ferozepur Jhirka, by certain residents seeking an injunction to restrain road construction etc. The suit was dismissed on 15.01.2020, The copy of Judgement is enclosed herein.
- e. The first appeal was also dismissed on 29.01.2024. The copy of Judgement is enclosed herein. Thus, the matter has attained judicial finality.
- f. However, it is pertinent to note that the Consolidation Officer's order dated 11.06.2024 (enclosed herein), passed in favour of the Gram Panchayat, was illegally set aside by the District Revenue Officer (DRO)-cum-Settlement Officer, Nuh, vide order dated 16.12.2024 (enclosed herein). The said action is wholly without jurisdiction, as neither the DRO nor the Settlement Officer is vested with any power under the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948 to entertain, modify, or revise an order passed by the Consolidation Officer. Section 43 of the Act clearly mandates that, except as provided in the Act, no appeal or revision shall lie against any order passed under its provisions.
- g. It is further significant that the appeal filed by the objectors under Section 20 of the Act had already been dismissed by the competent Settlement Officer vide a reasoned and speaking **order dated 13.02.2024** (enclosed **herein R-8 page 48**) which attained finality. Thus, the subsequent interference by the DRO-cum-Settlement Officer is patently illegal, void ab initio, and without sanction of law. That appellate order has been challenged by aggrieved persons before the Hon'ble Punjab and Haryana High Court and is yet to be listed.

Point-7

Regarding notices, no objection or show cause was received during my tenure as Sarpanch, which began in 2022. However, the Forest Department did issue a notice under the Forest Act, and a complaint was filed against me vide COMA-252-2024 DFO Vs. Hanif etc.. That case is currently pending before the competent court, and summoning of the accused has not yet been issued. (Enclosed herein R-15 page-77)

Point-8

With respect to preventive steps, it is respectfully submitted that the Sarpanch functions under the control and supervision of the Block Development and Panchayat Officer (BDPO). The BDPO has already submitted a report dated 27.03.2025 (Enclosed herein) to the concerned authorities about the status of the said roads and the consolidation process. I have fully cooperated with him and complied with all legal and administrative requirements. As explained above there is a repeated litigation and court cases relating to these roads/passages where some or other parties are always before the authorities or courts for their respective grievances.

Point-9

- a. The roads in question were never constructed earlier by the Gram Panchayat. There is a lengthy litigation history on these roads/paths in question which reflect the existence and regular usage of these roads since time immemorial. That various complaints and representations were made by Gram Panchayat through Sarpanch in 2011 onwards whereby it was complained that some unsocial elements have started taking money from Trucks/Dumpers for passing through the roads in village in 2011 and sometime they dig-up these roads/passage causing inconvenience to villagers for using

these roads/passages. The complaint of illegal transportation of mined materials were also made in 2011 and 2012 and prayers were made to the authorities to open the usage of these roads/passage for the convenience of common person and vehicles (**Copies of these complaints are enclosed herewith R-1 to R-6 page 18-43**).

- b. That multiple FIRs and Civil litigations have happened in past 10 to 15 years where the issue of access, use and digging were raised and answered by the Court. The copies of the FIR/judgments in criminal and civil cases where the disputed roads have been in issue, are being **attached herewith as R-5,R-6 page 27-43 and R-13 page 63-72**.
- c. That the findings of the court is referred whereby the court has found that the passages are already in existence and they are used by general public since time immemorial. In the related case, in FIR no. 22 dated 27.01.2012 was lodged by BDPO, FP Jhirkha alleging that some accused had blocked the open passage by digging and raising a hut on the path from the village Basai to village Nangal, Rajasthan. The accused were charge-sheeted and tried however got acquittal due to the prosecution witnesses becoming hostile.
- d. It is submitted that several civil proceedings have previously been instituted before the Learned District Court regarding the ownership and legal status of the road in question, including matters concerning its construction. The very pendency of such litigation is indicative of the existence of the said road prior to the present dispute. Consequently, the allegation that the road has been newly constructed is misconceived, factually incorrect, and devoid of any evidentiary support.
- e. That a legal notice dated February 22, 2012, was issued by the then Sarpanch, Smt. Parvati, categorically stating that the land in question is fully owned and possessed by the Gram Panchayat and that the Forest

Department has no claim or jurisdiction over the said land. The notice further affirms that the road has existed since old times and was historically used by bullock carts and camel carts. Over time, with the evolution of rural infrastructure, the same path is now being used by motor vehicles for agricultural and public purposes, reaffirming its long-standing existence and use.

- f. That the google satellite real time image data pertaining to years 2011 to 2024 have been enclosed herewith. Your good-self and all the concern authorities are humbly requested to peruse the satellite image of past years which clearly demonstrate the existence of the roads/passages in the village in the year 2011. That the satellite recordings clearly shows the existence of road well before the undersigned assumed office of Sarpanch i.e. 2022. These visual evidences substantiate the fact that the road is not of recent origin, thereby disproving the allegations of unauthorized or recent construction alleged against the undersigned. **Pen Drive attached as R-23 page 93**

- g. This is evident from the consolidation records. On 20.12.2023, the Gram Panchayat sent a letter requesting the Consolidation Officer to demarcate and widen the path to Anjali Mata Mandir to a minimum width of five to six karam, in accordance with revenue and Disaster Management department Haryana Government vide notification dated 10.01.2020. this request was made in light of public demand and within the framework of consolidation proceedings initiated by Notification dated 26.02.2021 (enclosed herein) under the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948. Consequently, the consolidation process was initiated by the Revenue Department for Village Basai (Hadbast No. 149), comprising 2758 acres. The copy of panchayat demand letter dated 20.12.2023 and along with copy of consolidations reports and orders are **enclosed herein.R-8 page**

46-48

- h. Lastly, I have duly informed the BDPO and other concerned departments like Haryana State Pollution Control Board Regional Office Nuh on dated 24.04.2025 about the factual position regarding the roads and consolidation activities. Moreover, Assistant Consolidation officer has also written a letter to Haryana State Pollution Control Board Regional Office Nuh on dated 24.04.2025 for the same. The Mining Department is independently aware of the lease-based mining and transportation activities originating from Rajasthan and passing through our village area. These matters fall entirely outside the jurisdiction and authority of the Gram Panchayat or its elected representatives. **(Enclosed herein R-R-17 and R-18 page 79-85)**
- i. That to controlling the illegal activity of any kind in any particular area is the sole responsibility of the concerned department which is attached by the Central and State Government for controlling such activities. i.e. Haryana State Pollution Control Board, Haryana State Police Service, State Forest Department etc.
- j. To controlling such illegal activity is not fall in the domain of the Sarpanch and Sarpanch alone is not responsible for such illegal activities.

In conclusion, I submit that I have acted lawfully and in accordance with my duties as Sarpanch. No unauthorized construction has taken place under my tenure. All actions were carried out transparently, as part of legally sanctioned consolidation proceedings initiated by the competent authorities. If your good-self is not satisfied the present reply along with documents then an opportunity of personal hearing may be provided to the undersigned so the undersigned can put forward its response in detailed manner through its representative/counsel.

Dated:03.06.2025

Thanking you,

**Mohd. Hanif,
Sarpanch(Suspended)
Gram Panchayat Basai
Meo.**

Block Ferozepur Jhirka District Nuh

(18) R-1

सेवा में,

श्रीमान् खण्ड विकास एवं पंचायत अधिकारी महोदय,
फिरोजपुर झिरका ।विषय:- गाँव बसईमेव, थाना फिरोजपुर झिरका में आम रास्ते (बसईमेव से
नॉगल गाँव को जाने वाला रास्ता) को जगह जगह गढ़े खोदकर
नाजायज रूप से रोकने बारे ।

श्रीमान्जी,

सेवा में निवेदन है कि हमारे गाँव बसईमेव, थाना फिरोजपुर झिरका में एक आम रास्ता कदीमी है तथा जिसमें से हजारों आदमी निकलते हैं तथा इस रास्ते में से डम्फर आदि भी गुजरते हैं लेकिन कुछ शरारती तत्वों रहीम खॉ पुत्र सरजीत, सैकुल पुत्र रहीमखॉ, नसरू पुत्र मिहराब, महमूद पुत्र नबला, साकिर पुत्र नसरू, अलमूदीन पुत्र महमूद, साजिद पुत्र नसरू निवासी गाँव बसईमेव, तहसील फिरोजपुर झिरका, जिला मेवात ने अपनी नाजायज कमाई के लिये उसको काट कर रोक दिया है तथा डम्फर वालों से नाजायज अवैध वसूली करते हैं तथा वसूली ना दिये जाने के कारण उसको बन्द कर दिया गया है जिससे आम जनमानस परेशान है जब गाँव के आदमी कहते हैं तो जान से मारने की धमकी दी जाती है तथा इसके बन्द होने के कारण मुख्य रोड पर जाम की स्थिति बनी हुई है तथा गाँव में ऐसी हालत बनी हुई है कि कभी भी कोई बड़ा झगडा होने के अन्देशा है । उक्त दोषियान आये दिन ऐसी धिनौनी हरकत करते रहते हैं तथा पहले भी थाने में इनके खिलाफ दरखास्त लगी हुई है । इसलिये आपसे निवेदन है कि तुरन्त प्रभाव से उक्त के खिलाफ सख्त कानूनी कार्यवाही अमल में लाई जाये ताकि बड़ा हादसा होने से टल सके ।

धन्यवाद सहित ।

दिनांक: 31.12.2011

Kumru d...
Tabruela

Sabitky

वसीर
4-5

निवेदक

सरपंच

ग्राम पंचायत बसईमेव व
सभी निवासीयान गाँव बसईमेव,
थाना फिरोजपुर झिरकासरपंच R.T-1
पंचायत बसईमेव
पंचायत (नहीं)

To,

Mr. Block Development and Panchayat Officer, Ferozpur Jhirka.

Matter- Regarding illegal blocking of the public road (road from Basai Meo to Nagal village) in the village Basai Meo, police station Firozpur Jhirka, by digging pits at various places

Sir,

It is requested to the service that there is a common road in our village Basai Meo, Thana Firozpur Jhirka and thousands of people pass through it and dumpers etc. also pass through this road but some mischievous elements Rahim Khan son of Sarjit, Saikul son of Rahim Khan, Nasroo son of Mihrab, Mahmood son of Nabla, Saqir son of Nasroo, Alamudin son of Mahmood, Sajid son of Nasroo, resident of village Basai Meo, Tehsil Firozpur Jhirka, District Mewat have blocked it by cutting it for their illegal earnings and they make illegal collection from dumper owners and due to non-payment of collection, it has been closed due to which the general public is troubled, when the people of the village speak, they are threatened with death and due to its closure, there is a situation of jam on the main road and the situation in the village is such that there is a possibility of a big fight anytime. The said culprits keep doing such heinous acts every day and earlier also a complaint has been lodged against them in the police station. Therefore, you are requested to take strict legal action against them with immediate effect so that a big accident can be averted.

With thanks.

Applicant

Date- 31.12.2011

Sarpanch

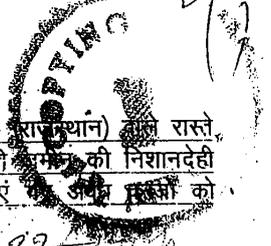
Gram Panchayat Basai Meo
And all residents of the village Basai Meo
Police Station
Ferozpur, Jhirka

(19) R-2

Urgent
for M/R
SDM FPK

सेवा में
श्रीमान उपप्रायक्त महोदय
विधायक
Teh FPK
मुल्तान

विषय गांव बसई मेव तह0 फिरोजपुर झिरका जिला मेवात से गांव नांगल (राजस्थान) वाले रास्ते पर ग्राम पंचायत बसई मेव तह0 फिरोजपुर झिरका जिला मेवात की जमीन की निशानदेही कराए जाने बारे तथा ग्राम पंचायत बसई मेव की जमीन पर किए गए अथवा कब्जों को हटवाये जाने बारे



Case No 32

श्रीमान जी, *[Signature]*

3-1-2012
4/11/12
5/11/12
6/11/12
7/11/12

निवेदन है कि प्रार्थीयान ग्राम पंचायत बसई मेव तह0 फिरोजपुर झिरका जिला मेवात के रहने वाले हैं और जो रास्ता हमारे गांव बसई मेव से गांव नांगल (राजस्थान) की तरफ जाता है उस रास्ते पर पत्थरों से भरे हुए ट्रक चलते हैं जो कि गांव नांगल (राजस्थान) से भरकर हमारे गांव बसई मेव होते हुए जाते हैं। यह सारा रास्ता जो कि गांव बसई मेव की हद में है वह रास्ता ग्राम पंचायत बसई मेव का है। इस रास्ते पर 1- नसरु पुत्र मेहराब 2- महमूद पुत्र नबला 3- नजीर पुत्र अमर सिंह 4- रहीम खां पुत्र सरजीत 5- सैकूल पुत्र रहीम खां 6- अलमूदीन पुत्र महमूद 7- साजिद पुत्र नसरु 8- साकिर पुत्र नसरु सर्व निवासीयान गांव बसई मेव तह0 फिरोजपुर झिरका ने जबरदस्ती अवैध कब्जा किया हुआ है और रास्ते में गड्डे भी नाजायज रूप से बना दिए हैं और ये लोग इस रास्ते पर चलने वाले पत्थर के ट्रकों से अवैध वसूली करते हैं और ट्रक ड्राइवरों के वसूली ना देने पर झमड़ा करते हैं और कहते हैं कि दोबारा यहां से ट्रक लेकर आए गो तुम्हारे ट्रकों को बन्द कर देंगे। ये लोग गांव वालों के मना करने पर भी ये लोग बदतमीजी से पेश आते हैं और गाली गलौच देते हैं और यह कहते हैं कि यह जमीन हमारी है हम कैसे भी कब्जा कर सकते हैं। इस वजह से ग्राम पंचायत बसई मेव इस पंचायत वाली जमीन की निशानदेही कराना चाहते हैं ताकि उपरोक्त लोगों द्वारा अवैध कब्जों को हटवाया जा सके।

अतः आपसे निवेदन है कि उपरोक्त जमीन की निशानदेही के लिए सम्बन्धित अधिकारि निर्देश दिए जावे तथा अवैध कब्जों को हटवाया जावे जिससे कि गांव मे अमन चैन रह सके।

आपकी अति कृपा होगी।

[Signature]
बसई मेव

[Signature]
Kamran
Prarthiyan

दिनांक 2-1-2012

ग्राम पंचायत बसई मेव तथा निवासीयान
ग्राम बसई मेव तह0 फिरोजपुर झिरका
जिला मेवात

[Handwritten notes]

[Signature]

Sh. Mohd

[Handwritten notes]



To
Deputy Commissioner Sir
Nuh

Subject- Regarding identification of deficiencies of Gram Panchayat Basai Meo, Tehsil Ferozepur Jhirka, District Meo at village Nangal from village Basai Meo, Tehsil Ferozepur Jhirka, District Mewat and removal of green cover of Gram Panchayat Basai Meo.

Sir,

It is requested that the applicants be residents of the Gram Panchayat Basai Meo, Tehsil Ferozepur Jhirka, District Mewat. The road from our village, Barai Meo, to village Nangal (Rajasthan) is frequently obstructed by trucks loaded with stones, which travel from village Nangal (Rajasthan) and pass through our village, Basai Meo. This entire road, which is within the limits of the village Basai Meo, belongs to the Gram Panchayat Basai Meo. On this road, 1 Nasroo son of Mehrab 2 Mahmood son of Nadla 3 Nazir son of Amar Singh 4 Rahim Khan son of Sarjit 5- Saikool son of Rahim Khan 6 Alamudin son of Mahmood 7- Sajid son of Nasroo 8- Saqir son of Nattru all residents of village Basai Meo, Tehsil Ferozepur Jhirka have forcefully occupied the land and have also dug pits on the road illegally. These people extort money from the stone carrying trucks plying on this road and if the truck drivers do not pay the money, they threaten them and say that if they bring trucks from here again, they will stop their trucks. Even when the villagers refuse, these people behave rudely and abuse them and say that this land is ours, how can we encroach it. Due to this, Gram Panchayat Basai Meo wants to get the land of this Panchayat demarcated so that the illegal encroachments by the above mentioned people can be removed

Therefore, you are requested to direct the concerned authorities to mark the above-mentioned land and remove the illegal encroachments so that peace can be maintained in the village.

It will be so kind of you.

Applicant

Gram Panchayat Basai Meo
and the residents of Basai Meo
Tehsil Firozpur Jhirka District Mewat

श्री वि०३० बाल विद्यालय का बच्चा का नाम
 पंजाब का बाल विद्यालय का बच्चा का नाम
 जाना है जिस का नाम सु० २००० विद्यालय का
 जाना है तथा जो नाम माहमायु देवदास का बच्चा
 का नाम देवदास का नाम पंजाब का जाना है।
 पंजाबी करके एक महीने के अन्दर-३
 प्रदान करें

01
 2/7-12



01/12
 महामाया देवदास
 पंजाब का नाम

पंजाबी

माहमायु देवदास का नाम देवदास

Behaloh 7/12/12 पराजी

to be a true copy

Copyrig Examine

19/7/2012

327
 Date of application 19/7/2012
 Date of receipt of application 19/7/2012
 Date of receipt of Record
 Copy prepared on 19/7/2012
 Copy forwarded on 19/7/2012
 Date of 6/5/11
 5

19/7/2012

Shri Mitthal Lal retired Kanungo is appointed as the local commissioner for this measurement. Fee commission is fixed as Rs. 2000/- and this measurement is to be done under the supervision of Shri Aas Mohammad Daltar Kanungo. Do the measurement and submit it within a week.

21-01-12

Sd

Sir,

Measurements were made on the spot.

Sd

प्रमाण प्रमाणिका आप प्रमाणित करके दिनांक 27-1-2012

(21) R-3

प्रमाणित करके मैं निर्णय लिखी गयी गांव बजरी में के निवासे
 में गोल (बाजस्थान) को जाने वाले बजरी की पैसाइया की मान
 लक्ष्मीदेव प्रियं कुं प्रियं को उपस्थित में दिनांक 27-1-2012 को
 गोल निवासे प्रियं कुं प्रियं द्वारा चलाई है। पैसाइया रिपोर्ट में
 लक्ष्मीदेव प्रियं कुं प्रियं में गोल गोल (बाजस्थान) को जो
 जो गोल अक्षा जाह वीय है देखा है। अब यह बजरी को मकर
 10 अक्षय, महमूद 10 नबला, मजीर 10 अमराजट, वही मकर 10 अक्षय
 10 अक्षय 10 रवीय अक्षय, अक्षय 10 महमूद, अक्षय 10 नबला, अक्षय 10
 नबला में गोल में जो गोल बजरी व बजरी बजरी अक्षय गोल को
 दिया है। जिले से जाने को गोल गोल दिया है। अतः प्रमाण
 की गोल गोल R.P.O. प्रियं कुं प्रियं को गोल को गोल
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-बीकानेर ए.

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नि.सं. | श्री अक्षय प्रियं
ब.ह.ए. |

प्रमाण प्रमाणिका आप प्रमाणित करके दिनांक 27-1-2012

Recd. K...

It was decided in the Panchayat meeting that the residents of village Basai Meo had got the route leading to Naangal (Rajasthan) inspected by the Revenue Department, Shreeman (name), on 31-1-2012 in the presence of Shreeman tehsildar (name). In the inspection report, the tehsildar has shown that the route leading to village Naangal is pierced in his place. Now this route has been blocked by Nasroo son of Mehrab, 2 Mahmood son of Nadla, Nazir son of Amar Singh, Rahim Khan son of Sarjit, Saikool son of Rahim Khan, Alamudin son of Mahmood, Sajid son of Nasroo, Saqir son of Nattru by putting up huts and digging a ditch on the route, due to which the route of coming and going has been blocked. Hence, through (name) it is sent to the service of Shriman S.H.O (name) for necessary action.

Sd

Shreemati Parvati Sarpanch

Shree Chandra Panch

Shree Jaleba Panch

Shree Lallu Panch

Shree Khushi Kha Panch

Shree Jadhru Don Panch

Shreemati Rahiman Panch

Shreemati Dhidhi Panch

Shree Kishor Panch

Raj Kumar

M. M. Khan
Advocate

Civil Courts
Ferozepur Jhirka
Distt. Mewat, Hr.

Ref. No.....

Dated: 22.2.2012

Regd./ Legal Notice

To,

District Forest Officer,
Mewat-Nuh

Sub Legal Notice

I have been instructed by my client Smt.Parvati, Sarpanch Gram Panchayat Basai Meo, Tehsil Feròzepur Jhirka, Distt. Mewat, to serve you with the following legal notice:

1. That my client Smt.Parvati presently is the Sarpanch of Gram Panchayat and being Sarpanch she is the custodian of all the lands owned and possessed by the Gram Panchayat and all the inhabitants of thevillage Basai Meo for their peace and harmony.
2. That the Gram Panchayat is the owner in possession of Khasra No.1134 Gair Mumkin Pahar and the Forest Department has nothing to do with the ownership and possession of Khasra No.1134, as the same was or is not used for any purpose by the Forest Department.
3. That the village Basai Meo is situated on and in between the hills, so being surrounded by the hills, every rasta within the abadi deh, or to go outside the village i.e. to go to the fields in the revenue estate of village Basai Meo or to other villages are situated either on the hills or they lead by the side of the hills

and all these rasta are being used since the establishment of the village Basai Meo, in the old days, the people used to go through these rasta by feet, by the bullock or camel cart and today in the age of automobiles, the peoples use to go through these ways by different kind of vehicles.

4. That due to hill area, the consolidation proceedings could not be held in the village Basai Meo and in the nearby village Ghata Samsabad so the rastas in the revenue estate of village Basai Meo and Ghatasamsabad could not be reflected in the revenue record but these all rastas are still in use as they were hundreds and hundreds of years ago, because except these rastas, there are no other ways for the use of the General Public.

5. That some anti social elements had tried to block the rasta situated on the western side of Khasra No.1134 which is situated outside the pillars installed by your department in the garb of their property situated adjacent to the said rasta and with the evil intention they filed a suit for permanent injunction in the civil court Ferozepur Jhirka against the Gram Panchayat Basai Meo, B.D.P.O. Ferozepur Jhirka, D.S.P. Ferozepur Jhirka, S.D.O (Civil) Ferozepur Jhirka, State of Haryana through Collector, Mewat and against some private persons of village Basai Meo which is still pending in the civil court Ferozepur Jhirka

That in reply to the above noted suit my client has filed her written statement on behalf of Gram Panchayat along with counter claim with the positive pleadings that the Gram Panchayat is owner in possession of Khasra No.1134 and no one in the world has any right to interfere in the peaceful use and possession of the khasra No. 1134 and rasta situated on the western side of Khasra No. 1134 and that the rasta in Khasra No.1134 is being used by the inhabitants of the village Basai Meo and of surrounding area since the time of

establishment of village and it makes no difference that the said rasta is reflected or not reflected in the revenue record when the same is existed at the spot since the time immemorial, as the non-reflection of the said rasta in the revenue record is due to reason that consolidation proceedings were not held in village Basai Meo otherwise the said rasta would have been reflected in the record.

6. That the Government all authorities mentioned above including the Collector Mewat being Incharge of District Mewat and representative of the State Government have submitted the written statement in the civil courts Ferozpur Jhirka admitting the said rasta on the spot. It is further informed you through this legal notice that on the request of villager at large of village Basai Meo an application was moved to Collector Mewat to get the said rasta demarcated, the said application was marked to S.D.O. (Civil) Ferozpur Jhirka who appointed a local commissioner and the said rasta was demarcated at the spot and it was found correctly situated on the spot.
7. That it is informed you through this legal notice that the matter regarding the rasta situated in Khasra No.1134 owned and possessed by my client being Sarpanch of Gram Panchayat Basai Meo is pending in Civil courts Ferozpur Jhirak and the Hon'ble civil court has passed stay orders not to block and interrupt the use of the said rasta and so as the matter is subjudice before the competent court of law, any one including you is presumed not to take any action regarding the rasta situated on the western side of Khasra No.1134 and any action by you and on your directions will be presumed an interruption and interference in the legal proceedings of the court of law.
8. That it is further informed to you through this legal notice that you are not presumed to interfere in the use and the peaceful possession and ownership of

my client the said rasta situated in khasra No.1134 otherwise my client will be compelled to initiate legal proceedings which will be warranted according to law in the given situation in the court of law and you will solely be responsible for the same.

9. That you through your subordinate officers have tried to disrupt the said rasta by trying to dig it at different places which caused endanger to the peace and harmony of the village and your further voluntary by, action inspite of the fact that the matter is subjudice in the court of law may cause dissatisfaction amongst villagers which will disturb the peace and harmony of the village, my client being Sarpanch of the village is responsible maintaining the peace and harmony in village.

So through this legal notice, you are informed not to repeat any activity of disrupting use and blocking the said rasta of situated in khasra No.1134 during the pendency of matter in the civil court, Ferozepur Jhirka otherwise, you will be personally responsible for any un-towards incident on your costs and risk.

Note: A copy of this notice has been kept by me in my office and you are also advised to keep the same intact.

Dated: 17.2.2012

Yours

Smt.Parwati
Sarpanch Gram
Panchayat Basai Meo

M.M. Khan,
Advocate.

(1) District: Mewat PS: Ferozpur Jhirka Year: 2012 FIR: 22 Date:
27.01.2012

(2) Act(s): Section(s):
(1) IPC 1860 283
(2) PREV. OF DAMAGE TO PUBLIC PROPERTY ACT, 1984 3(2)
PPED Act

3. Occurrence of Offence:

(a) Day: Friday Date From: 27-01-20 Date To: 27-
01-2012

Time Period: Time From: Time To:

(b) Information received at P.S: Date: 27-01-2012 Time:
17:05 hrs

(c) General Diary Reference: Entry No.: 39 Time:
17:05 hrs

4. Type of Information: WRITTEN

5. Place of Occurrence:

(a) Direction and Distance from P.S: East/11.2 Km. Beat
No.: 09

(b) Address: BASAI MEO, BASAI MEO

(c) In case, Outside the limit of the Police Station:

Name of P.S: District:

6. Complainant/Informant:

(a) Name: BDPO FP JHIRKA DISTT MEWAT NUH

(b) Birth Year: Nationality: INDIA

(c) Passport No. Date of Issue: Place of
Issue:

(d) Occupation:

(e) Address:

7. Details of Known/Suspect/Unknown accused with full particulars (attach
separate sheet if necessary): (8)

(SEE ANNEXURE FOR ACCUSED DETAILS):

8. Reason for delay in reporting by the complainant/informant: NO DELAY

9. Particulars of the properties stolen/involved(attach separate sheet if necessary):

Sl.No.	Property Type(Description)	Est. Value(Rs.)

(i)

(ii)

(iii)

10. Total value of property stolen:

11. Inquest Report/U.D Case No., if any:

12. F.I.R contents (attach a separate sheet, if required):

Gram Panchayat Basai Meo dated 27.1.2012 in the Panchayat meeting it was decided that the residents of village Basai Meo the land going to village Nangal (Rajasthan) was measured by the Revenue Inspector Ferozpur Jhirka on 3.1.2012 in the presence of Tehsildar Ferozpur Jhirka. In the measurement report, the Tehsildar Ferozpur Jhirka has shown that the road going to village Nangal (Rajasthan) is in its correct place. Therefore, this road has been blocked by Nasru son Mahrav, Mahmood son Nabla, Nabla, Nazir son Amar Singh, Rahim Khan son Sarjit, Shakoor son Rahi Khan, Alamudin son Mahmood, Sajid son Nasru, Shakir son Nasru by putting up huts and digging ditches. Due to which the way of commuting has been blocked. Hence, a copy of the proposal is sent through Mr. BDPO Ferozpur Jhirka to the service of Mr. SHO Ferozpur Jhirka for necessary action. SD- RTI Mrs. Parvati Sarpanch Gram Panchayat Basai Meo Mewat Nuh No. 3014 dated 27.1.17 The proposal of Gram Panchayat Basai Meo in original is sent to the service of SHO Ferozpur Jhirka for further action as per rules. SD- BD & PO FI--SHIRKA MEWAT NUH, DT-27.1.12 Police action: Today I, ASI along with Si. Mahesh Kumar 410 was present for patrolling at Crime Ambedkar

Chowk, Ferozpur Jhirka, that I have received a letter from the BD&PO office, Ferozpur Jhirka, through the peon, which was found to be a case under the compulsion of the application, for crime 283 IPC 3(2) EPPD Act, hence, a written complaint has been lodged with Si. Mahesh Kumar 410, at the previous police station. After the registration case number be informed through the form, I am leaving for the spot after ASI leaves for the spot. Today- Ambedkar, Ferozpur Jhirka. SD- Hardev Singh ASI, PS FP JHIRKA, DT-27.1.12 Today Police Station: On receipt of the above complaint at this police station, the above charge has been registered under the above section and the final copies of the FIR are being prepared and sent to the Bajaria Post Area Magistrate Sahab and higher officials. The copy of the police along with the original complaint is being sent to the personal investigation officer of Arinda Police.

13. Action Taken (Since the above information reveals commission of offence(s)u/s as mentioned at item No.2:

(i) Registered the case and took up the investigation

(ii) Directed (Name of the 1.0): HARDEV SINGH Rank:

ASI

No.: 00017446 to take up the investigation,

OR

(iii) Refused investigation due to:

(iv) Transferred to P.S. (name):

on point of jurisdiction.

District:

F.I.R. road over to the complainant/informant, admitted to be correctly recorded and a copy given to the complainant/informant, free of cost:

R.O.A.C:

14. signature/ Thumb Impression Of the Complainant/ Informant:

Sd/-

Signature of Officer

Name: JAI PARKASH

Rank: SI No.: 00020283

15. Date and time of despatch of the court:

1. NASRU(S/O) MAHRAO MEO

R/O BASAI MEO PS FP JHIRKA DISTT MEWATAT

Sex: Male

Telephone:

Dist:

Birth Year:

Occupation:

Juris

P.S.:

Nationality: INDIA

2. MAHMOOD(S/O) NABLA MEO

R/O BASAI MEO PS FP JHIRKA DISTT MEWATAT

Sex: Male

Telephone:

Dist:

Birth Year:

Occupation:

Juris

P.S.:

Nationality: INDIA

3. NAJIR (S/O) AMAR SINGH

R/O: BASAI MEO PS FP JHIRKA DISTT MEWATAT

Sex: Male

Telephone:

Dist:

Birth Year:

Occupation:

Juris

P.S.:

Nationality: INDIA

4. RAHIM KHAN (S/O) SARJEET

R/O: BASAI MEO PS FP JHIRKA DISTT MEWATAT

Sex: Male

Telephone:

Dist:

Birth Year: Occupation: Juris
P.S.:
Nationality: INDIA

5. SHAKUL (S/O) RAHIM KHAN

R/O: BASAI MEO PS FP JHIRKA DISTT MEWATAT

Sex: Male Telephone: Dist:
Birth Year: Occupation: Juris
P.S.:
Nationality: INDIA

6. ALMUDEEN (S/O) MAHMOOD

R/O: BASAI MEO PS FP JHIRKA DISTT MEWATAT

Sex: Male Telephone: Dist:
Birth Year: Occupation: Juris
P.S.:
Nationality: INDIA

7. SAJID (S/O) NASRU MEO

R/O: BASAI MEO PS FP JHIRKA DISTT MEWATAT

Sex: Male Telephone: Dist:
Birth Year: Occupation: Juris
P.S.:
Nationality: INDIA

8. SAKIR (S/O) NASRU MEO

R/O: BASAI MEO PS FP JHIRKA DISTT MEWATAT

Sex: Male Telephone: Dist:
Birth Year: Occupation: Juris
P.S.:

Nationality: INDIA

Signature of Duty Officer

D.O Name: JAI PRAKASH

RANK: SI

No.: 00020283

Place: FEROZEPUR JHIRKA (Mewat)

Date: 27-01-2012

Court of Sh. Vikash
A.C.J.(SD)-cum-SDJM
FP Jhirka

G.No-7517) FRS

(131)

IN THE COURT OF NISHANT, SUB-DIVISIONAL JUDICIAL MAGISTRATE,
FEROZEPUR JHIRKA.

Crl. Case No.95 of 2012.
Date of Instt.: 21.3.2012.
Date of Decision: 28.05.2014.

State Versus

1. Nazir S/o Amar Singh 2. Sajid S/o
Nasru 3. Sehkul S/o Rahim Khan
4. Nasru S/o Mehrab 5. Mehmood S/o
Nabla 6. Sakir S/o Nasru 7. Rahim Khan S/o
Sarjit 8. Almuddin S/ Mehmood, all
residents of village Basai Meo, P.S.
Ferozepur Jhirka, District Mewat.

FIR No.22 Dated 27.1.2012.
U/ss: 283 of IPC & Section 3(2) (E) PDPP
Act.
Police Station: Ferozepur Jhirka.

Present: Sh.S.K.Parmar, APP for the State assisted by Sh. Satish Kumar,
counsel for the complainant.
All Eight accused on bail with Sh. Shakil Ahmad, Advocate.

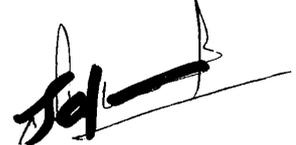
JUDGMENT:-

The accused, above named, have been sent up to stand trial by the
SHO Police Station Ferozepur Jhirka, on the allegations that on 27.1.2012 ASI
Hardev Singh along with Constable Mahesh Kumar was present at Ambedkar
Chowk Ferozsepur Jhirka when he received a letter No.3014 dated 27.1.2012 from
the office of BDPO Ferozepur Jhirka carrying a copy of resolution of village Basai
Meo dated 27.1.2012 alleging that the accused Nasru, Mehmud, Nazir, Rahim
Khan, Sakur, Almuddin, Sajid and Sakir had blocked an open passage by digging
ditches and by raising a hut on the path from the village Basai to village Nangal

ATTESTED

31-05-25
Examiner to

1st Civil Judge (Sr. Div.) Civil SDJM
FP Jhirka



State Versus Nasru etc.

2

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135

Rajasthan. Upon the information, a FIR was got registered and investigations were commenced. During investigation, accused were formally arrested on 28.1.2012 and produced before the Court. After completion of other necessary formalities of investigation police report under section 173 Cr.P.C. was submitted against the accused by SHO Police Station Ferozepur Jhirka.

2. Copies of the police report were supplied to the accused free of costs in compliance of section 207 Cr.P.C.

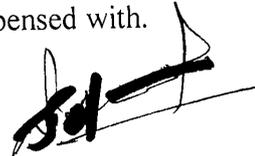
3. After hearing learned APP for the State, learned counsel for the accused and perusing the police report under section 173 Cr.P.C. a prima facie case punishable under Sections 283 of IPC and Section 3(2)(E) PDPP Act was made out against the accused for which they were accordingly charge-sheeted by Sh. Amit Sahrawat, the learned JMIC Ferozepur Jhirka vide order dated 6.7.2012. The accused pleaded not guilty and claimed trial.

4. To substantiate its allegations the prosecution examined Sh. Khushi Khan as PW1, Sh. Jaleb Khan as PW2, Smt. Parvati Devi Sarpanch as PW3, Smt Rahisan as PW4, Chander as PW5, Sh. Jafruddin as PW6 and Basir as PW7. No other PW was examined and the prosecution evidence was thereafter ordered to be closed as the prosecution failed to conclude its evidence despite availing numerous opportunities.

5. Since there was no incriminating evidence on record against the accused recording of statement under Section 313 Cr.P.C. was dispensed with.

ATTESTED

① 25/25
Examiner to
Additional Civil Judge (Sr. Div.) CIVIL SDJM
FP Jhirka



State Versus Nasru etc.
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135

6. At the outset it is pertinent to note that there is no incriminating evidence on file against the accused. All the prosecution witnesses have retracted from their previous statements made to the police and have not identified the accused present in the Court as the same persons who had committed the offence as alleged. The prosecution witnesses denied that the accused blocked the way from village Basai to village Nangla by digging ditches or raising huts. All the prosecution witnesses were subjected to cross examine by learned APP for the State with the permission of the Court on the apprehension of suppression of truth. However nothing fruitful for the prosecution could be culled out from the cross examination.

7. It is quite possible that the parties might have compromised the matter outside the Court but the Court is not delve upon conjectures and surmises and has to adjudicate the matter on the basis of evidence available on file. Since there is not even an iota of evidence against the accused on file, the accused are, therefore, acquitted of the charges framed against them. Their bail bonds and surety bonds stand discharged. File be consigned to the record room after due compliance.

Announced.
Dated:28.5.2014.

[Signature]
(Nishant)

Sub-Divisional Judicial Magistrate,
Ferozepur Jhirka.

Certified that all the Three pages have been checked and signed by me.

[Signature]
(Nishant)

Sub-Divisional Judicial Magistrate,
Ferozepur Jhirka 28.5.2014.

Certified to be a true copy
[Signature]
Examiner to ACJ (SD)-Cum-SDJM
Authorised by sec.76 of the
Indian Evidence Act 1872 *lukman*

Application No. 1467
Date of Presentation of Application 31/05/2015
Record Received on 31/05/2015
Date of Preparation of Copy 31/05/2015
No. of Pages 3
Urgent Fees Nil Total 19
Search Fee Nil Fess 19
Name of Copyist lukman
Date of Delivery 31/05/2015

Ahmad V.s Gram Panchayat

1

**In the Court of Rajvinder Singh, Civil Judge (Jr.Divn.), Ferozepur
Jhirka. UID HR-0451**

Civil suit no. RBT 86

Date of Inst: 22.3.2016/19.4.2016

Date of decision: 15.1.2020

Registration No.: CS/197/2016

CNR-HR-NUA1-000258-2016

Ahmad (aged about 40 years) son of Hamida 2. Tahir Hussain (aged about 42 years) son of Roshan 3. Mohd. Sagoon (aged about 33 years) son of Badruddin all residents of village Basai Meo, Tehsil Ferozepur Jhirka, Distt. Mewat.

----- Plaintiffs.

1 Gram Panchayat Basai Meo, Tehsil Ferozepur Jhirka, Distt. Mewat through its Sarpanch.

2. Ash Mohd. @ Ashu son of Goonga

3. Samsu son of Amar Singh

4. Nasib Khan son of Rehmat all residents of village Basai Meo, Tehsil Ferozepur Jhirka, Distt. Mewat.

----- Defendants

Suit for permanent injunction

Present: Sh. R.K Gupta co.ansel for the plaintiffs.
Sh. Mohd. Mustafa counsel for the defendant No. 1.
Sh. Nayyar Alam counsel for the defendants No. 2 to 4.

JUDGMENT

The plaintiffs have filed the present suit praying for decree for permanent injunction restraining the defendants from making any rasta in the suit land and also from using the suit land for other purposes by the defendants with the costs of the suit.

Ahmad V.s Gram Panchayat

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1. The brief facts of the case are that the plaintiffs are filing the present suit in public interest on behalf of themselves and in larger interest of the community of the village. The interests of the plaintiffs are not adverse to the larger village community. They are permanent residents of village Basai Meo, Tehsil Ferozpur Jhirka, therefore, they are entitled to file the present suit and have legal right to save the property of defendant No. 1 from its misuse and wrongful acts/public nuisance.

2. That gram panchayat of village Basai Meo, Tehsil Ferozpur Jhirka is owner in possession of Khasra No. 105 (0-16), 106 (0-10), 201 (16-8), 206 (25-18), 1132 (33-13), 1133 (39-14), 1134 (22-5), 1142/2 (20-6), total measuring 159 bigha 10 biswa situated within the revenue estate of village.

3. That the Khasra No. 105 and 106 out of the suit land is agricultural land and remaining property is gair mumkin pahar, which cannot be used for any other purpose by the defendants. The mining in the State of Haryana and particularly in this area is banned by the direction of Hon'ble Supreme Court of India, as such, the defendants have no right to use the land for any other purposes. The land in dispute is not reserved for the purpose of passage/way/rasta to enter in the said pahar or in any other land for the mining purposes. Moreover, there is no requirement to make any passage in the suit land. If the suit land is allowed to be used in the shape of passage by the wrongful act of defendants, then it will cause nuisance to the inhabitants of the village as there is every chance for spreading the disease of Asthma.

4. That the defendants are strong headed and powerful person and have no respect for law. On the dint of the physical force, the defendants are adamant to make passage in the suit land without having any right, title or interest and totally in contravention of directions of Honorable Supreme Court of India with the intention to facilitate the illegal mining. If the defendants succeed in their illegal motive, then the plaintiffs and other inhabitants of the village will face great difficulties.

Ahmad V.s Gram Panchayat

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The plaintiffs being members of the society have every right to restrain the defendants from their illegal activities.

5. That the plaintiffs requested the defendants so many times not to use the suit land for passage or other purposes, but the defendants did not pay any heed to the request of the plaintiffs. Hence, the present suit has been filed.

6. **Initially**, the suit was only filed against defendant No. 1 i.e. gram panchayat of village of village Basai Meo, Tehsil Ferozpur Jhirka. Notice of the suit was given to defendant and no one appeared on the behalf of defendant No. 1 and as such, defendant No. 1 was proceeded against ex-parte vide order dated 28th of March 2016.

7. In ex parte evidence, two witnesses were examined by the plaintiffs, on 16th of May 2016.

8. On 7th of November 2016, an application for setting aside ex parte order dated 28th of March 2016 as well as application under order 1 rule 10 CPC was filed. The application under order 1 rule 10 CPC was allowed vide order dated 21st of September 2017, and defendant No. 2 to 4 were impeded as parties to suit. Amended title was filed and written statement was filed on the behalf of defendant no. 2 to 4 on 05.03.2018.

9. Further, vide order dated 22nd of January 2018, application for setting aside ex parte order dated 28th of March 2016 against a defendant No. 1 was allowed and defendant No. 1 was given opportunity to file written statement, which was filed on 05.03.2018.

10. In the written statement filed on the behalf of defendant No. 1, preliminary objections qua maintainability; locus standi; plaintiff being estopped from filing the present suit by his own act, conduct and admission and plaintiff not coming to court with clean hands and is not entitled to equitable and discretionary relief of permanent injunction have been taken. **On merits, it is submitted that** the plaintiffs have evil eye on the suit land and under the garb of present suit, they want to encroach upon some portion of the suit land and to block old rasta/passage going adjacent to and through the suit property with the bad motive to blackmail

Ahmad V.s Gram Panchayat

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the passerby's, hence the present suit is more in the interest of plaintiff's rather than the village community et large. It is denied that suit property is not reserved or used as passage to enter in the suit land/pahar. It is submitted that development works in the panchayat are done as per requirement and with prior sanction of the government and gram panchayat has not passed any resolution requiring to make any passage as alleged by the plaintiffs, so, the question of causing nuisance to the inhabitants and chances of spreading the disease of Asthma does not arise. It is submitted that village of village Basai Meo, Tehsil Ferozpur Jhirka itself is situated on and surrounded by hills, so since the time of establishment of the village, all the ways/passages for the use of general public are either erected on or through or by the sides of the hills and leads to local areas or villages and since then the inhabitants of village and all other people in general are using these ways/passages. As such, the use of these passages has been made matured into easement rights also.

11. It is submitted that due to hilly area, the consolidation proceedings in the revenue estate of village Basai Meo, Tehsil Ferozpur Jhirka were not held, so the ways/passages could not be reflected in the revenue record. But since the establishment of the abadi of the village, these ways/passages are being used till date by the inhabitants of the village to do the routine work and these ways/passages lead to agricultural lands of gram panchayat Basai Meo, land of other proprietors and further to other villages, but plaintiffs in the garb of present suit want to get block said ways/passages with ulterior motive to snatch/extort money from passerby's.

12. It is submitted that there are no orders of Hon'ble Supreme Court to ban and block the passages, which are being used since the time immemorial; otherwise the villagers would be confined to their villages. In the present scenario, when the schemes are made to make easy ways to come close to each other by constructing roads and railway lines, so there can be no order as alleged. The story of the plaintiff's narrated by them is an attempt to block the said passage at any cost to extort money from

Ahmad V.s Gram Panchayat

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passerby's. It is denied that the defendant No. 1 is strong and powerful person or has no respect for law. It is denied that he is adamant to make ways in contravention of the directions of Hon'ble Supreme Court. It is denied that the plaintiff's have any right to restrain the defendants from doing his legal act. It is also submitted that in a suit for permanent injunction titled as "Chattar Singh Vs. Gram Panchayat Basai Meo etc" the counter claim of the answering defendant/gram panchayat pertaining to Khasra No. 1134 mentioned in the para No. 2 of the plaint has already been decreed by the court of Ms. Meeta Kohli, the then Civil Judge (Jr. division), Ferozpur Jhirka vide order dated 29th of November 2013. With these submissions prayer is made to dismiss the suit of the plaintiffs.

13. In the separate written statement filed on the behalf of defendant No. 2 to 4, similar preliminary objections were taken as were taken by the defendant No. 1 in his written statement. **On merits**, similar averments have been made in the written statement, which were made by defendant No. 1 as detailed above. Lastly prayer is made to dismiss the present suit.

14. On the basis of the pleadings of the parties, following issues were framed for determination:-

1. Whether the plaintiffs are entitled to decree for permanent injunction restraining the defendants from making any rasta in the suit land as prayed for? OPD
2. Whether the suit is not maintainable? OPD
3. Relief

15. In order to prove their case, the plaintiff examined Vijay Singh as PW-1, who tendered his affidavit on the record as Ex. PW1/A. He was cross-examined by the learned counsel of the defendants on 8th of April 2019.

16. The plaintiffs further examined Mohammad Sagoon as PW2, who tendered his affidavit on the record as Ex. PW2/A. He was cross-examined by the learnerd counsel of the defendants on 23rd of April 2019.

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17. The learned Counsel of the plaintiffs closed the evidence on 1st of May 2019 after tendering the following documents on the record:-

Ex.P-1 Copy of Jamabandi for the year 2014-2015.

18. In their evidence, the defendants examined Mohammad Anis as DW-1, who tendered his affidavit on the record as Ex. DW1/A. He was cross-examined by the counsel of the plaintiffs on 11th of July 2019.

19. The defendants further examined Samsu as DW2, who tendered his affidavit on record as Ex. DW2/A. The affidavit was tendered on 11th of July 2019, but witness was cross-examined on 29th of July 2019.

20. The Counsel of the defendants number 2 to 4 closed the evidence on 19th of August 2019 after tendering following documents on record:-

Ex. D1 Certified copy of plaint of the civil suit titled "Chattar Singh Vs. Gram Panchayat Basai Meo etc"

Ex. D2 Certified copy of the written statement/counter claim filed on the behalf of defendant No. 1 in the civil suit titled "Chattar Singh Vs. Gram Panchayat Basai Meo etc"

Ex.D3 Certified copy of application given by gram panchayat for doing demarcation and for removing encroachment, which was tendered in the above titled civil suit.

Ex.D4 Certified copy of the report of local Commissioner tendered in civil suit titled "Chattar Singh Vs. Gram Panchayat Basai Meo etc"

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- Ex.D5 Certified copy of the presence memo.
- Ex.D6 Certified copy of the judgement dated 29.11.2013 passed in civil suit titled "Chattar Singh Vs. Gram Panchayat Basai Meo etc" by the court of Ms. Meeta Kohli, the then Civil Judge (Jr. Division), Ferozpur Jhirka.
- Ex.D7 Attested copy of challan in a FIR No. 22/12 of police station, Ferozpur Jhirka.
- Ex.D8 Certified copy of a FIR No. 22/12 of police station, Ferozpur Jhirka.

21. The evidence was closed by defendant no. 1 on 21.08.2019. In the rebuttal evidence, no evidence was led by the learned Counsel of the plaintiffs and same was closed by court order.

22. I have heard the ld. Counsels of the parties and have gone through the case file with their assistance. My issue wise findings are as under:-

Issue No. 1.

23. The onus to prove the issue No. 1 is upon the plaintiffs. It transpires that the plaintiffs have filed the present suit for permanent injunction restraining the defendants from making any passage in the suit land and also from using the suit land for other purposes. It is pleaded that gram panchayat of village is owner in possession of suit land. The Khasra No. 105 and 106 out of suit land is agricultural land and remaining land is gair mumkin land. It is the averment that the defendants are adamant to make passage in the suit land without having any right, title or interest to facilitate illegal mining.

24. On the other hand, it has been pleaded by the defendants that village Basai Meo is situated on and surrounded by hills,

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so since the establishment of the village, all the ways/passages for the general public are either erected on or through or by the side of the hills and leads to the local areas or villages and since then, the inhabitants of the village and other people in general are using those ways/passages.

25. It is admitted by witness namely Vijay Singh, who has been examined as PW-1 in his cross examination that it is correct that people have been using ways/passages, existing by the sides of hills and passages have been in use since the time of their forefathers. He has also admitted that no passage has been found in the revenue record because of not conducting any consolidation proceedings.

26. The admission on the part of this witness namely Vijay Singh/PW1 corroborates the stand taken by the defendants that the passages have been in existence already and have not been constructed by them and are being used by general public in large.

27. Even in the report dated 5th of October 2016 given by local Commissioner appointed vide court order dated 18.08.2016, it has been reported that there is no existence of any passage in the Khasra No. 105, 106, 201, 206, 1132, 1133, 1134 and 1142. However, it has been reported that the passage/way is in existence on Western side of Khasra No. 1332, 1133, 1134, 1142 and 106; similarly a passage/way is in existence on Eastern side of Khasra No. 105; similarly a passage/way is in existence on Western side of Khasra No. 206 and also a passage/way is in existence on Eastern side of Khasra No. 201.

28. Hence from the admission of witness Vijay Singh, report of local Commissioner, it is clear passages are already in existence by the sides of the hills and they are used by general public.

29. It is not the case that the defendant number 1 Gram Panchayat has passed any resolution for making any passage in the suit land. The plaintiffs have only made averment that defendants are adamant to make a passage in the suit land. In order to be entitled to the relief of injunction, it is incumbent upon the plaintiffs to establish the actual infringement of their right. There is no deposition that an attempt has been

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made by the defendants to carve out any new passage/rasta in any part of the suit land. No date, month or year has been mentioned of any such attempt by the defendants to carve out any passage. Injunctive relief cannot be granted in favour of the plaintiffs on their mere asking in the absence of any material or specific averment on record to show actual infringement of right of the plaintiffs. Accordingly, the prayer of plaintiffs for relief of injunction against the defendants is hereby **declined**. Accordingly issue number 1 is decided **in favour of the defendants** and against the plaintiffs.

Issue No.2

30. The onus to prove this issue was upon the defendants. However, this issue has not been pressed during the course of arguments. Therefore, this issue is deemed to be given up.

Relief

31. In view of above discussion, **the suit of the plaintiffs is hereby dismissed**. No order as to cost. Decree sheet be prepared by the reader of the court. File be consigned to record room after due.

Announced in open Court:
Dated: 15-1-2020

(Rajvinder Singh)
Civil Judge (Jr.Div.),
Ferozepur Jhirka UID HR-0451

All pages checked and signed by me.

CJ/JD, F.P.Jhirka.

Lovely
Stenographer-III

Ahmad V.s Gram Panchayat

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Present: Sh. R.K Gupta counsel for the plaintiffs.
Sh. Mohd. Mustafa counsel for the defendant No. 1.
Sh. Nayyar Alam counsel for the defendants No. 2 to
4.

Today the case fixed for rebuttal evidence. No rebuttal evidence is present. Several effective opportunities have already been granted to the plaintiff to lead rebuttal evidence. No further adjournment for rebuttal evidence is justified. Hence, rebuttal evidence of plaintiff is closed by the Court order.

Arguments heard. Vide my separate judgment of even date, **the suit of the plaintiffs is hereby dismissed.** No order as to cost. Decree sheet be prepared by the reader of the court. File be consigned to record room after due.

Announced in open Court:
Dated: 15-01-2020

(Rajvinder Singh)
Civil Judge (Jr.Div.),
Ferozpur Jhirka UID HR-0451

निदेशक सहाय्यकी हरियाणा
बेला नं० 26-28, सैक्टर-4, पंचकुला

HARYANA GOVERNMENT
DIRECTORATE OF CONSOLIDATION OF HOLDINGS, HARYANA
NOTIFICATION

Dated: Panchkula the/
Ends: No. EA4/2021/

With the object of Consolidation of Holdings in the under mentioned estates for the purpose of better cultivation of lands therein, the Director General Consolidation of Holdings, Haryana, in exercise of powers conferred by sub-Section (1) of the section 14 of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948 as delegated to him by the Punjab Government Notification No.3/35-D-503155 dated 22nd July, 1950 hereby declares the intention of the State Government to take up a scheme for Consolidation of Holdings of the following estates:-

Sl. No.	Name of Village	Tehsil/ District	H.B. No.	Area in Acres, D-B	Jamabandi
1.	QALTAI	Ferozpur	12	2308-03	2016-17
2.	SADHU	Ferozpur	55	249-07	2015-16
3.	SHANKA CHILU	Ferozpur	57	218-12	2017-18
4.	SHANKA CHILU	Ferozpur	97	551-07	2018-19
5.	SHANKA SHAMTABAD	Ferozpur Jharka	106	3851-09	2016-17
6.	SHANKA MEH	Ferozpur Jharka	149	2758-07	2019-20

Panchkula dated
26.01.2021

Amna Tasneem
Director Consolidation of Holdings
Haryana, Panchkula.

Ends: No. EA4/2021/

Panchkula dated:

A copy is forwarded to the Deputy Controller of Printing and Stationery Department Haryana, Chandigarh for publication in the next issue of the Haryana Govt. Gazette.

Deputy Superintendent
for Director Consolidation of Holdings
Haryana, Panchkula.

Ends: No. EA4/2021/983-87

Panchkula dated: 26/01/2021

- A copy is forwarded to the following for information and necessary action.
01. Additional Chief Secy. & Financial Commissioner to Govt. Haryana, Consolidation Department.
 02. Commissioner Division, Faridabad.
 03. Deputy Commissioner, Nuh.
 04. District Revenue Officer cum Settlement Officer, Consolidation of Holdings, Nuh.
 05. Tehsildar-Cum-Consolidation Officer, Nuh.

Deputy Superintendent
for Director Consolidation of Holdings
Haryana, Panchkula.

HARYANA GOVERNMENT

DIRECTORATE OF CONSOLIDATION OF HOLDINGS, HARYANA
NOTIFICATION

Dated: Panchkula the/

Endst: No. EA4/2021/

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Sr. No.	Name of Village	Tehsil/District	H.B No.	Area in Acres, B-B	Jamabandi
1.	Gantti	Taura	12	2308-03	2016-17
2.	Sadpur	Tauru	55	249-07	2015-16
3.	Kharki	Tauru	57	218-12	2017-18
4.	Nurpur	Tauru	97	551-07	2018-19
5.	Ghata Shamshbad	Firozpur Jhirka	3	3851-09	2016-17
6.	Basai Meo	Firozpur Jhirka	149	2758-07	2019-20

Panchkula dated

26.02.2021

Amna Tasneem

Director Consolidation of Holdings

Haryana, Panchkula

Endst No. EA4/2021/

Panchkula dated:

A copy is forwarded to the Deputy Controller of Printing and Stationery Department Haryana, Chandigarh for publication in the next issue of the Haryana Govt. Gazette.

Deputy Superintendent
For Director Consolidation of Holdings
Haryana, Panchkula

Ends. No. EA4/2021/983-87

Panchkula dated 26.02.2021

A copy is forwarded to the following for information and necessary action.

01. Additional Chief Secy. & Financial Commissioner to Govt. Haryana,
Consolidation Department
02. Commissioner Division, Faridabad
03. Deputy Commissioner, Nuh
04. District Revenue officer cum Settlement Officer, Consolidation of
Holdings, Nuh.
05. Tehsildar-cum-Consolidation Officer, Nuh.

Sd/-
Deputy Superintendent
For Director Consolidation of Holdings
Haryana, Panchkula

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HARYANA GOVT. GAZ. (EXTRA.), JAN. 10, 2020 (PART 20, 1911-588A)

भाग-III

हरियाणा सरकार

राजस्व तथा आपदा प्रबंधन विभाग

अधिसूचना

दिनांक 10 जनवरी, 2020

संख्या आ० आ० 5/पं०आ० 50/1948/धा० 46/2020.- पूर्वी पंजाब जोत (सकन्द्री तथा खण्डकरण रोकथाम) अधिनियम 1948 (1948 का पूर्वी पंजाब अधिनियम 50) की धारा 46 की उप-धारा (2) के साथ पठित उप-धारा (1) तथा पदता शक्तियों का प्रयोग करते हुए तथा हरियाणा सरकार राजस्व तथा आपदा प्रबंधन विभाग, अर्द्धसूचना संख्या का०आ० 30/पं०आ० 50/1948/धा० 46/2019, दिनांक 19 जून, 2019 के प्रतिनिर्देश से, हरियाणा के राजस्व एवं अर्थ विभाग द्वारा पूर्वी पंजाब जोत (सकन्द्री तथा खण्डकरण रोकथाम) नियम, 1949, हरियाणा राजगार, को आगे संशोधित करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात् :-

1. ये नियम पूर्वी पंजाब जोत (सकन्द्री तथा खण्डकरण रोकथाम) हरियाणा संशोधन नियम, 2020, कहे जा सकते हैं।
2. पूर्वी पंजाब जोत (सकन्द्री तथा खण्डकरण रोकथाम) नियम 1949 में, परिशिष्ट में, खण्ड 1 में,-
 - (i) उप-खण्ड (क) तथा उसके सामने प्रविष्टियों के स्थान पर, निम्नलिखित उप-खण्ड तथा उनके सामने प्रविष्टियाँ प्रतिस्थापित की जाएंगी, अर्थात् :-

“(क) गाँव से गाँव तथा सर्कुलर सड़कें 5 से 6 करम चौड़ी”;
 - (ii) उप-खण्ड (ख) में, मद (i) तथा उसके सामने प्रविष्टियों के स्थान पर, निम्नलिखित मद तथा उसके सामने प्रविष्टियाँ प्रतिस्थापित की जाएंगी, अर्थात्:-

“(i) गाँव की आवादी से गाँव की कृषि 4 से 5 करम चौड़ी”।
भूमि के लिए आवागमन की आवश्यकता पूरी करने हेतु सड़कें

नवराज सांधु,
अपर मुख्य सचिव एवं वित्तायुक्त, हरियाणा सरकार,
राजस्व तथा आपदा प्रबंधन विभाग।

Attested

Consolidation Officer

Nuh 10/1/20

HARYANA GOVERNMENT
REVENUE AND DISASTER MANAGEMENT DEPARTMENT

Notification

The 10th January, 2020

No. S.O. 5/P.A. 50/1948/S. 46/2020. — In exercise of the powers conferred by sub-section (1) read with sub-section (2) of section 46 of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948 (East Punjab Act 50 of 1948) and with reference to Haryana Government, Revenue and Disaster Management Department, notification No. S.O. 30/P.A. 50/1948/S. 46/2019, dated the 19th June, 2019, the Governor of Haryana hereby makes the following rules, further to amend the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Rules, 1949, in its application to the State of Haryana, namely :—

These rules may be called the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Haryana Amendment Rules, 2020.

In the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Rules, 1949, in Appendix, in clause I,—

(i) for sub-clause (a) and entries thereagainst, the following sub-clause and entries thereagainst shall be substituted, namely :—

“(a) village to village and circular roads – 5 to 6 karams wide”;

(ii) in sub-clause (b), for item (i) and entries thereagainst, the following item and entries thereagainst shall be substituted, namely :—

“(i) roads to serve as communication to village fields from village abadi – 4 to 5 karams wide”.

NAVRAJ SANDHU,

Additional Chief Secretary and Financial Commissioner to Government
Haryana, Revenue and Disaster Management Department.

गन्धूरी स्कीम इस्तेमाल अराजी गाँव वस्ती नंबर 149
तहसील मिराजपुर जिला बूँद।

आज गुलाबगंज प्रोग्राम कराये गन्धूरी स्कीम इस्तेमाल अराजी
गाँव वस्ती नंबर 149 में पहुँचा। इस प्रोग्राम की खाना पट्टी ही
हकदारान को वकील रेजुलबान नं० 78 दिनांक 12-02-2024 को ही
पुकी हो एअर आर हकदारान, मेम्बरान महावती कमेटी,
दीगर वास्तुकारान व गौर मालकान की सूची शामिल स्कीम
ही पुकी हो। एअर आर हकदारान धानी हुंकि गाँव में
पैगंडिया दीगर पटकन्दी पूर्ण हो पुकी हो धूम मीमत हमारी
सलाह महावरा से लगाई गई हो। काफी धम-पककन्दी प्रथम भाग
पूर्ण होकर मिल पुकी हो व अपने साथ लगते हकदारान की
अग्ने की कीमत का अच्छी तरह से जान हो पुका हो ध्यान
किया कि मुइलतसा इनकी सलाह-महावरा से चोई गर हों। जिनकी
माँका पर निशान दे ही हो पुकी हो।

इस गाँव को चककन्दी के अधीन लेने के लिए नीटिमीकेशन
अधीन चारा 14(1) अधिनियम चककन्दी नम्बर I दिनांक 26-02-02
राज्य सरकार कि और से हो पुका हो जिसकी मुशतहरी। मुनादी
हक्य जाफ्ता गाँव में वकील रेजुलबान नं० 2 दिनांक 26-03-2024 को
हो पुकी हो जिसकी नकल शामिल स्कीम चककन्दी हो और चककन्दी
कार्य शुरु किया गया। इसकी पालना में इस गाँव की स्कीम
चककन्दी, चककन्दी भाषिकारी बूँद द्वारा दिनांक 13-12-2023 को
फनाशित की गई हो। इस प्रकाशित बुद्धा स्कीम के नफ्तो एअर
आर हकदारान, मेम्बरान महावती कमेटी व दीगर वास्तुकारान
को पढकर सुनाये व समझाए गए। लहरिस्त धाम की
तस्दीक जलसा आम में निम्न प्रकार से की गई :-

1. निम्नलिखित कालिगान, नाफालिगान व गौर एअरान :-
खालम जलसा आम में तस्दीक की गई। कोई आपत्ति नहीं।
2. सूचि मेम्बरान महावती कमेटी :-
खालम जलसा आम में पढकर सुनाई गई। कोई आपत्ति नहीं।

Certified to be true
Examiner

3. धूमि कायमी मजानात भन्दफन व केरुन लिखी :-
सलम जलसा आम में तसदीक की गई। कायमी नं 267 मन्दतान
लिखी की अपील आई जिसकी मुनपाई करके लसला कर दिया गया।

4. धूमि लोषीह आकादी मालकान :-
इस गाँव में लोषीह आकादी के लिए कोई करखात नहीं आई।

5. धूमि खालाभात मुशतारका :-
धूमि खालाभात स्कीम प्रकाशित के साथ पठकर मुनाई
आई। इसके बाद अलग खाला की कोई अपील नहीं आई।

6. धूमि मुशतरका अगाराण :-
सलम जलसा आम में तसदीक की गई। इस गाँव में-गर
रास्ते, एक गाँव से गाँव जागल, दूसरा गाँव में मंजली
माता मन्दिर, तीसरा गाँव से गाँव छपरौ व चौथा गाँव से
गाँव चालीह व हाजीवास तक लगाने गये हैं जो पकरम
के हैं।

अब आम पंचायत, लुकदारान, मंथरान मशावरत केनेदी
चकफन्दी व वास्तेदारान की अपील पर पकरम से 6 मन्व
लिये गए हैं।
इस गाँव की प्रकाशित मुदा स्कीम के विरुद्ध 3 उजरदारियां
जाए हुई, जो मौके पर पैरा की गई। सभी उजरदारियों का
लसला जलसा आम में सुनकर मौका पर गावों में ही कर
दिया गया है तथा उनके मुकम्मल आदेश किमे भा चुके हैं
जो स्कीम के साथ संलग्न हैं और मैं आदेश भी स्कीम का आग
माने जायेंगे।

उपरोक्त तरसीमाल के साथ स्कीम इस्तेमाल अराजी जैर
धारा 20(3) चकफन्दी रस्त मंजूर की जाती है। इसकी मुशतारी
व मुनादी इसके बाद जैर धारा 20(4) चकफन्दी रस्त गाँव
में कराई जावे। और काम मुकरर लसलीम पल्ल शुरू किया
जावे ताकि काम शीघ्र पूर्ण हो सके।

मुकाम :- असेई मेय

दिनांक :-

13-2-2024

वकीलस अधिकारी चकफन्दी
13-02-2024

Approval of Land Utilization Scheme for Village Basai Meo, Hadbast No. 149 Tehsil Ferozepur Jhirka District Nuh

Today, as per the scheduled program for the approval of the land utilization scheme in village Basai Meo, presence was made. Information regarding this program had already been given to the right-holders under Regulation No. 13 dated 12-02-2024. Present among them were the right-holders, members of the Consultative Committee, other stakeholders, and a list of non-landowners included in the scheme. The present right-holders declared that measurement in the village has been completed and land marking (patbandi) has been fully carried out. Land value has been determined with mutual consultation. A copy of the Chakbandi First Part has been received and the right-holders are well aware of the land value of their adjacent holdings. It was stated that the common lands have been left out with their mutual consultation, and markings have been made on-site.

To bring this village under Chakbandi (consolidation), a notification under Section 14(1) of the Consolidation Act No. 1 dated 26-02-2021 has already been issued by the State Government. Its publication and proclamation as per procedure was carried out in the village under Regulation No. 2 dated 26-03-2021. A copy of the same is attached to the Chakbandi Scheme, and consolidation work was initiated. In compliance, the Chakbandi Scheme of this village was published by the Consolidation Officer, Nuh on 13-12-2023. The maps of this duly published scheme were read out and explained to the present right-holders, members of the consultative committee, and other stakeholders. The authentication of the printed draft in the general assembly (Jalsa Aam) was done as follows:

1. List of minors, non-minors, and absentees: Confirmed in the general assembly. No objections were raised.

2. List of members of the consultative committee: Read out in the general assembly. No objections were raised.
3. List of permanent structures inside and outside the firni (village boundary): Confirmed in the general assembly. One appeal came for permanent structure no. 264 inside the firni, which was heard and decided.
4. List of extensions in residential areas of landowners: No application was received for this in the village.
5. List of jointly held plots: No application was received for this in the village.
6. List of common purposes: Confirmed in the general assembly. Four roads were laid out in this village — one from the village to village Naangal, second to Anjali Mata Mandir in the village, third from the village to village Chhapra, and fourth from the village to village Dhaulat and Hajibas. These are as per the program.

Now, on the appeal of Gram Panchayat, right-holders, members of the consultative committee, and stakeholders, the width has been fixed at 6 karam (approximately 33 feet) as per the program.

Three objections (Ujaarwadiyan) were received against the published final scheme of this village, which were presented on-site. All objections were heard in the general assembly (Jalsa Aam) and were decided on the spot in the village itself, and complete orders were passed, which are attached with the scheme. These orders will also be treated as part of the scheme.

With the above amendments, the land utilization scheme under Section 20(3) of the Consolidation Act is hereby approved. Its publication and proclamation as per procedure under Section 20(4) of the Consolidation

Act shall be done in the village, and the work of final division should begin immediately so that the work may be completed promptly.

Place: Basai Meo

Date: 13-02-2024

Sd

Settlement Officer, Consolidation,

Nuh

13.02.2024

आज रोज गाँव बसई में तहसील फिरोजपुर जिला
 नूँ में जलसाम में अपील की सुनवाई की गई। प्राथमिकी
 में अपील की है कि गाँव में छोटे-छोटे किसान हैं।
 उन्होंने कहा है कि गाँव में 22 फूट के रास्ते छोड़े जा रहे हैं।
 ये रास्ते न छोड़े जायें। चकबन्दी में रास्ते एक गाँव से दूसरे
 गाँव तक 6 फरम के छोड़े जायेंगे व गाँव से कृषि भूमि के
 लिए 4 फरम के रास्ते छोड़े जाने का सरकार का प्रावधान
 है।

हविआणा सरकार, राजस्व एवं आपदा प्रबंधन विभाग की
 अधिसूचना नम्बर 7-2020/Ext. दिनांक 10/01/2020 की
 प्रतिलिपि साथ संलग्न है।

इस अपील की खारिज किया जाना उचित है। रिपोर्ट
 श्रीमान बन्दोबस्त अधिकारी चकबन्दी नूँ की सेवा में पेश है।

चकबन्दी अधिकारी
 नूँ
 19/11/24

जलसाम में रिपोर्ट चकबन्दी अधिकारी नूँ के अनुसार उपरदारी
 नं-2 खारिज की जाती है। अपील शामिल स्कीम चकबन्दी
 है।

मुकाम बसई में
 दिनांक :- 13/02/2024

जिला राजस्व अधिकारी एवं
 बन्दोबस्त अधिकारी चकबन्दी
 नूँ।

Certified to be a true &
 correct copy
 Date: 14/02/24

Today, the appeal was heard in the public meeting in village Basai Meo, Tehsil Firozpur Jhirka, District Nuh. The petitioners have appealed that there are small farmers in the village. They have said that 22 feet wide roads are being left in the villages. These roads should not be left. In consolidation, roads of 6 Karam will be left from one village to another and the government has a provision to leave 4 Karam wide roads for the agricultural land of the village.

Photocopy of Notification No. 7-2020/Ext dated 10/01/2020 of Haryana Government Revenue & Disaster Management Department is enclosed herewith.

This appeal is rightly dismissed. The report is served to Mr. Settlement Officer, Consolidation, Nuh.

Sd

Consolidation Officer Nuh

19/1/24

According to the report of Consolidation Officer Nuh in the public meeting, Objection No. 2 is rejected. The appeal should be included in the scheme of consolidation.

Place: Basai Meo

Date: 13-02-2024

Sd

District Revenue Officer and Settlement Officer Consolidation Nuh

MOHD. HANIF SARPANCH

Gram Panchyat Basai Meo
Block Ferozepur Jhirka (Mewat)
M: 9813536523, 9315676767

Ref No.01.....

Date..20-12-2023

सेवा में,

चकबन्दी अधिकारी
बन्दोबस्त एवं राजस्व अधिकारी,
नूह।

विषय:- स्कीमी रास्ता गांव बसईमेव से गांव नांगल व बसईमेव से अंजली माता मन्दिर रास्तों को 4 करम से 6 करम करने बारे।

श्रीमान जी,

निवदेन यह है कि हमारे गांव बसईमेव में चकबन्दी का कार्य चल रहा है। जिसमें अब स्कीम प्रकाशित करने का कार्य चल रहा है। हमारे गांव में स्कीमी रास्ते गांव से दूसरे गांवों के लिए 4 करम के लगाए गए हैं। जबकि हमारे आस-पास के सभी गांवों में 6 करम के लगे हुए हैं। हमें महकमें वालों ने भी बताया कि व समझाया भी था कि ये स्कीमी रास्ते 6 करम के ही होते हैं। इनका चकबन्दी होने पर बहुत बड़ा फायदा है। लेकिन उस वक्त मैम्बरान मशावर्ती कमेटी व ग्राम वासियों ने ये चारों रास्ते बसईमेव से नांगल गांव, बसईमेव से गांव धौलेट व हाजीबास के लिए, बसईमेव से गांव छपरा के लिए व बसईमेव से अंजली माता मन्दिर के लिए लगवाये गये हैं। जोकि ये सभी रास्ते 4 करम के लगाये गये हैं।

अतः जनाब से हमारी सभी ग्राम वासियों की तरफ से दरखास्त है कि आप हमारे 2 रास्तों को 6 करम के करने की कृपा करें। (1) गांव बसईमेव से नांगल गांव तक व (2) गांव बसईमेव से अंजली माता मन्दिर के लिए जाने वाला रास्ता। क्योंकि हमारे गांव में हिन्दू समाज के लोगों के 155 घर हैं और यह मन्दिर बहुत प्राचीन है। जिसमें गांव वालों के अलावा दूर-दराज से श्रद्धालु पूजा-अर्चना करने के लिए आते रहते हैं। यह रास्ते 6 करम के होने से सभी को आने जाने की पूरी सुविधा मिल जाएगी। अतः हम सभी ग्रामवासी दरखास्त करते हैं कि हमारे इन दोनों रास्तों को 6 करम के करने की कृपा करें। आपकी बड़ी महरबानी होगी।

Rashed

12/12/23

22

29/12/2023

प्रार्थी

अजलाल नम्बरदार
गांव बसई मेव
ब्लॉक फिरोजपुर जिरका

Nasir Hussain

सर्वकार
बजावरी

निचलामाईमाय

सरपंच ग्राम पंचायत बसईमेव व
समस्त ग्राम वासी।

MOHD. HANIF
SARPANCH
Gram Panchayat Basai Meo
Block Ferozpur Jhirka Distt-Nuh

संगीता कुमारी
पंच

10

जावेद अख्तर

सीमा पंच



जावेद अख्तर



जु 2 मा 11

Babulal

पंच मौसम
श्रीमति मौसम
वार्ड नं. 4
ग्राम पंचायत बसईमेव



A. Mujib

Talokam

समीन
12/12

मा. यु. हु. हु. हु.

Ramchandran

Asmatul
Ex. Jastan Barman



Lekh Ram

Amul

Abid मुकत

Fatehmahd

रहीमखाँ

इसामम

बसई

उसमान

अमनिय 3 र

अमनिय

Makkoor

Jalil



Amul

नरेश - पंच

अमनिय

Amul

अमनिय - पंच

बिमला - पंच

अमनिय



अमनिय
अमनिय

Kamran
अमनिय

To,

Date:- 20.12.2023

Consolidation Officer

Arrangement and Revenue Officer, Nuh

Subject: - Scheme regarding widening of road from village Basai Meo to village Nangal and Basai Meo to Anjali Mata Mandir from 4 karam to 6 karam.

Sir,

The request is that the work of consolidation of land is going on in our village Basai Meo. The work of publishing the scheme is going on now. In our village, 4 karams of scheme roads have been laid from the village to other villages. Whereas in all the villages around us, 6 karams are laid. The department people also told us and explained to us that these scheme roads are of 6 karam only. There is a great benefit in consolidating them. But at that time, the members of the Consultation Committee and the villagers got these four roads laid from Basai Meo to Nangal village, from Basai Meo to village Dhaulet and Hajibas, from Basai Meo to village Chhapra and from Basai Meo to Anjali Mata temple. All these roads are of 4 karams.

So, on behalf of all the villagers, we request you to kindly widen our two roads. (1) From village Basai Meo to village Nangal and (2) The road from village Basai Meo to Anjali Mata Mandir. Because in our village there are 155 houses of Hindu community and this temple is very ancient. Apart from the villagers, devotees from far-off places keep coming here to worship. If this road is widened to six, everyone will get full facility to come and go. So, we all villagers request you to widen these two roads to six. It will be a great favour from you.

Applicant
Sarpanch of Gram Panchayat Basai Meo and all the villagers

Sd
Babulal
Parveen Kumar
Seema (Panch)
Javed Akhtar
Ahmed
Rahim Khan
Usman
Altaaf
Naresh (Panch)
Vimla (Panch)
Sajeed
Abid
Fateh Mohd.
Aas Mohd. (Ex- Sarpanch Basai Meo)
Sonu Ram

आज राज गाँव बसड मैप में पहुँचकर उजरदारी नं० ७ (53) स्क्रीन
 रास्ते वारे में सुनवाई की गई जिसमें दो रास्ते (बसड मैप में गाँव
 जंगल) व (गाँव बसड मैप में अंजली माता मस्जिद) वाले रास्ता
 की फरम की जगह 6 करम करने वारे। जिसमें निम्नलिखित
 टापरिन की टापरि तलब की गई।

मोहद हनीफ
MOHD. HANIF
SARPANCH
 Gram Panchayat Basal Meo
 Block Firozpur Jhirka Distt.-Nub

गोड्डिया

पंजवारी

मिहकी

इसराइल

शरकी
 जरीर

Murkoan

मोहम्मद अजहर

अमनाथ

जाश्न

असलम

इकबाल

अजहर
 वजवारी

असलम अ. मुहम्मद

मोहम्मद

अजहर

कमरुद्दीन
 अ. अलिस रफीक

असलम
 Ex Sarpanch
 Basal Meo

रहीमवाँ

मोहम्मद

अहमद

Talwat Hussain

अजहर

जलीला

Rajesh Kumar
 Pawan Kumar

HASAN

अजहर

मुवाहिद

Sanjay

असलम अ. मुहम्मद

अजहर

असलम

आशीन

असलम अ. मुहम्मद

अजहर

असलम अ. मुहम्मद

Today, after reaching village Basai Meo, a hearing was held regarding the road of Objection No. 3 scheme in which two roads (from Basai Meo to village Nangal) and (from village Basai Meo to Anjali Mata Mandir) were made to be made 6 instead of 4 karam. In which the following attendees were present.

Sd

Aslam

Iqbal

Rahim Khan

Parveen Kumar

Ahmed

Aas Mohd. (Ex- Sarpanch Basai Meo)

Hussain Kumar

Hasan

Banvari

Aslam

आज रोज गाँव बसई मैव तहसील फिरोजपुर जिरका जिला नूँह
 में जलसाम में अपील की सुनवाई की गई। गाँव के सरपंच
 व एकादरान मेंबरान मंडगावती कमेटी ने एकमत होकर
 कहा कि हमारे गाँव में चक्रवन्दी स्कीम में एक गाँव से
 दूसरे गाँव तक रास्ते 4 करम के छोड़ गए हैं। हमारे
 अडोस-पडोस गाँव के रास्ते 6 करम हैं। हमारे रास्ते भी
 06 करम फिरे जावे। रास्ता गाँव बसई मैव से नांगल गाँव
 बसई मैव से गाँव धौलैट व बसई मैव से गाँव हाजीबास व
 बसई मैव से गाँव द्यपरा व बसई मैव से अंजनि माहा मन्दिर
 के लिए 6 करम का रास्ता छोड़ा जावे।

हरियाणा सरकार, राजस्व तथा आपदा प्रबन्धन विभाग
 की अधिसूचना नम्बर 7-2020/Ext. दिनांक 10/01/2020
 के अनुसार एक गाँव से दूसरे गाँव तक 6 करम छोड़े रास्ते का
 प्रावधान है।

अधिसूचना की फोटो प्रति साथ संलग्न है।

अपरिमित रास्तों की 6 करम करने की अनुमति दी
 जाये। रिपोर्ट श्रीमान बन्दोबस्त अधिकारी चक्रवन्दी नूँह
 को सेवा में पेश है।


 चक्रवन्दी अधिकारी

जलसाम में रिपोर्ट चक्रवन्दी अधिकारी नूँह 19/1/24
 नं-3 मंजूर की जाती है। अपील शामिल स्कीम चक्रवन्दी
 होवे।

मुकाम बसई मैव
 दिनांक :- 13/02/2024


 जिला राजस्व अधिकारी एवं
 बन्दोबस्त अधिकारी चक्रवन्दी
 नूँह।

Today, the appeal was heard in a public meeting in village Basai Meo, Tehsil Firozpur Jhirka, District Nuh. The Sarpanch and the rightful owners of the village, members of the consultation committee unanimously said that in our village, under the consolidation scheme, 4-karam roads have been left from one village to another. Our neighboring villages have 6-karam roads. Our roads should also be made 6-karam. Roads of 6-karam should be left from Basai Meo to village Nangal, from Basai Meo to village Dhaulet, from Basai Meo to village Hajibas, from Basai Meo to village Chhapra, and from Basai Meo to Anjali Mata Mandir.

According to the notification number 7-2020/ext dated 10/01/2020 of the Haryana Government, Revenue and Disaster Management Department, there is a provision for a 6 karam wide road from one village to another.

Photocopy of the notification is attached herewith.

Permission should be granted to make 6 karam roads on the above mentioned roads. The report is presented to the service of Settlement Officer, Consolidation Nuh.

Sd

Consolidation Officer Nuh

19/1/24

As per the report of Consolidation Officer Nuh in the public meeting, Objection No. 3 is approved. The appeal should be included in the scheme of consolidation.

Place: Basai Meo

Date: 13-02-2024

Sd

District Revenue Officer and Settlement Officer Consolidation Nuh

हाजरी दिनांक 4-7-2024 सामुदायिक स्त्री वृद्धिका विकास
आयुष्मती एवं व-दीयता आयुष्मती - चक्रवर्ती नूतन
हाजरी आमदा हजरान हाजरी गाँव बलई मे 9
तहो लिरोलेपुर (सिरोला) सीला नूतन

15	साम खाँ पुजा अजरखाँ	—	9813563783
20	जुम्मा पुजा हाँभार	—	9813122144
35	सुलतान पुजा इमामखाँ	—	—
45	रहीमुद्दीन पुजा सुखा	—	7419244613
55	तकिन पुजा पलटू	—	9813107594
65	अब्बास पुजा इसक	—	9813116595
75	जुएक पुजा अमरसिंह	—	—
85	रहीस पुजा गामुरा	—	8053016767
95	माँरमल पुजा सुखा	—	9991771987
105	हनीम पुजा चावरका	—	9991144720
115	अहमद पुजा हिमाल	—	8930203182
125	आसीम पुजा हाँभार	—	9050919841
135	अरसद पुजा मुरली	—	9212381786
140	हाकम पुजा इसका	—	9813239400
155	अदलदीन पुजा राँभार	—	9050488587

54

- 16 आजिद पुत्रा इमामदेल - 9817812817
- 17 युन्गीलाल पुत्रा मोहमलका - 9991223203

Attendance Date 04-07-2024 in front of Shri District Revenue Officer and Settlement Officer Consolidation Nuh present in attendance of the entitled persons Village Basai Meo, Tehsil Firozpur Jhirka, District Nuh.

1. Sammakha S/O Ajarkhaan ----- 9813563783
2. Jumma S/O Hoshiyaar ----- 9813122144
3. Roojdar S/O Imaamkhaan -----
4. Raheemuddin S/O Soorva ----- 7419244613
5. Taarun S/O Paldoo ----- 9813107594
6. Abbaas S/O Isav ----- 9813116595
7. Juhru S/O Amra Singh -----
8. Raseed S/O Gafura ----- 8053016767
9. Mormal S/O Soofa ----- 9991771987
10. Haneef S/O Charkha ----- 9991144720
11. Ahmad S/O Himmat ----- 8930203182
12. Aasin S/O Hoshiyaar ----- 9050919841
13. Arshad S/O Murli ----- 9212381786
14. Haakam S/O Hussaina ----- 9813239400
15. Badruhin S/O Roshan ----- 9050488581
16. Aajad S/O Ismail ----- 9817812817
17. Chunnilaal S/O Mohanlaal ----- 9991223203

Neutral Citation No: =2024:PHHC:065533



2024 PHHC 065533



CWP-10241-2023

-1-

116 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-10241-2023 (O&M)
Date of Decision: 10.05.2024

Hanif

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Randeep Singh Hooda, Advocate, for the petitioner.
Mr. Navneet Singh, Sr. DAG, Punjab.

Rajesh Bhardwaj, J.(Oral)

CM-7927-CWP-2024

Prayer in the present application is for impleading the Consolidation Officer, Nuh as respondent No.5

Learned State counsel pleads no objection, if the present application is allowed.

For the reasons mentioned in the application, the same is allowed. The Consolidation Officer, Nuh is ordered to be impleaded as respondent No.5.

Amended memo of parties annexed with the application is taken on record.

Main case

1. Prayer in the present petition is for directing respondents No.1 and 2 for taking appropriate action-administrative/legal/penal against respondent No.4 as he is misusing his powers as Sarpanch and giving threat to natives/farmer of the village that he will lay down passages from their agricultural land with his power despite of report dated 05.02.2024

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(Annexure P-1) given by respondent No.3 to respondent No.2 for not allowing laying down of illegal passages, which are device propounded by respondent No.4 for carrying out smooth illegal business of stone mining. Further prayer has been made for directing respondent No.2 to take action on the report dated 05.02.2024 (Annexure P-1) sent to him by respondent No.3.

2. Learned counsel for the petitioner has submitted that for the redressal of the grievance of the petitioner, he has already filed complaints (Annexures P-3 and 4) before respondent No.2 but no action has been taken on the same till date.

3. Notice of motion to the official respondents at this stage.

4. On asking of the Court, Ms. Upasna Dhawan, AAG, Haryana appears and accepts notice on behalf of respondent-State and on instructions from Mr. Mohd. Hussain, Patwari Consolidation, Ferozepur Zirka, Mewat has stated that for the redressal of his grievance, the petitioner should file a fresh representation before respondent No.5.

5. Learned counsel for the petitioner submits that the petitioner be granted liberty to file a fresh representation before respondent No.5 i.e. the Consolidation Officer, Nuh and he be directed to decide the same after hearing the petitioner in a time bound manner.

6. After hearing counsel for both the parties and perusing the record, the present petition is disposed of with liberty to the petitioner to file his appropriate representation before respondent No.5 as prayed for within a period of one week from today. If any such representation is filed by the petitioner within the stipulated period, then respondent No.5 i.e. the

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Consolidation Officer, Nuh is directed to hear the petitioner and decide the same in accordance with law within a period of four weeks from the date of its filing.

10.05.2024
sharmila

(RAJESH BHARDWAJ)
JUDGE

Whether Speaking/Reasoned :
Whether Reportable

Yes/No
:Yes/No

Office of the Consolidation Officer, District Nuh
Order

In compliance of the order dated 10.05.2024 passed by the Hon'ble Punjab & Haryana High Court, Chandigarh in CWP-10241-2023 (O & M) titled as "Hanif versus State of Haryana, the undersigned by this order dispose of the representation/intimation forwarded by the Sh. Randhir Singh, Hooda Advocate, Chamber No. 51, Punjab & Haryana High Court, Chandigarh on behalf of the petitioner namely Hanif son of Chaw Khan r/o village Basai Meo, Tehsil F.P. Jhirka, District Nuh.

By virtue of the order of the Hon'ble High Court dated 10.05.2024 and the petitioner Hanif son of Chaw Khan get forwarded an intimation/representation through his counsel namely Sh. Randhir Singh Hooda, Advocate, which was received in the office of the undersigned. After getting the intimation/representation on behalf of Hanif son of Chaw Khan (petitioner), the undersigned put into the motion the procedure for hearing the matter/grievance of Hanif (petitioner).

The petitioner was duly summoned for hearing which was fixed for 10.06.2024 at 10:30 AM at Govt. Middle School, Basai Meo, Tehsil F.P. Jhirka. A general Munadi in the village was also duly got done by the undersigned. In compliance of summons and Munadi respectively, petitioner and common villagers participated in the hearing carried out by the undersigned and got recorded their respective statement regarding the common way which have to be carved out in the ongoing consolidation proceedings.

Herein, it is relevant to reproduce here the statement got recorded by Hanif (petitioner) and he stated that "the consolidation had taken place in our village in the year 1961-62 now the work of Kilabandi is going on. He further stated he do not require new common ways, old common ways should remain intact we are small land owners, we sustain heavy loss if new common ways of 33 ft. are carved out, we do not want new common ways. New common ways

will cause pollution and will cause damage to our crops ..." From the bare perusal of the statement of aggrieved Hanif (petitioner), it is prima facie inferred that he did not want that new common ways be carved out in the village during the ongoing consolidation proceedings. On the other hands, several villagers, Labardars of village and other respectable of the village Basai Meo remained present in the hearing and they also got recorded their individual statements and common statements regarding the carving out new common ways in the village as per the rules of Consolidation Act.

At this juncture, it is all the more necessary to mention here that the Director of Consolidation of Holdings Haryana, vide notification bearing endorsement No. EA4/2021 dated 26.02.2021 directed to Consolidation of Holdings in the Mewat District (for the villages wherein the consolidation of holdings was not taken place in 1961-62) and the revenue estate Basai Meo was one of them. In pursuance of the said notification proceedings for consolidation of holdings of revenue estate Basai Meo are being carried out.

It is further quintessential to mention here that the Govt. of Haryana Department of Revenue and Disaster Management through its notification dated 10.01.2020 categorically made an amendment East Punjab Cultivation (Consolidation and Fragmentation Prevention) Rules 1949 (for state of Haryana) appendix Part-1 to the effect that village to village and Circular (Peripheral ways/roads) shall be carved out from 5 to 6 Karam width i.e. 27.6 ft. to 33 ft.

Further it was also inserted in the appendix part-1 that the passages from village Abadi to agriculture holdings would be from 4-5 Karam. In light of the aforesaid amendment, village to village common passages/way/road shall be carved out as per the new amended mandatory rules of East Punjab Cultivation (Consolidation and Fragmentation Prevention) Rules 1949 (for state of Haryana) appendix Part-1; not as per the wishes of land owners of concern revenue estate and therefore, the grievance of the Hanif son of Chaw Khan (petitioner) is not genuine. (Copy of the amendment is attached herewith).

Allegations made in the intimation/representation found false and frivolous one. Procedure which has been carried out hitherto for Consolidation of holdings of revenue estate Basai Meo is found as per the rules.

Apart from the above, regarding the issue in hand, an appeal was also filed before the District Revenue Officer cum Settlement Officer (consolidation), Nuh and same was dismissed in view of the afore quoted amendment.

After hearing the petitioner and villagers of Basai Meo and considering the facts and circumstances of the matter in hand, the undersigned has a considered view that petitioner filed a motivated representation with a hidden agenda to linger on the consolidation of holdings of revenue estate Basai Meo. Petitioner has no merit in his claim and also has no genuine grievance in the matter and therefore, representation of the petitioner is disposed of as same is motivated, vexatious, frivolous and against the mandatory rules and officials are directed to complete the consolidation of holdings of revenue estate Basai Meo as per rules.


Consolidation Officer,
District Nuh

Endst. No. 113 

Dated: 11/6/24

Copy forwarded to:

1. Hanif son of Chaw Khan r/o village Basai Meo, Tehsil F.P. Jhirka,
District Nuh
2. Sh. Randhir Singh Hooda, Advocate, Chamber No. 51, Punjab & Haryana
High Court, Chandigarh
3. DRO cum Settlement Officer(Consolidation), Nuh
4. Deputy Commissioner, Nuh


Consolidation Officer,
District Nuh

CWP-20703-2024

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2024.PHHC:109577



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**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CWP-20703-2024

Date of Decision: 27.08.2024

Aas Mohd.

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Vikram Singh, Advocate
for the petitioner.

HARSH BUNGER J. (ORAL)

The instant writ petition has been filed under Articles 226/227 of the Constitution of India, *inter alia*, seeking a writ in the nature of Mandamus to direct respondents No.1 and 2 to take administrative/legal penal action against respondent No.4, for misusing his powers as Sarpanch and giving threats to natives/farmers of the village.

2. Learned counsel for the petitioner, at the outset, submits that there are certain inadvertent errors in the instant writ petition, therefore, he may be permitted to withdraw the same with liberty to file fresh one with better particulars.

3.

Keeping in view the aforesaid submissions made by learned

CWP-20703-2024

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counsel for the petitioner, the present writ petition is dismissed as withdrawn with the liberty aforesaid.

4. All pending application(s), if any, shall also stand closed.

27.08.2024

*Apurva***(HARSH BUNGER)**
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No

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**IN THE COURT OF VISHAL, ADDITIONAL DISTRICT JUDGE, NUH
(UID HR0252)**

	Case No.	19/2020
	CNR No.	HRNU010007582020
	CIS No.	CA/33/2020
	Date of Institution	7.2.2020
	Date of Order	20.9.2024

1. Tahir Hussain, aged 48 years, son of Roshan
 2. Mohd. Sagoon, aged 37 years, son of Badruddin
- both residents of village Basai Meo, Tehsil Ferozepur Jhirka, District Nuh

.....Appellants/plaintiffs No.2 and 3

Versus

1. Gram Panchayat Basai Meo, Tehsil Ferozepur Jhirka, District Nuh
2. Aash Mohd. @ Ashu son of Goonga
3. Samsu son of Amar Singh
4. Nasib Khan son of Rehmat, all residents of village Basai Meo, Tehsil Ferozepur Jhirka, District Nuh

.....Respondents/defendants

5. Ahmad son of Hamida, residents of village Basai Meo, Tehsil Ferozepur Jhirka, District Nuh

.....Performa Respondent/Plaintiff No.1

Civil Appeal under Section 96 of CPC against the Judgment and Decree dated 15.1.2020 passed in Civil Suit CIS No. 197 of 2016 by the Court of Sh. Rajvinder Singh,, learned Civil Judge (Jr. Div.), Ferozepur Jhirka, Nuh

(Vishal),
Additional Sessions Judge
Nuh, UID No. HR-0252
Dated:20.9.2024

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Argued by: Sh. R.K. Gupta, Counsel for Appellants/Plaintiffs
Mohd. Mustafa, Advocate for respondent/Defendant No.1
Sh. Sagoon Khan , Advocate for respondents/Defendants No.2 to
4
Service of Performa respondent No.5 is dispensed vide order
dated 17.11.2023

JUDGMENT

The appellant/defendant has filed the present appeal against the judgment and decree dated 15.1.2020 passed by the Court of Sh. Rajvinder Singh, the then learned Civil Judge (Jr. Divn.), Ferozepur Jhirka, Nuh, whereby suit of the appellant/plaintiff has been dismissed.

2. Plaintiffs Ahmad & others filed a civil suit No. CS 197/2016 against defendant gram panchayat village Basai Meo on 21st of March 2016, seeking permanent injunction restraining gram panchayat from carving out *rasta* out of the land detailed in para No. 2 of the plaint, as khasra No. 105(0-16), 106(0-10), 201(16-8), 206(25-18), 1132(33-13), 1133(39-14), 1134(22-5) & 1142/2(20-6) situated within the revenue estate of Village Basai Meo, whereby gram panchayat was recorded as owner in possession. It was claimed that except Khasra No. 105 & 106, property was described as "*gair mumkin pahar*", in the revenue record and hence it could not be used for carving out *rasta*. It was claimed that in case the property was used in the shape of *rasta*, it would be a cause of nuisance for the inhabitants of the village, since it would lead to mining activities which would in turn would be a cause of diseases like asthma for the inhabitants.

3. In response to the notice, defendant gram panchayat appeared to plead that in fact, plaintiffs had an evil eye on the suit land and in garb of the

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Additional Sessions Judge
Nuh, UID No. HR-0252
Dated:20.9.2024

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suit, they intended to encroach upon portion of the land and to block the already existing rasta adjacent to the property, with a motive to blackmail the passers-by. Denying to have passed any resolution towards carving out any rasta and pleading that there were already in existence, *rastas* for the use of general public in the village for crossing through or by the sides of the hills leading to local areas of the villages, defendant gram panchayat sought dismissal of the suit.

4. During the proceedings of the suit, an application under the provisions of Order 1 rule 10 CPC for impleading as parties was moved by applicants Aash Mohd. & others which came up to be allowed on 21.9.2017 & defendants No. 2 to 4 were impleaded as defendants to the present suit.

5. Defendants No. 2 to 4 filed separate written statement pleading quite similarly that the plaintiffs had an evil eye on the suit land and in garb of the suit, they intended to encroach upon portion of the land and to block the already existing rasta adjacent to the property, with a motive to blackmail the passers-by. Denying that Panchayat Basai Meo had constructed any *rasta* at the spot, and pleading that there were in existence *rastas* already as being used by the local inhabitants, dismissal of the suit was prayed for.

6. From the pleadings of the parties, following issues were framed vide order dated 9.7.2018:

1. Whether the plaintiff is entitled to a decree for permanent injunction restraining the defendant from making any rasta in the suit land as prayed for? OPD
2. Whether the suit is not maintainable? OPD
3. Relief

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7. In order to prove the case, plaintiffs examined Vijay Singh as PW1 (Affidavit Ex.PW1/A) and Sagoon as PW2 (Affidavit Ex.PW2/A).

Following documents were also produced in evidence by plaintiffs:

Ex. P1	Copy of Jamabandi for the year 2014-2015
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8. On the other hand, defendants examined Mohd. Anees (Sarpanch Gram Panchayat, Basai Meo) as DW1 (Affidavit Ex.DW1/A) and Samsu S/o Amar Singh as DW2 (Affidavit Ex.DW2/A).

Following documents were also produced in defendants evidence:

Ex. D1	Certified copy of plaint of the civil suit "Chattar Khan vs. Gram Panchayat Basai Meo etc."
Ex. D2	Certified copy of the written statement/counter claim filed on the behalf of defendant No.1 in the the civil suit "Chattar Khan vs. Gram Panchayat Basai Meo etc."
Ex. D3	Certified copy of application given by gram panchayat for doing demarcation and for removing encroachment, which was tendered in the above titled suit.
Ex. D4	Certified copy of the report of local Commissioner tendered in civil suit "Chattar Khan vs. Gram Panchayat Basai Meo etc."
Ex. D5	Certified copy of the presence of memo
Ex. D6	Certified copy of the judgment dated 29.11.2013 passed in civil suit titled "Chattar Khan vs. Gram Panchayat Basai Meo etc." by the court of Ms. Meeta Kohil, the then Civil Judge (Jr.Divn.) Fer-

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	ozepur Jhirka, Nuh
Ex. D7	Attest copy of challan in a FIR No.22/2012 of Police Station, Ferozepur Jhirka, Nuh
Ex. D8	Certified copy of a FIR No.22/2012 of Police Station, Ferozepur Jhirka, Nuh

9. After hearing both the sides and perusing the respective evidence, vide impugned judgment and decree learned trial court has dismissed the suit of plaintiff with costs.

Being aggrieved, this appeal is preferred by the defendants.

10. It has been contended by learned counsel for appellants that the judgement and decree dated 15.1.2020, passed by learned trial court is against settled propositions of law and is palpably wrong, being against pleadings of the parties. It has been contended that the suit for permanent injunction was filed by the plaintiffs, but learned trial court wrongly held that gram panchayat had not passed any resolution for carving out the passage in the suit property. It was contended that respondents being mining mafia were bent upon to make passages in the suit property. Learned counsel contended that although the relief of injunction can be claimed prior to commitment of wrongful act, but learned trial court wrongly held that plaintiff had failed to establish actual infringement of their rights. He contended that the suit was liable to be decreed and has been wrongly dismissed by learned trial court.

11. On the other hand, learned counsel for respondent gram panchayat contended that passages were already in existence at the spot and were being used by general public for movement. Learned counsel contended that the suit was filed with mala fide motive of usurping the land belonging to gram panchayat and that the suit had been rightly dismissed by learned trial

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court. Similar contentions were made on behalf of respondents No. 2 to 4.

12. I have heard learned counsel for both the parties and have gone through the record with their able assistance.

13. A perusal of record shows that the only relief sought by appellant-plaintiff in the civil suit before learned trial court was a permanent injunction restraining defendant gram panchayat from carving out passages in the suit property, which as per own version of appellant-plaintiffs, belongs to & is in possession of defendant gram panchayat.

14. The basis for seeking injunction as claimed in the suit before learned trial court was that in case passages are carved out in the suit land belonging to the gram panchayat, the passages would be used by unscrupulous persons, including mining mafia for illegal mining in the mountain ranges, which would cause diseases like asthma to the villagers.

15. Hence it comes up that it is a case of a quia-timet action, that is an action preventive in nature and the specie of precautionary justice intended to prevent apprehended wrong or anticipated mischief.

16. In a case of anticipated mischief, Hon'ble Supreme Court in **Kuldip Singh v. Subash Chander Jain & others (2000) 4 SCC 50** quoted with approval observations made by Justice Pearson in **Fletcher v. Bealey (1885) 28 CH D 688** explaining the law as to quia-timet actions. Following observations were made by Hon'ble Supreme Court in para No. 6, 7 & 8

"6. A *quia timet* action is a bill in equity. It is an action preventive in nature and a specie of precautionary justice intended to prevent apprehended wrong or anticipated mischief and not to undo a wrong or mischief when it has already been

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done. In such an action the court, if convinced, may interfere by appointment of receiver or by directing security to be furnished or by issuing an injunction or any other remedial process. In *Fletcher v. Bealey* [(1885) 28 Ch D 688 : 54 LJ Ch 424 : 52 LT 541] , Mr Justice Pearson explained the law as to actions *quia timet* as follows:

“There are at least two necessary ingredients for a *quia timet* action. There must, if no actual damage is proved, be proof of imminent danger, and there must also be proof that the apprehended damage will, if it comes, be very substantial. I should almost say it must be proved that it will be irreparable, because, if the danger is not proved to be so imminent that no one can doubt that, if the remedy is delayed the damage will be suffered, I think it must be shown that, if the damage does occur at any time, it will come in such a way and under such circumstances that it will be impossible for the plaintiff to protect himself against it if relief is denied to him in a *quia timet* action”.

7. *Kerr on Injunctions* (6th Edn., 1999) states the law on “threatened injury” as under:

“The court will not in general interfere until an actual nuisance has been committed; but it may, by virtue of its jurisdiction to restrain acts which, when completed, will result in a ground of action, interfere before any actual nuisance has been committed, where it is satisfied that the act complained of will inevitably result in a nuisance. The plaintiff, however, must show a strong case of probability that the apprehended mischief will in fact arise in order to induce the court to interfere. If there is no reason for supposing that there is any danger of mischief of a serious character being done before the interference of the court can be invoked, an injunction will not be granted”.

8. In our opinion a nuisance actually in existence stands on a different footing than a possibility of nuisance or a future

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nuisance. An actually-existing nuisance is capable of being assessed in terms of its quantum and the relief which will protect or compensate the plaintiff consistently with the injury caused to his rights is also capable of being formulated. In case of a future nuisance, a mere possibility of injury will not provide the plaintiff with a cause of action unless the threat be so certain or imminent that an injury actionable in law will arise unless prevented by an injunction. The court may not require proof of absolute certainty or a proof beyond reasonable doubt before it may interfere; but a strong case of probability that the apprehended mischief will in fact arise must be shown by the plaintiff. In other words, a future nuisance to be actionable must be either imminent or likely to cause such damage as would be irreparable once it is allowed to occur. There may be yet another category of actionable future nuisance when the likely act of the defendant is inherently dangerous or injurious such as digging a ditch across a highway or in the vicinity of a children's school or opening a shop dealing with highly inflammable products in the midst of a residential locality.”

17. Applying the aforesaid principles to the instant case, the endeavour would be to trace proof of an imminent danger & proof also of a fact that the apprehended damage, if any, would be substantial & almost irreparable.

18. Having examined the record of trial, including the evidence led by the parties, this court is at complete loss to find any apprehended damage, granting a cause of action to the plaintiffs, requiring interference by a civil court. All that has been said by the two witnesses PW1 & PW2 is that if the suit property is used for passages, the inhabitants would be troubled since the dust blowing because of the movements of dumpers would lead to diseases like asthma.

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Additional Sessions Judge
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19. As noticed by Hon'ble Supreme Court, mere possibility of an injury would not provide a plaintiff with a cause of action, unless the threat is so imminent that an injury, actionable in law would arise unless prevented by an injunction. This court is at complete loss to comprehend as to how come carving out of roads by the gram panchayat of the village, would be inherently dangerous or injurious to the persons residing nearby. There is no evidence brought on record of the matter by the plaintiffs, justifying the causation of the disease of asthma, as has been pleaded by plaintiff, all along to be an imminent danger.

20. It is a case based on apprehended possibilities, too remote in nature, so as to grant a cause of action in favour of plaintiff. It is too remote a cause of action to allege that the passage would be used by miners for illegal mining. If this be taken as an actionable future nuisance, inherently and imminently dangerous, granting a cause of action, there might be an injunction suit, for restraining government from carving out highways, since they might be used by criminals to rob people travelling on the same or that the movement of the vehicles on the same would be a cause of nuisance to the persons residing nearby. This court has no hesitation to conclude that much less to be termed as an apprehended injury converting into a nuisance, it is a case of no cause of action at all, in favour of plaintiff.

21. As a sequel to discussion made above, this Court is of the considered opinion that there is no illegality or infirmity in the findings recorded by learned trial court on the issues and the same do not require any interference by this Court. The impugned judgment and decree dated 15.1.2020 passed by learned trial court are hereby affirmed. The present appeal is found to be without any merit and the same is, accordingly, dismissed.

(Vishal),
Additional Sessions Judge
Nuh, UID No. HR-0252
Dated:20.9.2024

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Decree-sheet be drawn accordingly. Trial Court Record along-with copy of this judgment be sent back. Appeal file be consigned to the records, after due compliance.

Pronounced in open Court
20.9.2024

(Vishal)
Addl. District Judge, Nuh
(UID No. HR0252)

(Vijay Kumar Gill)

(Vishal),
Additional Sessions Judge
Nuh, UID No. HR-0252
Dated:20.9.2024

R.N 99
15-4-2025न्यायालय श्रीमान बदीबस्त अधिकारी एवं कलेक्टर नूह जिला नूह।मुकदमा नम्बर 03/डी0आर0ओ0
मौजा बसई मेव तहसील नूहतारीख दायरा 28.06.2024
तारीख फैसला 16.12.2024

हनीफ उम्र 69 साल पुत्र चावखां निवासी गांव बसई मेव तहसील फिरोजपुर झिरका जिला नूह।

.....अपीलार्थी

बनाम

- 1 हरियाणा राज्य
- 2 चकबन्दी अधिकारी जिला नूह।

.....प्रतिअपीलार्थीगण

अपील बरखिलाफ आदेश दिनांक 11.06.2024 पासकर्ता चकबन्दी अधिकारी नूह
बाबत चकबन्दी मौजा बसई मेव तहसील फिरोजपुर झिरका बाउम्मीद मन्जूरी
अपील व रद्द करने आदेश दिनांक 11.06.2024 जेरे अपील

वजूहात अपील...

आदेश

1. यह कि आदेश दिनांक 11.06.2024 बरखिलाफ कानून व मिसल पर मौजूद तमाम रिकार्ड व तथ्यों के खिलाफ है।
2. यह कि अपीलार्थी ने एक रिट पिटीशन माननीय उच्च न्यायालय मे दायर की थी और माननीय उच्च न्यायालय ने उस याचिका में आदेश पारित किया था कि चकबन्दी अधिकारी के पास अपीलार्थी अपने ऐतराज और अधिकारों के लिए अपनी चाराजोही करे और माननीय उच्च न्यायालय के आदेशानुसार अपीलार्थी ने चकबन्दी अधिकारी नूह के पास अपना ऐतराज व अधिवक्ता के मार्फत पेश किये लेकिन चकबन्दी अधिकारी ने आदेश दिनांक 11.06.2024 की रूह से अपीलार्थी के ऐतराज को खारिज कर दिया।
3. यह कि आदेश जेरे अपील दिनांक 11.06.2024 गैर कानूनी व गलत है और अपास्त किये जाने योग्य है और कानून सम्मत ना है और कानून को नजर अन्दाज करते हुए पास किया गया है और चकबन्दी के नियम व प्रावधानों के अनुसार पासकर्दा आदेश ना है।

Certified to be a true copy

Copying Examiner Nuh

Date 14/05/25

4. यह कि अपीलार्थी ने चकबन्दी अधिकारी नूह के सामने जो साक्ष्य व तथ्य पेश किये थे उन तथ्यों व साक्ष्यों को गलत व गैर कानूनी तरीके से मुस्तरद कर दिया गया जबकि कानून के मुताबिक किसी भी गांव की चकबन्दी करते समय मालिकान के हकूक को ध्यान मे रखना जरूरी होता है और उनकी जमीनो के मुआवजा/प्रतिकर का प्रावधान करना होता है लेकिन अदालत मातहत ने उपरोक्त तथ्यों व कानूनी प्रावधानो पर आदेश जेरे अपील पास करते समय ध्यान ना दिया जिस लिहाज से आदेश दिनांक 11.06.2024 अपास्त किये जाने योग्य है।

5. यह कि अपीलार्थी व गांव वासी अपनी अपनी जमीनों के लिए रास्ते के मुसतहिक है और प्रत्येक चक को नियमो के मुताबिक रास्ते से जोडा जाना है लेकिन चकबन्दी अधिकारी नूह गलत उद्देश्यों की पूर्ति के लिए गैर कानूनी तरीके से किसानों की जमीनो को रास्ते के नाम पर हडपने की कोशिश कर रहे है।

6. यह कि गांव की चकबन्दी साल 1961-62 मे ही हो चुकी है और अपीलार्थी के गांव में पहले ही रास्ते मौजूद है और प्रत्येक गांववासी उन रास्तों के माध्यम से ही अपने उद्देश्यों की आंसांनी से पूर्ति कर रहे है और नये रास्तों की कोई आवश्यकता नही है नये रास्तो के बनाये जाने से अपीलार्थी जैसे छोटे जमीदारों को नाकाबिले बर्दाश्त नुकसान होगा क्योंकि गांववासियो की जमीने रास्ते मे चली जायेगी।

मिसल पेश हुई आवाज दिलाई गई वकील प्रार्थी हाजिर है चकबन्दी अधिकारी हाजर अदालत आया वकील प्रार्थी ने अपनी बहस मे कहा कि चकबन्दी अधिकार ने जो 33 फूट का रास्ता सृजित किया है वह सरकार ने नोटिफिकेशन नं0 संख्या का आ0 5/पं0अ0 50/1948/धा0 46/2020 दिनांक 10.02.2020 बाबत चकबन्दी के नियमो के विरुद्ध है क्योंकि 5-6 करम का रास्ता सिर्फ गांव से गांव को जोडने के लिए दिया जाता है जबकि बसई मेव गांव को इन रास्तो के द्वारा किसी गांव से नही जोडा गया है और दोनो तरफ रास्ते सृजित करके कॉफी जमीन ले ली गई है और छोटे जमीदारों की जमीन लेकर उनको काफी नुकसान पहुचाया है। दोनो रास्तो पर गांव की 130 एकड जीमन है जिसमें से दोनो रास्तो रास्तो को निकालने पर आधी जमीन रास्ते मे चली जाएगी और रास्तो का कोई औचित्य नही और वन विभाग की संपत्ति का भी काफी नुकसान होगा। चकबन्दी अधिकारी ने गांव से कृषि भूमि जोडने के लिए 4-5 करम का रास्ता नोटिफिकेशन नं0 संख्या का आ0 5/ पं0अ0 50/1948/धा0 46/2020 दिनांक 10.02.2020 के तहत देना चाहिए था परन्तु चकबन्दी अधिकारी ने 6 करम का रास्ता दिया जो किसी भी गांव को जोडता है और ना ही हरियाण की सीमा मे कोई मन्दिर/ मस्जिद नही है। प्रतिवादीगण ने चकबन्दी की आड मे राजस्थान सीमा की तरफ से राजस्थान के पहाड से नागल जोन व छपरा जोन के पहाड से गैर कानूनी रूप से 33-33 फूट चौडाई के दो रास्ते निकाल कर अन्तरिम बन्दी दिनांक 15.07.2024 की अवमानना करते हुये रास्ते लगाये गए है जमीदारों की खडी फसल को बर्बाद कर दिया है व

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Copy of Examiner Nuh

Date

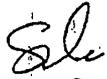
14/05/24

जमीदारों के कब्जे में खुल्लम खुल्ला दरखल अन्दाजी करके उनसे जबरन भूमि मुतनाजा का कब्जा छीन लिया है चकबन्दी के नियम के खिलाफ रास्ता दिया गया है सरपंच गांव बसई मेव चकबन्दी अधिकारी (सी0ओ0) व चकबन्दी के अन्य अधिकारी व कर्मचारी से मिलकर 33 फुट रास्ते पर कब्जा दिलवाया है जो गैर कानूनी है इसके उपरान्त प्रतिवादीगण ने वकील प्रार्थी की बहस को नकारा इसके बाद दोनों पक्षों की बहस को सुनने के उपरान्त इस न्यायालय की कार्यवाही को रोककर मौके पर जाकर मौका मुआयना करने पर पाया की रास्ता खेतों के बीच से दिया गया है जो 33 फुट का रास्ता दिया गया है और अरावली पहाड़ी से जोड़ा गया है जमीदारों का कब्जा छीनकर उसमें 33-33 फुट चौड़ाई के दो रास्ते निकाल दिये हैं जो 3-3 कि०मी० के करीब लम्बे हैं जो बसई मेव गांव को किसी भी गांव से नहीं जोड़ते हैं और अरावली पर्वत में भी सीमा में लगभग 1 किलो मीटर अन्दर रास्ता दिया है जो अरावली पर्वत में रास्ता नहीं देना चाहिए था।

अतः मिसल का अवलोकन करने तथा वकील प्रार्थी की बहस सुनने व मौका देखने पर पाया की चकबन्दी अधिकारी ने जो रास्ते 33-33 फुट का लगाया है रास्तों से किसानों को भी पुफ्तान हो रहा है और छोटे-छोटे किसानों का रकबा रास्तों में चही चला गया है जो गैर कृषक हो चुके हैं। जिससे किसान परेशान हैं क्योंकि राजस्थान सरकार के द्वारा खनन लीज अलाट की हुई है इस रास्तों को अरावली पहाड़ के साथ बनाकर राजस्थान से पत्थर चोरी की जा रही है इस रास्ते से लगे प्लाट/केसर जोन व अवैध खनन करने वालों को ही फायदा है चकबन्दी के दौरान राजस्थान के लिए नये रास्ते बनाने जाने की आवश्यकता नहीं है जो रास्तों पहले से ही बने हुए हैं उनको ही कायम रखे जाने की सिफारिश की गई है। उपमण्डल अधिकारी (ना०) फिरोज़पुर झिरका के पत्र क्रमांक 1481 / स्टैल दिनांक 05.02.2024 में कहा की वकील प्रार्थी ने भी 33 फुट रास्तों को हटाने की सिफारिश की है तथा गांव के मौजीजान व्यक्तियों ने भी हल्फनामा पेश किये हैं अतः उक्त तथ्यों को मध्य नजर रखते हुए चकबन्दी अधिकारी को आदेश दिया जाता है कि नोटिफिकेशन नं० संख्या का आ० 5/ प०३० 50/1948/धा० 46/2020 दिनांक 10.02.2020 के तहत 4-5 करम का रास्ता देने और जो रास्ते 33-33 फुट के जमीदारों के खेतों के बीच से लगाये हैं उन रास्तों को कैंशील करने के आदेश पारित करता हूँ और गांव की फिरनी से लगता 4 करम के रास्ते दिये जावे ताकि जमीदारों को नुकसान ना हो और रास्ता समय यह ध्यान रखा जावे कि रास्ता जमीदारों के खेतों से जोड़ा जावे अरावली से ना जोड़ा जावे।

आदेश सुनाया गया।

दिनांक 16.12.2024


जिला राजस्व अधिकारी एवं
बदौबस्त अधिकारी चकबन्दी
नूह।

Certified to be a true &

Copying Examiner Nuh

Date 14/05/25

Court of Hon'ble District Revenue Officer and Collector, Nuh District**Case No.:** 03/DRO/2024**Village:** Basai Meo, Tehsil Nuh**Filing Date:** 28.06.2024**Decision Date:** 16.12.2024

Hanif, aged 69 years, son of Chawkha, resident of Village Basai Meo,

Tehsil Firozpur Jhirka, District Nuh.

.....Appellant

Versus

1. State of Haryana

2. Consolidation Officer, District Nuh

...Respondents

Subject:

Appeal filed against the order dated 11.06.2024 passed by the Consolidation Officer, Nuh, regarding approval of road construction through village Basai Meo, Tehsil Firozpur Jhirka, and request for quashing the said order dated 11.06.2024.

Grounds of Appeal**ORDER**

1. The order dated 11.06.2024 is against law and the facts on record.
2. This appellate authority has observed that in a number of writ petitions, the Hon'ble High Court has directed that such orders must be passed only after giving opportunity to the concerned parties and officials to present their version. However, in the present case, the Consolidation Officer, Nuh passed the order dated 11.06.2024 without giving the appellant any opportunity to present his case or defence, thereby violating the principles laid down by the Hon'ble High Court. Hence, the said order is liable to be quashed.

3. The order dated 11.06.2024, which is under appeal, is illegal and incorrect, and is not sustainable in the eyes of law. It has been passed contrary to legal principles and without application of mind, and therefore cannot be upheld under the rules and provisions of consolidation law.
4. The facts and evidences presented by the appellant before the Consolidation Officer, Nuh were presented in a wrong and illegal manner, whereas according to the law, while doing consolidation of any village, it is necessary to keep in mind the rights of the owners and provision has to be made for compensation for their lands, but the court subordinate did not pay attention to the above facts and legal provisions while passing the order under appeal, due to which the order dated 11.06.2024 is liable to be cancelled.
5. That the appellant and the villagers are entitled to a road for their lands and every Chak has to be connected by a road as per the rules, but the Consolidation Officer, Nuh, is trying to usurp the land of the farmers in the name of road in an illegal manner for the fulfilment of wrong purposes.
6. That the consolidation of the village has already been done in the year 1961-62 and roads already exist in the appellant's village and every villager is comfortably fulfilling his/her purposes through those roads and there is no need for new roads. Construction of new roads will cause unbearable loss to small landholders like the appellant as the lands of the villagers will go in the way of the road.

Misal was presented, voice was given, lawyer applicant is present, Consolidation Officer is present in court, lawyer applicant said in his argument that the 33 feet road created by the Consolidation Officer is against the rules of Consolidation in respect of Government Notification No. 5/P.A. 50/1948/D. 46/2020 dated 10.02.2020 because a road of 5-6

Karam is given only to connect villages to villages, whereas Basai Meo village has not been connected to any village through these roads and a lot of land has been taken for creating roads on both sides and by taking the land of small landowners, they have been harmed a lot. The village has 130 acres of land on both the roads, out of which half of the land will go in the road if both the roads are made and there is no justification for the roads and there will be a lot of damage to the property of the forest department as well. The Consolidation Officer should have given a 4-5 Karam road to connect the agricultural land with the village under the notification number 5/Pt.A. 50/1948/Sec. 46/2020 dated 10.02.2020, but the Consolidation Officer gave a 6 Karam road which connects any village and there is no temple/mosque on the border of Haryana. The defendants under the cover of consolidation from the Rajasthan border side from Rajasthan's hill from Nangal zone and Chhapra zone hill illegally by making two roads of 33–33 feet width by violating the interim injunction dated 15.07.2024 have made roads, have destroyed the standing crops of landowners and by openly interfering in the possession of landowners have forcibly snatched possession of disputed land from them. Against the rules of consolidation, the road has been given. The Sarpanch of village Basai Meo, in collusion with the Consolidation Officer (C.O.) and other officers and employees of consolidation, has got possession delivered on the 33-foot road which is illegal. Thereafter, the defendants denied the arguments of the lawyer petitioner. After this, after hearing the arguments of both sides, by stopping the proceedings of this court and going on site for inspection it was found that the road has been given through the fields which is a 33-foot-wide road and has been connected to the Aravalli hills. By snatching the possession of the landowners, two roads of 33–33 feet width have been carved out, which are about 3–3 kilometers long, which do not connect village Basai Meo with any village and also inside the boundary of the Aravalli hills about

1 kilometer inside a road has been given, which should not have been given inside the Aravalli hills.

Therefore, after observing the Misal and hearing the arguments of the lawyer applicant and visiting the spot, it was found that the farmers are also suffering losses due to the 33-foot wide roads constructed by the Consolidation Officer and the land of the small farmers has been acquired for the roads and they have become non-agriculturalists. Due to which the farmers are troubled because the mining lease has been allotted by the Rajasthan government. By making this route along the Aravalli mountain, stones are being stolen from Rajasthan. Only the plants / saffron zones and illegal miners located along this route are benefited. During Chakbandi, there is no need to construct new roads for Rajasthan. It has been recommended that the roads which are already constructed should be maintained. Sub-Divisional Officer (Civil) Ferozpur Jhirka's letter no. 1481/stall dated 05.02.2024 said that the lawyer applicant has also recommended the removal of 33 feet path and the influential persons of the village have also submitted affidavits, so keeping in view the above facts, the Consolidation Officer is ordered to pass an order to give a path of 4-5 Karam under Notification No. A.A5/P.A. 50/1948/Dha 46/2020 dated 10.02.2020 and to cancel the paths which are 33-33 feet between the fields of the landlords. And 4 Karam paths should be given adjoining the village's Firni so that the landlords do not suffer any loss and while making the path, it should be kept in mind that the path should be connected to the fields of the landlords and not to Aravali.

The order was pronounced.
Date 16.12.2024

Sd
District Revenue Officer
And Settlement Officer Consolidation Nuh.

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कमांक 452 / प्रवाचक

दिनांक 2-4-25

मूल रूप से सहायक चकबन्दी अधिकारी नूह को आदेशों की प्रति भेजकर लिखा जाता है कि आदेशों की पालना करने हेतु प्रेषित है।

Reviewed 
08/04/2025

जिला सजस्ट्व अधिकारी एवं
बदोबस्त अधिकारी चकबन्दी
नूह।

प्रमाण/ACO 3

दिनांक 14-4-2025

हल्का पटवारी आवेदन की पालना रिमांड में अमल-दरामद करके असल हल
बाफिस मामाला में करे। देरी के लिए स्वयं जिम्मेवार होंगे।



Priming

A.C.O

14/4/2025

Certified to be a true &

Copying Examiner Nuh

Date 14/04/25

S. no 452

Date: 02-03-2025

Basically, a copy of the orders is sent to the Assistant Consolidation Officer, Nuh, and it is written that it has been sent for compliance of the orders.

District Revenue Officer and
Settlement Officer Consolidation, Nuh.

Received: 08/04/2015

S.no. ACO 3
2025

Date 14-4-

The Patwari should comply with the order by making an execution order in the record and send the order back to the office. He himself will be responsible for any delay.

Sd

ACO

14.04.2025

COMA-252-2024 DFO Vs. Hanif etc.

Present: Sh. Vijay Kumar, Forester Prosecutor on behalf of the Complainant.

Challan/Complaint under Section 33 of Indian Forest Act, 1927 submitted today by the Range Forest Officer. It be checked and registered.

The Range Forest Officer, has filed an application seeking permanent exemption from his appearance in the Court, being a Public Servant and in the eyes of law, thereby authorizing Sh. Vijay Kumar, Forester Prosecutor, F.P. Jhirka to appear on his behalf to appear in the Court, on each and every date of hearing. Heard. Since, the Range Forest Officer is a Public Servant in the eyes of law, he is exempted from personal appearance in this Court, (being occupied by other official duties) and Sh. Vijay Kumar, Forester Prosecutor, F.P. Jhirka is allowed to represent the State Government, in this case. Application for exemption of the Range Forest Officer, stands disposed of accordingly. Since, the complainant is a public servant in the eyes of law, the recording of preliminary evidence, is hereby dispensed with as per clause(a) to second proviso to Section 323(1) of the Bhartiya Nagarik Suraksha Sanhita, 2023.

Now to come up on 20.03.2025 for consideration on the point of summoning of accused.

Date of Order: 19.11.2024
Aman Malik, Steno-III

(Sh. Manish Kumar)
Sub-Divisional Judicial Magistrate
UID NO . HR0367

प्रेषक

सेवा में

खण्ड विकास एवं पंचायत अधिकारी
फिरोज झिरका।उपायुक्त महोदय
नूह।

विषय

कमांक 417

दिनांक 27/03/2025

गांव बसई मेव में अंजनी माता मंदिर के रास्ते को सुचारु रूप से चलाने बारे।

उपरोक्त विषय पर आपके कार्यालय के पत्र कमांक 2358-60/पंचायत दिनांक 09.12.2024 के संदर्भ में।

उपरोक्त विषय पर संदर्भित पत्र के माध्यम से आपके द्वारा विषयानुसार ग्राम पंचायत बसई मेव में अंजनी माता मंदिर के रास्ते को सुचारु रूप से चलाने के संबंध में ग्राम वासियान द्वारा दी गई दरखास्त बारे विस्तृत रिपोर्ट मांगी गई थी।

इस बारे आपकी सेवा में व्यक्त किया जाता है कि उक्त वर्णित रास्ते का अधोहस्ताक्षरी द्वारा मौका निरीक्षण किया गया। राजस्व रिकॉर्ड बारे सरपंच ग्राम पंचायत बसई द्वारा बताया गया कि उक्त रास्ता ग्राम पंचायत बसई मेव की मिलकियत है। तथा बताया गया कि ग्राम पंचायत बसई मेव में चकबन्दी का कार्य चल रहा है जिसमें चकबन्दी विभाग द्वारा उक्त रास्ते को ग्राम पंचायत के रास्ता के रूप में चिन्हित करते हुए निशानदेही की जा चुकी है।

उक्त रास्ते की साध्यता बारे अवगत कराया जाता है कि वर्णित रास्ते के दोनों तरफ ग्रामवासियान की मिलकियत है जिसमें ग्रामवासियान की प्रतिदिन आवाजाही रहती है जो कि मौका निरीक्षण के दौरान भी चालु हालत पाया गया है तथा उक्त रास्ते पर व्यवसायिक वाहनों की भी आवाजाही पायी गई। उक्त रास्ता जो कि आगे राजस्थान सीमा में जाता है तथा माता अंजनी का मंदिर भी राजस्थान सीमा में स्थित है, जहां पर श्रद्धालु दर्शनार्थ जाते हैं इसके अलावा प्रत्येक वर्ष माता अंजनी के मंदिर पर लगने वाले मेले में भी आस-पास के हिन्दु समुदाय के लोक अपनी पूर्ण आस्था के साथ इसी रास्ते से मंदिर को जाते हैं।

यहां यह उल्लेखनीय है कि उक्त रास्ते से व्यवसायिक वाहनों का भी आना जाना है जिससे अवैध माईनिंग की संभावना हो सकती है। परन्तु प्राप्त दरखास्त अनुसार उक्त रास्ते को वन-विभाग व माईनिंग विभाग बार-बार खुदाई करके अवरुद्ध कर देते हैं जिससे आमजन को बहुत ही अधिक असुविधा का सामना करना पड़ता है क्योंकि इसी रास्ते से अपने खेतों पर आने-जाने हेतु अपने कृषि वाहनों की आवाजाही करते हैं तथा बार-बार रास्ते की खुदाई होने से रास्ता खराब हो जाता है।

व्यक्त किया जाता है कि उक्त रास्ता न तो वन विभाग की मिलकियत है तथा न ही माईनिंग विभाग की मिलकियत है फिर भी उक्त दोनों विभागों के अधिकारी मनमाने तरीके से ग्राम पंचायत की संपत्ति को बार-बार नुकसान पहुंचा रहे हैं। इसके अलावा यदि उक्त रास्ते से अवैध माईनिंग यदि हो भी रही है तो इसके लिए उक्त विभागों को अपने स्तर पर अवैध माईनिंग रोकने हेतु ठोस कदम उठाने की आवश्यकता है न कि पंचायत की संपत्ति को नुकसान पहुंचाने की।

उक्त रास्ते पर व्यवसायिक वाहनों की आवाजाही के संबंध में आपकी सेवा में व्यक्त किया जाता है कि हरियाणा पंचायती राज अधिनियम 1994 की धारा 45बी के तहत इस प्रकार की व्यवसायिक/औद्योगिक इत्यादि गतिविधियों पर ग्राम पंचायत टैक्स आदि लगा सकती है जिससे ग्राम पंचायत को भविष्य में आय के स्रोत उत्पन्न किये जा सकते हैं तथा अवैध माईनिंग इत्यादि गतिविधियों पर भी अंकुश लगाया जा सके।

अतः रिपोर्ट आपकी सेवा में सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है।

संलग्न: राजस्व दस्तावेज

खण्ड विकास एवं पंचायत अधिकारी
फिरोजपुर झिरका।

From:

Block Development and Panchayat Officer Firozpur Jhirka

To:

Deputy Commissioner Nuh

LetterNo.:417**Date:** 27/03/2025**Subject:**

Regarding smooth operation of the road leading to Anjani Mata Mandir in Village Basai Meo.

In reference of your office letter no. 2358-60/Panchayat dated 09.12.2024

With reference to the above subject and your letter, it is submitted that as per the request submitted by the villagers of Village Basai Meo regarding the smooth operation of the road leading to Anjani Mata Mandir, a detailed report was sought.

It is brought to your kind attention that the said road was inspected on-site by the undersigned. As per the revenue records and the statement of the Sarpanch of Village Basai Meo, the said road is recorded as Panchayat land. It was also informed that the Gram Panchayat is carrying out work of leveling the said road, which has led to objections from the Forest Department. However, the said road falls under the jurisdiction of the Gram Panchayat Basai Meo, and its records also confirm this.

Additionally, it has been found from site inspection that the said road is connected to both sides of the Rajasthan border, and movement of people is ongoing, including many religious devotees who travel to the Anjani Mata Mandir in Rajasthan via this route. This road is important for religious access and public utility.

It is noteworthy that this route is sometimes used by commercial vehicles as well, which could be linked to illegal mining activities. As per the field verification and inputs from the local people, both the Forest Department and Mining Department have repeatedly excavated this road, due to which local farmers and common villagers face major inconvenience. The frequent movement of heavy vehicles and repeated digging damages the road.

It is submitted that this road is neither under the jurisdiction of the Forest Department nor under the Mining Department. Despite this, officers from both departments have caused damage to Panchayat property multiple times. Therefore, if illegal mining is indeed taking place in the area, it is necessary for the concerned departments to take strict action at their level to prevent further damage to the Panchayat property.

Regarding the movement of commercial vehicles on the said road, it is further submitted that under Section 45H of the Haryana Panchayati Raj Act, 1994, the Gram Panchayat is empowered to regulate and control such economic/commercial activities, and even levy fees or charges, which can become a source of revenue for the Gram Panchayat in future. Illegal mining activities will also come under the Panchayat's regulatory purview.

Therefore, the matter is submitted for your information and necessary action.

Enclosure: Revenue records

Signed

Block Development and Panchayat Officer Firozpur Jhirka

To

The Regional Officer,
Haryana State Pollution Control Board,
Nuh (Mewat) at Rozka Meo

Subject: Representation on behalf of Gram Panchayat, Basal Meo, Block F.P. Jhirka, District Nuh in respect of carving out /construction of common paths/public roads in scheme chakbandi by the consolidation department.

R/Sir,

Applicant is the legal representative being duly elected Sarpanch of the Gram Panchayat, Basai Meo, Block F.P. Jhirka and put forth some glaring facts for kind perusal of your Hon'ble Authority regarding the matter-in issue which are as follows:

1. At the outset, it is all the more necessary to mention here that the Government of Haryana through Director of Consolidation of Holdings Haryana, vide notification bearing endorsement No. EA4/2021 dated 26.02.2021 directed to Consolidation of Holdings in the Mewat District (for the villages wherein the consolidation of holdings was not taken place in 1961-62) and the revenue estate Basai Meo was one of them. In pursuance of the said notification proceedings for consolidation of holdings of revenue estate Basai Meo have been carried out.
2. It is further quintessential to mention here that the Govt. of Haryana, Department of Revenue and Disaster Management through its notification dated 10.01.2020 categorically made an amendment in East Punjab Cultivation (Consolidation and Fragmentation Prevention) Rules 1949 (for state of Haryana) appendix Part-1 to the effect **that village to village and Circular (Peripheral ways/roads) shall be carved out**

from 5 to 6 Karam width i.e. 27.6 ft. to 33 ft. Prior to the consolidation proceedings in village Basai Meo, village to village common passages/ways/roads were exists in very narrow size i.e. only 3 Karam (16.5 ft.)

3. Further it was also inserted in the appendix part-1 that the passages from village Abadi to agriculture holdings would be from 4-5 Karam. In light of the aforesaid amendment, village to village common passages/way/road shall be carved out as per the new amended mandatory rules of East Punjab Cultivation (Consolidation and Fragmentation Prevention) Rules 1949 (for state of Haryana) appendix Part-1 not as per the wishes of some unscrupulous right holders/land owners of the concerned revenue estate. (Copy of the amendment is attached herewith)
4. That after routed through the various proceedings under the mandatory provisions of law, duly appointed Consolidation Officer (CO) published the scheme Chakbandi on 13.12.2023 and after publication of scheme chakbandi, statutory time of 30 days was provided to land owners/rights holders to raise objections regarding the published scheme but within the statutory period on thereafter no objection was made by the forest department Somb villagers made trivial objections and after hearing the said trivial objections, the Consolidation Officer made a report to the Settlement Officer, Consolidation of Holdings, who confirms the scheme under section 20 of the Act after considering the objections and making some necessary and legal amendment in the scheme chakbandi.
5. That at this juncture, it is quintessential to mention here that two common passages/ways/roads, inter-alia, viz. village Basai Meo to Anjali Mata Mandir and village Basai Meo to Nangal Tigaon village were carved out after expanding the width of already exists common ways/paths/roads to the aforesaid destination/village as per the mandatory provisions of East

Punjab Cultivation (Consolidation and Fragmentation Prevention) Rules 1949 (for state of Haryana) Appendix Part-1. It is further relevant to state here that said common ways/paths/roads were carved out wherein minor part of panchayati land and major part of land of the land owners/right holders of the village was taken. It is further worthwhile to state here that the aforesaid common ways/paths/roads to the afore-quoted destination/villages were already existence since the settlement of lands, which had taken place long ago and the said common passages/roads/ways were carved out from the panchayati land but before the recently published and confirmed scheme chakbandi, the aforesaid common passages/ways/roads were narrow in size and not with the consonance the legal provisions and said fact can be easily verified from the google map through google verification.

6. That in the recent scheme chakbandi, on the request of the Panchayat, one common passages/ways/roads carved out to Anjali Mata Mandir and approximately measuring 28 kanal land (i.e. 630 meter in length) of GP Basai Meo has been used in the said common passages and more than three times land of land owners/rights holders of village Basal Meo has been used in the said common ways/passages/roads. And second common passages/ways/ roads carved out from village Basai Meo to village Nangal Tigaon and in the salt common passages/ways/road only 29 Kanal land (approximately) i.e. 700 meters in length of GP Basai Meo has been used whereas more than three times land of land owners/rights holders of village Basai Meo has been used in the said common ways/passages/road.
7. That it is quintessential to state here that the Gram Panchayat Basai Meo is the exclusive owner in possession of the land not only as per the existing record of rights but also coming as owner in possession since settlement and the land is reflected as *panchayat deh* in the revenue record. It is further worth to state here that the nature of land in the

revenue record wrongly shown as *Gair Mumkin Pahar* but in fact, the nature of land is *Banjar Kadeem* and no hills ever exists over the land and therefore, the alleged claim of Forest Department over the panchayati land is completely false and frivolous. The Forest Department never use the panchayati land for any plantation and other activity rather a common passage/way/road already exists over the land for the use of the public at large as the said land has its nature as Banjar Kadeem on the ground. Moreover, since the time of immemorial, the land is being used as a common rasta/way/passage and the aforesaid fact can easily be verified from google verification.

8. That Gram Panchayat Basai Meo was the exclusive owner in possession of the land used in the common ways/passages/roads as stated above and to this effect the Gram Panchayat Basai Meo passed a resolution dated 20.12.2023 in the meeting of Gram Sabha in favour of the consolidation department to carve out common passages/ways/roads to the aforesaid destination/village minimum 5 Karam or 6 Karam width.
9. That the construction of common passages/roads/ways in compliance of scheme chakbandi of village Basai Meo are quite legal, beneficiary to public at large and the Forest Department or any other concerned department have no right, title or interest to raise any objection or make claim over the panchayati land. It is further worth to state here that the local forest department on the instant of some unscrupulous persons of village Basai Meo who wants to settle their evil scores unnecessarily making hurdles in welfare of the villagers of Basal Meo and inhabitants of the surrounding villages/area. It is further submitted that the aforesaid two ways not only in the larger interest of the village Basai Meo but also these common ways/passages/roads will pave the way to prosperity and development of the village Basai Meo.

In conspectus of supra stated facts and after taking into consideration the peculiarity of facts and circumstances and also in the paramount welfare interest of the villagers, the matter be recommended to the effect that the Forest Department has no legal concern over the panchayati land and their claim is completely false, frivolous and concocted one and therefore, the recommendation may kindly be made in favour of the legality of carving out and construction of the common ways/passages/roads over some nominal part of land of Gram Panchayat Basal Meo.

It is farther requested that legality of carving out of the twin common ways/passages/roads may kindly get upheld in due course, in the larger interest of the villagers and other surrounding inhabitants.

Dated:

Gram Panchayat, Basai Meo,
Block F, P Jhirka, District Nuh

Sd/-

Mohd. Haneef

Sarpanch

Gram Panchayat Basai Meo

Block Ferozepur Jhirke Dist-Nuh

प्रमाण :- सहभागी-चक्रवर्ती अधिकारी
 बूँदें।
 प्राप्त :- हरियाणा राज्य पट्टाकार निगंत्रण बोर्ड
 रोजेका प्रेष बूँदें (मेकात)।
 संदर्भ :- पत्र क्रमांक HSPCB/NUH/2025/108-109 दिनांक 18-04-2025 व
 HSPCB/NUH/2025/112-113 दिनांक 21-04-2025।
 क्रमांक 4/A.c.o दिनांक 24-04-2025

उपरोक्त पत्राचार में मांगी गई रिपोर्ट क्रमांक नं० 1 व 2 की तरफ से इस प्रकार है :-

गांव बसई में तहसील निरोजपुर और का जिला बूँदें में चक्रवर्ती काय
 चल रहा है। चक्रवर्ती काय सरकार के नोटिफिकेशन 14 (1) के अनुसार लिया
 जा रहा है। नोटिफिकेशन 14 (1) के अनुसार गांव की मशावती कमरे, ग्राम
 पंचायत व अन्य वास्तुद्वारा की सहमति अनुसार चक्रवर्ती स्लीम तैयार
 की गई। चक्रवर्ती स्लीम दिनांक 13-12-2023 को तैयार करने जलसा-आम
 में चक्रवर्ती अधिकारी द्वारा पलाशित की गई। स्लीम पलाशित होने के बाद
 उजरदारी/एतराज करने के लिए 30 दिन का समय दिया गया। उजरदारी
 समय सीमा में तीन उजरदारी प्राप्त हुई। तीनों उजरदारी को कब्जेवाला -
 अधिकारी द्वारा रुका गया तथा जबसा आम में जायला लिया गया। उजरदारीया
 का फंसला होने परान्त वन्दोवस्त अधिकारी द्वारा दिनांक 13-02-2024 को
 स्लीम चक्रवर्ती मंजूर की गई। स्लीम मंजूर होने के बाद शक गांव से दूरी
 गांव तक के सति 6 एकरम चौड़े स्लीम अनुसार मशावती कमरे, ग्राम पंचायत व
 दीगर वास्तुद्वारा की हाजरी व आका निरक्षण करने के बाद सभी हकदारोंकी
 सहमति से लगाए गए। इन रास्तों में कुछ रुकवा ग्राम पंचायत की खेवट में
 से भी रुकवा गया है क्योंकि रिफाई माल में ग्राम पंचायत मालिक है। जहां से
 पंचायत की खेवट में शक्ति निकाले गए है इनमें कुछ मजदूरान पर बिस्म और मुं
 पाहड का रुकवा/ज रिफाई माल में लगी आ रहा है लेकिन मोका पर पाहड नहीं है
 वजह - भूमि है।

रिफाई माल में पंचायत की खेवट के खाना भूमिगत में Section
 4-5 का कोई रुकवाव नहीं है और ना ही वन विभाग की तरफ से Section
 4-5 के लिए कोई भी पत्र महकमा-चक्रवर्ती को प्राप्त नहीं हुआ है।

P.T.O

राज्य रिपोर्ट व स्वीडि-चलवन्दी अनुसार रास्ता लगाए गए हैं। रिपोर्ट सेवा में पेश है।

श्रीमान

क्रमांक 5-6/A.C.O

दिनांक 24-4-25

सहायक-चलवन्दी/आयुक्तारी

दस्तावेज रख-रख प्राप्त निम्नलिखित को सूचनाएं भेजी जाती हैं:-

1. श्रीमान अतिरिक्त उपायुक्त हैं।
2. श्रीमान बन्दावस्त आयुक्तारी हैं।

श्रीमान

सहायक-चलवन्दी/आयुक्तारी

हैं

Sender:

Assistant Consolidation Officer,

Nuh

Sent to:

Haryana State Pollution Control Board

Rozka Meo Nuh (Mewat)

References: Letter No. HSPCB/NUH/2025/ 108-109 Dated 18-04-2025 & HSPCB/NUH/2025/112-113 Dated 21-04-2025

S.no 4/A.C.O

Date: 24-04-2025

The report sought in the above correspondence on behalf of Sr. No. 1 and 2 is as follows:

Consolidation work is going on in village Basai Meo, Tehsil Ferozpur Jhirka, District Nuh. Consolidation work is being done as per the government notification 14(1). According to notification 14(1), the consolidation scheme was prepared with the consent of the village's consultative committee, Gram Panchayat and Nasteadharan. The consolidation scheme was prepared on 13-12-2023 and published in the public assembly by the consolidation officer. After the scheme was published, 30 days were given to file objections/requests. Three objections were received within the time limit. All the three objections were heard by the Settlement Officer and a decision was taken in the public meeting. After the decision on the objections, the scheme of consolidation was approved by the Settlement Officer on 13-02-2024. After the scheme was approved, roads of 6 Karam width were constructed from one village to another as per the scheme after inspecting the village in the presence of the Consultative Committee, Gram Panchayat and other stakeholders and with

the consent of all the stakeholders. Some of these roads are also built through the Gram Panchayat's land because the Gram Panchayat is the owner of the property in records. From where roads have been made through the Panchayat's fields, on some of the numbers, entry of non-numbered hill has been going on for many years, but at the spot, it is not a hill, it is barren land.

There is no entry of Section 4-5 in the Khana Kaifiyat in the Khevat of the Panchayat in the record goods and neither has the Consolidation Department received any letter for Section 4-5 from the Forest Construction. Roads have been laid as per revenue records and scheme consolidation. The report is presented to service.

Sd

Assistant Consolidation Officer, Nuh

S.no. 5-6/A.C.O

Date: 24-04-2025

A copy of this is sent to the following for information:

1. Sir Additional Deputy Commissioner Nuh
2. Sir Settlement Officer Nuh

Sd

Assistant Consolidation Officer, Nuh

86 R-19

आदेश

ग्राम पंचायत बसई मेव खण्ड फिरोजपुर झिरका में अरावली पौधारोपण क्षेत्र में अवैध रास्ता निर्माण होने के कारण Forest Conservation Act-1980 व माननीय सर्वोच्च न्यायालय के आदेश दिनांक 12.12.1996 की उल्लंघना बारे माननीय सर्वोच्च न्यायालय द्वारा गठित Central Empowered Committee की रिपोर्ट पत्र F. No: 1-19/CEC/ISC/2024-Pt. (71) Dated: 15th April 2025 के माध्यम से उक्त कमेटी द्वारा विस्तृत रिपोर्ट प्रस्तुत की गई है।

उक्त रिपोर्ट में अवैध माईनिंग गतिविधियों को बढावा देने में संलिप्त सभी संबंधित अधिकारियों/कर्मचारियों/व्यक्तियों के विरुद्ध कार्यवाही की संस्तुति की गई है। इस बारे उक्त कमेटी द्वारा अपने पत्र F. No: 1-26/CEC/SC/2024-Pt. (71) Dated: 9th April 2025 के माध्यम से माननीय मुख्य सचिव हरियाणा सरकार को भेजी गई रिपोर्ट में अवैध रूप से की गई रास्ता बनाने की कार्यवाही के लिए संबंधित अधिकारी/कर्मचारियों/व्यक्तियों के विरुद्ध कार्यवाही की गई संस्तुति की गई है। उक्त रिपोर्ट के साथ संलग्न अन्य दस्तावेजों अनुसार अवैध रास्ता निर्माण के संबंध में वन विभाग नूंह द्वारा वन क्षति रिपोर्ट 80/25 दिनांक 28.08.2024 के आधार पर वन खण्ड अधिकारी, वन परिक्षेत्र अलीपुर तिगरा, रेंज फिरोजपुर झिरका द्वारा आपको नोटिस जारी किये जा चुके हैं।

उक्त रिपोर्ट व साथ संलग्न समाचार पत्रों में प्रकाशित खबरों से अधोहस्ताक्षरी के संज्ञान में यह मामला आया है। परन्तु उक्त मामला माननीय सर्वोच्च न्यायालय तक पहुंचने के बावजूद भी आपके द्वारा सरपंच ग्राम पंचायत बसईमेव रहते हुए अधोहस्ताक्षरी तथा पंचायत विभाग के किसी भी अधिकारी के संज्ञान में मामला न लाकर अपने कर्तव्य का भली प्रकार से निर्वहन न करके हरियाणा पंचायती राज अधिनियम 1994 की धारा 19 में सरपंच द्वारा किये जाने वाले कर्तव्यों के बारे में दिये गये प्रावधानों की उल्लंघना करके अपने आपको कड़ी कार्यवाही का दायी बनाया है।

अतः Central Empowered Committee की रिपोर्ट व रिपोर्ट के साथ संलग्न समाचार पत्रों में प्रकाशित खबरों, वन विभाग नूंह की रिपोर्ट के मद्देनजर हरियाणा पंचायती राज अधिनियम 1994 की धारा 19 व नियम में दिये गये प्रावधानानुसार अपने कर्तव्यों के प्रति कोताही बरतने के संबंध में मैं, विश्राम कुमार मीणा, भा.प्र.से., उपायुक्त, नूंह, हरियाणा पंचायती राज अधिनियम 1994 की धारा 51 (3) (e) के तहत प्रदत्त शक्तियों का प्रयोग करते हुए श्री मौ0 हनीफ पुत्र श्री रूस्तम, सरपंच ग्राम पंचायत बसई मेव खण्ड फिरोजपुर झिरका को सरपंच ग्राम पंचायत बसईमेव खण्ड फिरोजपुर झिरका के पद से निलम्बित करते हुए खण्ड विकास एवं पंचायत अधिकारी, फिरोजपुर झिरका को निर्देश देता हूँ कि वह हरियाणा पंचायती राज अधिनियम 1994 की धारा 51 (1) (i) के तहत ग्राम पंचायत बसईमेव का समस्त रिकॉर्ड श्री मौ0 हनीफ पुत्र श्री रूस्तम से अविलम्ब कब्जे में लेकर बहुमत वाले पंच को सौंपना सुनिश्चित करें। इसके अतिरिक्त श्री मौ0 हनीफ पुत्र श्री रूस्तम के सरपंच ग्राम पंचायत बसई मेव खण्ड फिरोजपुर झिरका के पद से निलम्बित के संबंध में अतिरिक्त उपायुक्त नूंह को नियमित जांच अधिकारी नियुक्त करते हुए निर्देश देता हूँ कि उपरोक्त मामले में द्विधिवत्/नियमानुसार जांच करके विस्तृत जांच रिपोर्ट अधोहस्ताक्षरी को प्रस्तुत करें।

ये आदेश तुरन्त प्रभाव से लागू समझे जावें।

9c विश्राम कुमार मीणा, भा.प्र.से.
उपायुक्त, नूंह।

पृ0कमांक 874-88। /पंचायत दिनांक 13.05.2025

इसकी एक प्रति निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है:-

- माननीय मुख्य सचिव हरियाणा सरकार की सेवा में Central Empowered Committee के पत्र F. No: 1-26/CEC/SC/2024-Pt. (71) Dated: 9th April 2025 की पालना में सूचनार्थ प्रेषित है।
- राज्य निर्वाचन आयोग हरियाणा, पंचकुला।
- आयुक्त एवं सचिव हरियाणा सरकार, विकास एवं पंचायत विभाग, चण्डीगढ।
- महानिदेशक, विकास एवं पंचायत विभाग, चण्डीगढ।
- अतिरिक्त उपायुक्त नूंह एवं जांच अधिकारी।
- मुख्य कार्यकारी अधिकारी, जिला परिषद, नूंह।
- खण्ड विकास एवं पंचायत अधिकारी, फिरोजपुर झिरका को उक्त आदेशों की पालनार्थ।
- रजि0-श्री मौ0 हनीफ पुत्र श्री रूस्तम, सरपंच (निलम्बित) ग्राम पंचायत बसईमेव खण्ड फिरोजपुर झिरका

9c उपायुक्त, नूंह।

Order

Regarding the violation of Forest Conservation Act,1980 and the order of the Hon'ble Supreme Court dated 12.12.1996 due to illegal road construction in the Aravalli plantation area in Gram Panchayat Basai Meo, Khand Ferozepur Jhirka, a detailed report has been submitted by the said committee through the report letter F. No: 1-19ICECISCI2024 Pt. (71) Dated: 15th April 2025 of the Central Empowered Committee constituted by the Hon'ble Supreme Court.

In the said report, action has been recommended against all the concerned officers / employees / persons involved in promoting illegal mining activities. In this regard, the said committee has recommended action against the concerned officers / employees / persons for the illegal construction of the road in the report sent to the Honourable Chief Secretary Haryana Government through its letter F. No: 1-26/CEC/SC/2024-Pt. (71) Dated: 9th April 2025. According to other documents attached with the said report, in relation to illegal road construction, notices have been issued to you by the Forest Division Officer, Forest Range Alipur Tigra, Range Firozpur Jhirka on the basis of Forest Damage Report 80/25 dated 28.08.2024 by the Forest Department Nuh.

This matter has come to the notice of the undersigned through the above report and the news published in the attached newspapers. But despite the above matter reaching the Hon'ble Supreme Court, you, being the Sarpanch of Gram Panchayat Basai Meo, have not brought the matter to the notice of the undersigned and any officer of the Panchayat Department and have not discharged your duties properly and have violated the provisions given in

Section 19 of the Haryana Panchayati Raj Act 1994 regarding the duties to be performed by the Sarpanch, thereby making yourself liable for strict action.

Therefore, in view of the report of the Central Empowered Committee and the news published in the newspapers attached with the report, the report of the Forest Department, Nuh, in respect of dereliction of duty as per the provisions of Section 19 and Rules of the Haryana Panchayati Raj Act, 1994, I, Vishram Kumar Meena, IAS Deputy Commissioner, Nuh, in exercise of powers conferred under Section 51 (3) (e) of the Haryana Panchayati Raj Act, 1994, suspend Shri Mohd. Haneef son of Shri Rustam, Sarpanch, Gram Panchayat Basai Meo, Block Ferozpur Jhirka, from the post of Sarpanch, Gram Panchayat Basai Meo, Block Ferozpur Jhirka, and direct the Block Development and Panchayat Officer, Ferozpur Jhirka to take possession of all records of Gram Panchayat Basai Meo from Shri Mohd. Haneef son of Shri Rustam immediately and hand them over to the majority Panch under Section 51 (1) (i) of the Haryana Panchayati Raj Act, 1994. Apart from this, regarding the suspension of Shri Mohd. Haneef son of Shri Rustam from the post of Sarpanch of Gram Panchayat Basai Meo Khand Ferozpur Jhirka, I appoint Additional Deputy Commissioner Nuh as regular investigation officer and direct him to investigate the above case in a proper manner/as per rules and submit a detailed investigation report to the undersigned.

Please understand that this order takes effect immediately.

Sd

Vishram Kumar Meena, I.A.S

Deputy Commissioner, Nuh

Pag no. 874-881/ Panchayat

Date: 13.05.2025

A copy of this is sent to the following for information and necessary action:-

1. This is sent to the Hon'ble Chief Secretary, Government of Haryana in pursuance of the letter F. No: 1-26/CEC/SC/2024-Pt. (71) Dated: 9th April 2025 of the Central Empowered Committee for information.
2. State Election Commission Haryana, Panchkula.
3. Commissioner and Secretary to Government of Haryana, Development and Panchayat Department, Chandigarh.
4. Director General, Department of Development and Panchayats, Chandigarh.
5. Additional Deputy Commissioner Nuh and Investigation Officer.
6. The Chief Executive Officer, Zila Parishad, Nuh.
7. Block Development and Panchayat Officer, Ferozpur Jhirka for compliance of the above orders.
8. Regd.- Shri Mohd. Haneef son of Shri Rustam, Sarpanch (suspended) Gram Panchayat Basaimev Block Ferozpur Jhirka

Sd

Deputy Commissioner, Nuh

1 87 R-220

न्यायालय श्रीमान आयुक्त महोदय फरीदाबाद मण्डल, फरीदाबाद

मौ० हनीफ पुत्र श्री रुस्तम निवासी गाव बसई मेव तहसील फिरोजपुर झिरका जिला
नूंह

बनाम

श्रीमान उपायुक्त नूंह, जिला नूंह

.....अपीलार्थी

.....प्रतिप्रार्थी

अपील बरखिलाफ आदेश दिनांक 13.05.2025 पासकर्दा उपायुक्त महोदय, नूंह बाउम्भीद मंजूरी

अपील व अपास्त किये जाने आदेश दिनांक 13.05.2025

श्रीमान जी

अपीलार्थी निम्न निवेदन करता है-

वजूहात अपील -

1. यह कि अपीलार्थी ग्राम पंचायत बसई मेव, खण्ड फिरोजपुर झिरका का विधिवत निर्वाचित सरपंच है जो अपीलार्थी ने ग्राम पंचायत के सरपंच बनने के बाद अपने दायित्वों व कर्तव्यों का विधिवत निर्वहन किया है तथा कभी कोई ऐसा कार्य नहीं किया जो ग्राम पंचायत के हितों के खिलाफ हो।
2. यह कि कथित आदेश दिनांक 13.05.2025 पासकर्दा श्रीमान उपायुक्त महोदय, नूंह कतई गलत, बेबुनियाद व हरियाणा पंचायती राज अधिनियम, 1994 की धारा 51(3) के मूलभूत प्रावधानों के उल्लंघन में पारित किया है जो कथित आदेश जेरे अपील निरस्त किये जाने योग्य है।

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8. यह कि अपील के अन्य दस्तावेज लिखने से पूर्व यहां हरियाणा पंचायती राज अधिनियम, 1994 की धारा 51(3) के मूलमूल प्रावधानों को उल्लेखित किया जाना अति आवश्यक है।

धारा 51के प्रावधान:-

A. पंच या सरपंच को निलम्बित और हटाया जाना:-

उपधारा 3:- निदेशक या संबंधित उपायुक्त जांच करने उपरान्त, जैसे भी उचित समझे और एक सरपंच या पंच, जैसे भी स्थिति हो सुनवाई का अवसर प्रदान करके, उसके विरुद्ध प्रस्तावित कार्य का कारण बताओ नोटिस देकर और आदेश द्वारा उसे पद से हटा सकते हैं:-

ड. यदि वह अपने कर्तव्य निभाने में दुर्व्यवहार का दोषी हो और सार्वजनिक हित में उसका पद पर बने रहना वांछनीय ना हो।

4. यह कि मुतनाजा आदेश दिनांक 13.05.2025 बिना कोई सुनवाई का अवसर प्रदान किये मातहत अदालत ने अपीलार्थी के खिलाफ यकतरफा कार्यवाही करके पारित किया है जो सरासर गलत, गैर कानूनी व धारा 51 (3) के प्रावधानों के उल्लंघन में पारित किया गया है।
5. यह कि अपीलार्थी को मातहत अदालत ने कभी भी कथित रिपोर्ट बारे में कोई सुनवाई के लिए नोटिस जारी नहीं किया जो कथित आदेश से पूर्व अपीलार्थी का पक्ष सुनना अत्यन्त आवश्यक था।
6. यह कि अपीलार्थी को मुतनाजा आदेश में उल्लेखित रिपोर्टों की कोई जानकारी नहीं है। मातहत अदालत ने जिन कथित रिपोर्टों का उल्लेख किया है व दस्तावेजों का उल्लेख किया है जिनके अनुसार अवैध रास्ता निर्माण के संबंध में वन विभाग को क्षति उल्लेखित की गयी है उक्त तथ्यों से अपीलार्थी का कोई लेना देना नहीं है। यहां यह उल्लेखित करना अति आवश्यक है कि ग्राम पंचायत बसई मेव में हरियाणा सरकार के

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नोटिफिकेशन इन्डोर्समेंट नं० EA4/2021/983-87 dated 26-02-2021 के अनुसार ग्राम पंचायत बसई मेव में चकबन्दी का कार्य चकबन्दी विभाग, जिला नूंह द्वारा किया जा रहा है जो दौराने चकबन्दी कार्यवाही, चकबन्दी विभाग ने स्कीम चकबन्दी तैयार की जिस पर ऐतराज का विधिवत अवसर व समय दिया गया तथा सभी ऐतराजात सुनने के बाद स्कीम चकबन्दी, चकबन्दी विभाग ने प्रकाशित की जिसमें नियमानुसार पुराने रास्तों को विस्तृत किया गया तथा उक्त चकबन्दी कार्यवाही संबंधित विभाग के उच्च अधिकारियों द्वारा अमल में लायी गयी जिसमें अपीलार्थी का बतौर सरपंच ग्राम पंचायत बसई मेव कोई ताल्लुक वास्ता नहीं था परन्तु अपीलार्थी को गलत व गैर कानूनी तरीके से बिना कोई कारण बताए व बिना सुनवाई के मातहत अदालत ने नोन-स्पीकिंग आदेश के तहत निलम्बन का गैर कानूनी आदेश पारित किया है जो मुतनाजा आदेश के पढने से ही स्पष्ट हो जाता है।

7. यह कि चकबन्दी विभाग द्वारा चकबन्दी के दौरान गाव में कायम किये गये रास्ते चकबन्दी विभाग से ही संबंधित है जिनसे अपीलार्थी का कोई लेना देना नहीं है।
8. यह कि मातहत अदालत ने जिन कथित रिपोर्टों का हवाला मुतनाजा आदेश में दिया है इनके बारे में अपीलार्थी को कोई इल्म व जानकारी नहीं है।
9. यह कि अपीलार्थी ने सरपंच बनने के उपरान्त अपने कर्त्तव्यों का विधिपूर्वक निर्वहन किया है।
10. यह कि मातहत अदालत ने मुतनाजा आदेश दिनांक 13.05.2025 के जिमन नं० 2 में उल्लेखित किया है कि अवैध रूप से की गयी रास्ता बनाने की कार्यवाही के लिए संबंधित अधिकारी/कर्मचारियों/व्यक्तियों के खिलाफ कार्यवाही की संस्तुति की गयी है जो उक्त संस्तुति के आधार पर मातहत अदालत ने केवल अपीलार्थी के खिलाफ बिना कोई सुनवाई का अवसर दिये व बिना पक्ष जाने एकतरफा कार्यवाही कर मुतनाजा आदेश पारित किया है जबकि मातहत अदालत ने किसी अधिकारी व कर्मचारी के खिलाफ कोई कार्यवाही नहीं की है जो आदेश से स्पष्ट होता है कि

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The evidence Act 1872

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पुतनाजा आदेश अपीलार्थी के खिलाफ मंजूर किया जाने योग्य है।

1. यह कि चकबन्दी के दौरान रास्तों के संबंध में संबंधित अधिकारियों के समक्ष पेश होकर मामला महोदय, नूंह ने अपनी शक्तियों का दुरुपयोग करके 2025 पारित किया है जो निरस्त करने योग्य है।
11. यह कि अपील हाजा म्याद के अन्दर है।

अपीलार्थी प्रार्थना करता है कि अपील मंजूर फरमाकर आदेश 13.05.2025 रद्द फरमाये जाये और आदेश की आगामी कार्यवाही जावे और अपीलार्थी को सरपंच के पद पर पुनः बहाल किया जावे।

दिनांक:- 15.5.25

मौ० हनीफ
अपीलार्थी

मौ० हनीफ पुत्र श्री रुस्तम निवासी गाव
बसई मेव तहसील फिरोजपुर झिरका जिला
नूंह

मार्फत वकील- मौ० आजाद, अधिवक्ता, नूंह

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The evidence Act 1872

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Annexure P-12

BEFORE THE HON'BLE COMMISSIONER, FARIDABAD
DIVISION, FARIDABAD

Mohd. Hanif, Son of Shri Rustam, Resident of Village Basai Mev,
Tehsil Ferozepur Jhirka, District Nuh

... Appellant

Versus

The Deputy Commissioner, Nuh, District Nuh

... Respondent

Subject: Appeal against the Order dated 13.05.2025 passed by the
Hon'ble Deputy Commissioner, Nuh with the prayer for allowing
the appeal and setting aside the said order dated 13.5.2025

Respected Sir,

The appellant most respectfully submits the following:-

Grounds of Appeal:

1. That the appellant is the duly elected Sarpanch of Gram Panchayat Basai Mev, Block Ferozepur Jhirka, and ever since being elected as Sarpanch, the appellant has duly performed all his responsibilities and duties, and has never committed any act against the interests of the Gram Panchayat

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2. That the impugned order dated 13.05.2025 passed by the Hon'ble Deputy Commissioner, Nuh, is absolutely incorrect, baseless, and has been passed in violation of the fundamental provisions of Section 51(3) of the Haryana Panchayati Raj Act, 1994. Therefore, the said order under appeal is liable to be set aside

3. That before stating other grounds of appeal, it is extremely necessary to mention the fundamental provisions of Section 51(3) of the Haryana Panchayati Raj Act, 1994 here.

Provisions of Section 51:

A. Suspension and Removal of a Panch or Sarpanch:

Sub-section (3): The Director or the concerned Deputy Commissioner, after conducting an inquiry as deemed appropriate, and after providing an opportunity of hearing to the concerned Sarpanch or Panch, as the case may be, may issue a show cause notice regarding the proposed action against them and may remove them from their post by an order

d. If they are found guilty of misconduct in the performance of their duties and it is not desirable in public interest for them to continue in office.

4. That the impugned order dated 13.05.2025 was passed by the subordinate court by proceeding ex parte against the appellant without providing any opportunity of hearing, which is completely wrong, illegal, and in violation of the provisions of Section 51(3).

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5. That the subordinate court never issued any notice to the appellant for hearing regarding the alleged report, and hearing the appellant's side prior to the impugned order was absolutely necessary.

6. That the appellant has no knowledge of the reports mentioned in the impugned order. The alleged reports and documents referred to by the subordinate court, which claim damage caused to the Forest Department due to illegal road construction, have no connection whatsoever with the appellant. It is very important to mention here that in Gram Panchayat Basai Mew, under the Government of Haryana, According to Notification Endorsement No. EA4/2021/983-87 dated 26-02-2021, the consolidation work in Gram Panchayat Basai Mew is being carried out by the Consolidation Department, District Nuh. During the consolidation proceedings, the Consolidation Department prepared a consolidation scheme, for which proper opportunity and time were given to raise objections. After hearing all objections, the consolidation scheme was published by the Consolidation Department, wherein, as per rules, the old paths were widened. This consolidation process was implemented by the senior officers of the concerned department, and the appellant, in the capacity of Sarpanch of Gram Panchayat Basai Mew, had no involvement or connection with it. However, the subordinate court, without stating any reason and without granting any opportunity of hearing, wrongly and illegally passed an order of suspension under a non-

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speaking order, which is evident from a plain reading of the impugned order.

7. That the roads established during consolidation in the village were the responsibility of the Consolidation Department alone and the appellant has no connection whatsoever with them.

8. That the appellant has no knowledge or information regarding the alleged reports referred to in the impugned order by the subordinate court.

9. That after being elected as Sarpanch, the appellant has duly and lawfully performed his duties.

10. That in the impugned order dated 13.05.2025, at entry no. 2, the subordinate court has mentioned that action has been recommended against the concerned officials/employees/persons for the illegal road construction activity. However, based solely on this recommendation, the subordinate court, without granting any opportunity of hearing or knowing the version of the appellant, proceeded ex parte and passed the impugned order against the appellant only. It is also evident from the order that no action has been taken by the subordinate court against any official or employee, which clearly indicates that the disputed order is liable to be set aside as it has been wrongly passed against the appellant.

10. That during the consolidation proceedings, the matter relating to the roads was presented before the concerned authorities. However, the respected officer at Nuh misused his

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powers and passed the order dated 2025, which is liable to be quashed.

11. That the present appeal is within the limitation period.

PRAYER:

The appellant prays that the appeal may kindly be allowed, the order dated 13.05.2025 be set aside, further proceedings based on the said order be stayed, and the appellant be reinstated to the post of Sarpanch.

Dated: 15.05.2025

Appellant:

Sd/-

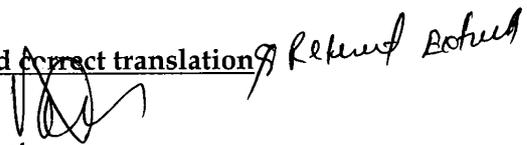
Mohd. Hanif, son of Shri Rustam,

Resident of Village Basai Meo,

Tehsil Ferozepur Jhirka, District Nuh.

Through Counsel - Mohd. Azad, Advocate, Nuh

Certified to be true and correct translation


Advocate

BEFORE THE NATIONAL GREEN TRIBUNAL, NEW DELHI

OA No. 1249/2024

Yasin Vs. State of Haryana & Ors.

1. STATE OF HARYANA
Through Chief Secretary,
Haryana Civil Secretary 8th Floor, Chandigarh-160001
E-mail: kaushalsanjeev@hry.nic.in ... (RESPONDENT NO. 1)
2. HARYANA STATE POLLUTION CONTROL BOARD (HEAD OFFICE)
Through chairman,
C-11, Sector-6, Panchkula, Haryana-134109,
E-mail: hqhspcb@hspcb.org.in ... (RESPONDENT NO. 2)
3. HARYANA STATE POLLUTION CONTROL BOARD (REGIONAL OFFICE)
Through Regional Officer, Shed No. 1,
Roz ka Meo, Industrial area,
Tehsil- Nuh, Distt. Mewat, Haryana- 122107,
E-mail: hspcbrouh@gmail.com ... (RESPONDENT NO. 3)
4. DEPUTY COMMISSIONER
Deputy Commissioner Nuh,
Office- DC Office, 24 Floor, Mini Secretariat, Nuh- 122107
E-mail: denuh@hry.nic.in ... (RESPONDENT NO. 4)
5. MINISTRY OF ENVIRONMENT FOREST AND CLIMATE CHANGE
Through Secretary,
Jor Bagh Road, Lodi Colony, New Delhi-110003,
E-mail: secy-moef@nic.in ... (RESPONDENT NO. 5)
6. SARPANCH
Mohd Haneef
R/O: Rustam Village, Basai Meo, Tehsil- Firozpur,
Jhirka, District - Nuh, Haryana- 122107, ... (RESPONDENT NO. 6)
7. DIVISIONAL FOREST OFFICER
Divisional Forest officer, (Territorial),
Near Bus Stand, Nuh, Haryana-122107, ... (RESPONDENT NO. 7)

NOTICE

Whereas the above titled Application was listed before the Hon'ble Tribunal on 17.12.2024 (copy of order, petition & application are enclosed), when the Tribunal inter-alia passed the following order (reproduced relevant extracts only):-

4. Issue notice to the Respondents for filing their reply by way of affidavit.
5. The applicant is directed to serve the respondents and file affidavit of service at least one week before the next date of hearing.
6. List on 15.04.2025."

2. Now, take further notice that the above matter will be listed for further consideration before the Hon'ble Tribunal on 15.04.2025, at Faridkot House, Copernicus Marg, New Delhi-110001 through physical hearing (with hybrid option), when you may appear before the Hon'ble Tribunal either in person or by a pleader.

BEFORE THE NATIONAL GREEN TRIBUNAL, NEW DELHI

OA No. 1249/2024

Yasin Vs. State of Haryana & Ors.

1. STATE OF HARYANA
Through Chief Secretary,
Haryana Civil Secretary 8th Floor, Chandigarh-160001
E-mail: kaushalsanjeev@hry.nic.in ...(RESPONDENT NO. 1)
2. HARYANA STATE POLLUTION CONTROL BOARD (HEAD OFFICE)
Through chairman,
C-11, Sector-6, Panchkula, Haryana-134109,
E-mail: hghspcb@hspcb.org.in ...(RESPONDENT NO. 2)
3. HARYANA STATE POLLUTION CONTROL BOARD (REGIONAL OFFICE)
Through Regional Officer, Shed No. 1,
Roz ka Meo, Industrial area,
Tehsil-Nuh, Distt. Mewat, Haryana-122107,
E-mail: lispebrunuh@gmail.com ...(RESPONDENT NO. 3)
4. DEPUTY COMMISSIONER
Deputy Commissioner Nuh,
Office-DC Office, 24 Floor, Mini Secretariat, Nuh-122107
E-mail: denuh@hry.nic.in ...(RESPONDENT NO. 4)
5. MINISTRY OF ENVIRONMENT FOREST AND CLIMATE CHANGE
Through Secretary
Jor Bagh Road, Lodi Colony, New Delhi-110003,
E-mail: secy-mocf@nic.in ...(RESPONDENT NO. 5)
6. SARPANCH
Mohd Haneef
R/O: Rustam Village, Bassi Meo, Tehsil- Firozpur,
Jhirka, District - Nuh, Haryana-122107, ...(RESPONDENT NO. 6)
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"4. Issue notice to the Respondents for filing their reply by way of affidavit.

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6. Liston 15.04.2025."

2. Now, take further notice that the above matter will be listed for further consideration before the Hon'ble Tribunal on 15.04.2025, at Faridkot House, Copernicus Marg, New Delhi-110001 through physical hearing (with hybrid option), when you may appear before the Hon'ble Tribunal either in person or by a pleader duly instructed and file reply/response, as per directions of the Hon'ble Tribunal vide Order dated 17.12.2024.

3. Take further notice that in default of your appearance on the date above mentioned, the said Application will be heard and determined in your absence.

4. Given under my hand and the seal of this Hon'ble Tribunal, on this 28th December 2024.

Note: (for Orders, Cause Lists & other information, please visit our website www.greentribunal.gov.in)

28.12.2024
Consultant (Judicial)



निदेशक चकबन्दी हरियाणा
बेज न0 25-26, सैक्टर-4, पंचकूला

सेवा में

जिला राजस्व अधिकारी एवं
बन्दोबस्त अधिकारी चकबन्दी, नूंह।

यादि कमांक सस4/2025 584
पंचकूला, दिनांक 6/2/25

विषय:- दरखास्त बाबत चकबन्दी रूकवाने बारे।

उपरोक्त विषय के सम्बन्ध में आपको अनुरोधपूर्वक लिखा जाता है कि गांव बसईमेव, खण्ड
फिरोजपुर झिरका, नूंह की माह जनवरी 2025 की प्रगति रिपोर्ट अनुसार तकसीम का कार्य 40 प्रतिशत तक पूर्ण
हो चुका है। अब बची हुई 60 प्रतिशत तकसीम का कार्य पूर्ण कर कब्जाकार्यवाही जल्द से जल्द पूर्ण करे ताकि
लोगों को परेशानियों का सामना ना करना पड़े।

ole
सहायक चकबन्दी अधिकारी(मु0)
कृते: निदेशक, चकबन्दी, हरियाणा।
0

To,
District Revenue Officer and
Consolidation Settlement Officer, Nooh

S.no: SS4/2025

Panchkula, Date: 06-02-2025

Subject: Application to put hold on Chakbandi

With reference to the above subject, it is to respectfully bring to your attention that, as per the progress report of January 2025 for village Basai Meo, Block Firozpur Jhirka, Nuh, approximately 40% of the partition work has been completed.

In light of the above, I kindly request you to take the necessary steps to ensure the timely completion of the remaining 60% of the partition work. Further, I also request that the possession proceedings be completed at the earliest convenience so that the local residents do not face any unnecessary inconvenience or hardship.

Assistant Consolidation Officer
Director, Consolidation, Haryana

Pen Drive

<Dial 18002666868><Wear mask -Stay safe>

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India Post
डाक सेवा-डाक सेवा

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RH700518001IN IVR:8272700518001
RL FERDZEPUR JHIRKA SO <122104>
Counter No:1,16/06/2025,13:17
To:CEC CENTRAL E,CHANAKYA BHAWAN
PIN:110021, Chanakya Puri SO
From:HANIF SARPANCH,BASAI MED
Wt:475gms,REG=17.0
Amt:161.66,Tax:24.66,Amt.Paid:162.00(Cash)
<Track on www.indiapost.gov.in>

RH7005180

Counter N

Amt:161.6
,REG=17.0

From:FERD

From:Hub

To: Hub

Del

<Dial 18002666868><Wear mask -Stay

भारतीय डाक
डाक सेवा-डाक सेवा



India Post
डाक सेवा-डाक सेवा



RH700517995IN IVR:8272700517995
RL FERDZEPUR JHIRKA SO <122104>
Counter No:1,16/06/2025,13:17
To:SH ANURAG RAS,CIVIL SECRETARIA
PIN:160001, New Sectt Chandigarh SO
From:HANIF SARPANCH,BASAI MED
Wt:455gms,REG=17.0
Amt:155.76,Tax:23.76,Amt.Paid:156.00(Cash)
<Track on www.indiapost.gov.in>
<Dial 18002666868><Wear mask -Stay

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India Post

RH700518001IN IVR:8272700518001
RL FEROPUR JHIRKA SO <122104>
Counter No:1,16/06/2025,13:17
To: CEC CENTRAL E, CHANAKYA BHAWAN
PIN:110021, Chanakya Puri S0
From: HANIF SARPANCH, BASAI MEO
Wt:475g@s, REG-17.0
Amt: 161.66, Tax:24.66, Amt.Paid:162.00(Cash)
<Track on www.indiapost.gov.in>
<Dial 18002666868 Wear mask -Stay safe>

Indian Post

RH700517995IN IVR:8272700517995
RL FEROPUR JHIRKA SO <122104>
Counter No: 1, 16/06/2025, 13:17
To: SH ANURAG RAS, CIVIL SECRETARIA
PIN:160001, New Sectt Chandigarh SO
From: HANIF SARPANCH, BASAI MEO
Wt:455gas, REG-17.0
Amt: 155.76, Tax:23.76, Amt.Paid:156.00(Cash)
<Track on www.indiapost.gov.in>
<Dial 18002666868><Wear mask-Stay safe>



1 MESSAGE

Summarise

Found in Gmail Sent Mailbox



From: ★ Mohammad Arshad My... >

To: adcnuh@hry.nic.in >dcnuh@hry.nic.in >

3 June 2025 at 12:58 PM



Point wise reply Reply on behalf of Shri. Mohd. Hanif Sarpanch (Suspended), Gram Panchayat Basai Meo for allegations relating to disputed road/passage in village Basai Meo, District Nuh, Gurgaon.

Dated: 03.06.2025

To,

1. Deputy Commissioner Nuh

2. Additional Deputy Commissioner Nuh



New Message

Isd
Vilas Kumar
//True copy//

Pran Kumar

आदेश

जैसा कि श्री मौ० हनीफ पुत्र श्री रूस्तम, सरपंच ग्राम पंचायत बसई मेव खण्ड फिरोजपुर झिरका के विरुद्ध ग्राम पंचायत बसई मेव में अरावली पौधारोपण व पी०एल०पी०ए०-1900 सैक्सन 4 व 5 से संबंधित खसरा नंबरान में से बिना वन विभाग की अनुमति के अवैध रूप से रास्ता निर्माण करवाकर रास्ता निकालने व अवैध माईनिंग को बढ़ावा देने का मामला सामने आया है। उक्त अवैध रास्ता निर्माण होने के कारण Forest Conservation Act-1980 व माननीय सर्वोच्च न्यायालय के आदेश दिनांक 12.12.1996 की उल्लंघना बारे माननीय सर्वोच्च न्यायालय द्वारा गठित Central Empowered Committee की रिपोर्ट पत्र F. No: 1-19ICECISC12024-Pt. (71) Dated: 15th April 2025 के माध्यम से उक्त कमेटी द्वारा विस्तृत रिपोर्ट प्रस्तुत की गई।

उक्त रिपोर्ट में अवैध माईनिंग को बढ़ावा देने हेतु मौ० हनीफ पुत्र श्री रूस्तम के विरुद्ध वन विभाग की बिना अनुमति के बनाये गये अवैध रोड के संबंध में दी गई रिपोर्ट तथा पत्र F. No: 1-26/CEC/SC/2024-Pt. (71) Dated: 9th April 2025 के माध्यम से माननीय मुख्य सचिव हरियाणा सरकार को भेजी गई रिपोर्ट में अवैध रूप से की गई रास्ता बनाने की अवैध कार्यवाही के लिए मौ० हनीफ पुत्र श्री रूस्तम के विरुद्ध कार्यवाही की गई संस्तुति की गई। उक्त रिपोर्ट के साथ संलग्न अन्य दस्तावेजों अनुसार अवैध रास्ता निर्माण के संबंध में वन विभाग नूह द्वारा वन क्षति रिपोर्ट 80/25 दिनांक 28.08.2024 के आधार पर वन खण्ड अधिकारी, वन परिक्षेत्र अलीपुर तिगरा, रेंज फिरोजपुर झिरका द्वारा मौ० हनीफ पुत्र श्री रूस्तम को नोटिस भी जारी किये।

उक्त रिपोर्ट व साथ संलग्न वन विभाग की रिपोर्टों से स्पष्ट तौर पर पाया गया कि श्री मौ० हनीफ पुत्र श्री रूस्तम के द्वारा जनप्रतिनिधि के तौर पर अपने कर्तव्यों का निर्वहन नहीं किया गया तथा पाया गया कि श्री मौ० हनीफ पुत्र श्री रूस्तम द्वारा अवैध गतिविधियों में सलिप्त होकर सरपंच बसईमेव के पद का दुरुपयोग किया गया। इसके अतिरिक्त श्री मौ० हनीफ पुत्र श्री रूस्तम द्वारा सरपंच ग्राम पंचायत बसईमेव के पद पर रहते हुए उक्त मामला माननीय सिविल न्यायालय व माननीय उच्च न्यायालय में विचाराधीन रहने के बावजूद भी पंचायत विभाग के किसी भी उच्च अधिकारी के सज्ञान में न लाकर अपने कर्तव्यों का भली प्रकार से निर्वहन न करके हरियाणा पंचायती राज अधिनियम 1994 की धारा 19 के अन्तर्गत सरपंच द्वारा किये जाने वाले कर्तव्यों के निर्वहन के बारे में दिये गये प्रावधानों की स्पष्ट तौर पर उल्लंघना की गई है।

उक्त आधार पर व Central Empowered Committee की रिपोर्ट व रिपोर्ट के साथ संलग्न वन विभाग नूह की रिपोर्ट के मद्देनजर अधोहस्ताक्षरी द्वारा इस कार्यालय के आदेश पृ०क०मांक 874-881/पंचायत दिनांक 13.05.2025 के माध्यम से श्री मौ० हनीफ पुत्र श्री रूस्तम को हरियाणा पंचायती राज अधिनियम 1994 की धारा 51 (3) (e) के तहत प्रदत्त शक्तियों के आधार पर सरपंच ग्राम पंचायत बसईमेव खण्ड फिरोजपुर झिरका के पद से निलम्बित करते हुए अतिरिक्त उपायुक्त नूह को नियमित जांच अधिकारी नियुक्त करते हुए विधिवत्/नियमानुसार जांच करके विस्तृत जांच रिपोर्ट प्रस्तुत करने के निर्देश दिये गये।

अतिरिक्त उपायुक्त नूह एवं जांच अधिकारी द्वारा सभी संबंधित को शामिल जांच करते हुए अपने पत्र क्रमांक 1389 दिनांक 23.06.2025 के माध्यम से विस्तृत जांच रिपोर्ट अधोहस्ताक्षरी कार्यालय में प्रस्तुत की गई।

नियमित जांच अधिकारी द्वारा भेजी गयी विस्तृत जांच रिपोर्ट में दिये गये तथ्यों के आधार पर पाया गया कि जांच रिपोर्ट में दिये गये निष्कर्ष अनुसार उक्त दोनों रास्तों का निर्माण वर्ष 2024 में किया गया। चकवन्दी अधिकारियों द्वारा ग्रामवासियान की दरखास्त के मद्देनजर दो रास्तों क्रमशः गांव



नांगल व अंजनी माता मंदिर को जोड़ने हेतु चकबन्दी रकीम में शामिल किये गये जिस बारे कुछ गांव वासियों न उक्त रास्तों को चौड़ा किये जाने के विरुद्ध अपनी आपत्ति चकबन्दी अधिकारियों के सामने प्रस्तुत की। जांच रिपोर्ट में वर्णित तथ्यों अनुसार वर्तमान समय तक भी चकबन्दी का कार्य पूर्ण नहीं हुआ है। तथा जिला राजस्व अधिकारी ने मुकदमा नं० 3/DRO, दिनांक 16.12.2024 के द्वारा मौजा बसईमेव तहसील फिरोजपुर झिरका के आदेश में चकबन्दी रकीम में उक्त रास्तों को शामिल किये जाने के फैसले को निरस्त कर दिया। जांच रिपोर्ट के निष्कर्ष में दिये गये बिन्दु नं० 8, 9 एवं 10 में जांच अधिकारी द्वारा दी गई टिप्पणी स्पष्ट है, जो कि निम्न प्रकार से है:-

8. सरपंच ग्राम सचिव ग्राम पंचायत बसई मेव के ब्यानो अनुसार, उन्हे इन रास्तो के निर्माण बारे कोई सूचना नही थी व उन्होनें ग्राम पंचायत के किसी भी फंड का उपयोग उक्त रास्तो के निर्माण मे नही किया है। यह भी गौरतलब है कि उक्त रास्तो की लगभग लबाई (2.5 KM नांगल गांव की तरफ) व (2.5 KM अंजनी माता मंदिर की तरफ) है, अतः 5 KM लबे, 33 फुट चौडे तथा 3 फीट उचे रास्ते गांव से बनाये जाए तो सरपंच व ग्राम सचिव की जानकारी में न होना संभव नही है। इसके अतिरिक्त भी उक्त लबाई के रास्तों के निर्माण में भी काफी मात्रा में मशीनें, सामान, मानव संसाधन व समय की लागत आती है। परन्तु सरपंच व ग्राम सचिव द्वारा उक्त रास्तो को बनाने से रोकने के लिए कोई ठोस कदम नही उठाए गए तथा अपने उच्च अधिकारियो को भी इस बारे कोई अधिकारिक सूचना नही दी गई।
9. इसके अतिरिक्त भी एक मुकदमा केस नं० CS/271/2024 श्रीमति संजीदा बनाम ग्राम पंचायत सिविल न्यायलय, फिरोजपुर झिरका में विचाराधीन है। जिसमें ग्राम पंचायत को उक्त प्रार्थी की जमीन से कोई भी रास्ता बनाने पर रोक लगाई हुई है। परन्तु सरपंच व ग्राम पंचायत द्वारा भी उक्त केस में पार्टी होने के बावजूद भी उक्त रास्ते के निर्माण को रोकने के संबंध में कोई कदम नही उठाए गए।
10. हरियाणा पंचायती राज अधिनियम 1994 के अनुच्छेद 19 व अनुच्छेद 21 के अनुसार ग्राम पंचायत व सरपंच का कर्तव्य है कि किसी भी पंचायत प्रापर्टी व जमीन पर नाजायज कब्जा न होने दे। गौरतलब है कि बनाए गए रास्तो के कुछ खसरा नम्बरान में ग्राम पंचायत की मलकियत है। अतः ग्राम पंचायत की मलकियत की जमीन पर गैर कानूनी रूप से रास्ता बनाने के बावजूद, सरपंच द्वारा कोई कदम नही उठाया गया और न उच्च अधिकारियों को सूचित किया गया जो इस और इंगित करता है कि सरपंच व ग्राम सचिव, अपने कार्य के प्रति गंभीर नही है तथा उन्होने अपने कर्तव्य निर्वहन में घोर लापरवाही की है।”

जांच रिपोर्ट में वर्णित तथ्यों एवं निष्कर्ष के आधार पर हरियाणा पंचायती राज अधिनियम 1994 की धारा 51 व अन्य संबधित धाराओं में दिये गये प्रावधानों के तहत इस कार्यालय के पत्र क्रमांक 1535/पंचायत दिनांक 25.06.2025 के माध्यम से श्री मौ० हनीफ पुत्र श्री रूस्तम निलम्बित सरपंच ग्राम पंचायत बसईमेव तथा पत्र क्रमांक 1537/पंचायत दिनांक 25.06.2025 के माध्यम से श्री जावेद अख्तर ग्राम सचिव ग्राम पंचायत बसईमेव खण्ड फिरोजपुर झिरका को निजी सुनवाई का अवसर प्रदान करते हुए दिनांक 01.07.2025 को प्रातः 10:00 बजे अधोहस्ताक्षरी कार्यालय में निजी तौर पर उपस्थित आकर अपना पक्ष प्रस्तुत करने हेतु नोटिस मौ० हनीफ पुत्र श्री रूस्तम के घर पर वितरित करवाकर उनके मोबाईल नं० पर व्हॉट्सएप्प करवाकर घर पर चस्मा करवाकर वितरित करवाये गये।

अतिरिक्त उपायुक्त नूह द्वारा भेजी गई जांच रिपोर्ट के अलावा खण्ड विकास एवं पंचायत अधिकारी फिरोजपुर झिरका द्वारा अपने कार्यालय के पत्र क्रमांक 1227 दिनांक 30.06.2025 के माध्यम से अधोहस्ताक्षरी को भेजी गई रिपोर्ट से ज्ञात हुआ है कि श्री मौ० हनीफ पुत्र श्री रूस्तम द्वारा उक्त वर्णित रास्तों के बारे में मनरेगा स्कीम के अन्तर्गत कार्य करवाने हेतु दिनांक 07.08.2024 को प्रतिवेदन दिया गया था। वीडिपीओ फिरोजपुर झिरका द्वारा भेजी गई रिपोर्ट निम्न प्रकार से है:-

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'उपरोक्त विषय पर ग्राम पंचायत बसईमेव में मनरेगा स्कीम के एम0आई0एस0 (MIS) पोर्टल पर 15 कार्यों के वर्क कोड तैयार किये गये थे। और बाद में उनको पोर्टल से डिलीट कर दिया गया।

इस बारे ग्राम सचिव, ए0बी0पी0ओ0, लेखा सहायक मनरेगा, व मनरेगा जे0ई0 के ब्यान लिये गये। ब्यानों के अनुसार इन कार्यों के लिए ग्राम पंचायत का कोई प्रस्ताव पास नहीं हुआ। सरपंच ने अपने लेटर पैड पर उक्त कार्यों को करवाने के लिए लिख कर दिया था। यह लेटर पैड मनरेगा लेखा सहायक द्वारा उपलब्ध करवाया गया। उक्त कार्यों के वर्ककोड श्री इरफान खान लेखा सहायक द्वारा बनाये गये। तथा श्री आजिद खान जे0ई0 मनरेगा, ने अपने ब्यानों में लिखित में दिया है कि ग्राम पंचायत का मूल प्रस्ताव व अन्य दस्तावेज ना होने के कारण उक्त वर्ककोड को रद्द करने की सिफारिस उनके द्वारा की गई थी।

अतः आपकी सेवा में अनुरोध सहित अवगत कराया जाता है कि मनरेगा स्कीम के वर्ककोड श्री इरफान लेखा सहायक मनरेगा के द्वारा बनाये गये थे, और वर्ककोड श्री आजिद खान मनरेगा जे0ई0 की सिफारिस पर हटाये गये थे। रिपोर्ट आपकी सेवा में आवश्यक कार्यवाही एवं सूचनार्थ हेतु प्रेषित है।"

निर्धारित तिथि दिनांक 01.07.2025 को प्रातः 10:00 बजे श्री मौ0 हनीफ पुत्र श्री रूस्तम निजी सुनवाई हेतु उपस्थित नहीं आये जबकि निजी सुनवाई हेतु जारी नोटिस में स्पष्ट वर्णित था कि निर्धारित तिथि व समय पर उपस्थित न आने अथवा जवाब संतोषजनक न होने की सूरत में एकतरफा कार्यवाही अमल में ला दी जायेगी।

अतिरिक्त उपायुक्त नूह द्वारा भेजी गई जांच रिपोर्ट में वर्णित तथ्यों अनुसार श्री हनीफ पुत्र रूस्तम द्वारा सरपंच ग्राम पंचायत बसईमेव खण्ड फिरोजपुर झिरका के पद पर रहते हुए तथ्यों को छुपाकर उच्च अधिकारियों को गुमराह करते हुए जानबूझकर उक्त रास्ते बनवाने हेतु इस कार्यालय में भी प्रतिवेदन दिया गया था, जबकि उक्त मामले से संबंधित एक मुकदमा "केस नं0 CS/271/2024 श्रीमति संजीदा बनाम ग्राम पंचायत" माननीय सिविल न्यायालय फिरोजपुर झिरका में भी विचाराधीन है तथा उक्त बारे मामला माननीय राष्ट्रीय हरित प्राधिकरण, नई दिल्ली तथा माननीय सर्वोच्च न्यायालय में भी विचाराधीन था। इन सभी मुकदमों के संबंध में श्री हनीफ पुत्र रूस्तम को भली-भांति ज्ञान होने तथा माननीय सिविल जज (जूनियर डिवीजन), सिविल न्यायालय, फिरोजपुर झिरका द्वारा दिनांक 28.08.2024 को जारी स्टे ऑर्डर के बावजूद भी निजी भूमि मालिकों के मकानों के बीच से भी रास्ता बनाया हुआ पाया गया है तथा इसके बाद भी श्री हनीफ पुत्र रूस्तम के द्वारा इस कार्यालय में अंजनी माता के मंदिर का रास्ता बनवाने की आड में प्रतिवेदन दिया गया जो कि इस कार्यालय में दिनांक 29.11.2024 को प्राप्त हुआ पाया गया है। इसके अलावा खण्ड विकास एवं पंचायत अधिकारी फिरोजपुर झिरका द्वारा दी गई रिपोर्ट अनुसार श्री मौ0 हनीफ पुत्र श्री रूस्तम द्वारा उक्त रास्तों को मनरेगा स्कीम के फण्ड से करवाने हेतु दिये गये प्रतिवेदन से भी पाया गया है कि श्री मौ0 हनीफ द्वारा बार-बार उक्त रास्तों मनरेगा स्कीम के अन्तर्गत दर्शाकर पैसे भी हड़पना चाहता था। उक्त सभी तथ्यों से यह स्पष्ट है कि श्री हनीफ पुत्र रूस्तम द्वारा ग्राम पंचायत बसईमेव के सरपंच पद पर रहते हुए सत्य एवं सार्थक तथ्यों को छुपाकर अधिकारियों को गुमराह किया गया तथा माननीय सिविल न्यायालय, माननीय राष्ट्रीय हरित प्राधिकरण तथा माननीय सर्वोच्च न्यायालय के आदेशों की अवहेलना की गई।

Central Empowered Committee की रिपोर्ट में वर्णित तथ्यों व दस्तावेजों तथा मौ0 हनीफ पुत्र श्री रूस्तम के सरपंच पद से निलम्बन उपरान्त अतिरिक्त उपायुक्त नूह एवं नियमित जांच अधिकारी द्वारा भेजी गई तथ्यात्मक जांच रिपोर्ट के आधार पर मैं विश्राम कुमार मीणा, भा.प्र.से. उपायुक्त,

नूह मौ0 हनीफ पुत्र श्री रूस्तम निलम्बित सरपंच ग्राम पंचायत बसईमेव खण्ड फिरोजपुर झिरका को हरियाणा पंचायती राज अधिनियम 1994 की धारा 19, धारा 21 व धारा 49 तथा धारा 50 में सरपंच व ग्राम पंचायत के लिए निहित कर्तव्यों के निर्वहन न करने का दोषी मानते हुए अधिनियम की धारा 51(3)(ई) के तहत प्रदत्त शक्तियों का प्रयोग करते हुए सरपंच ग्राम पंचायत बसईमेव, खण्ड फिरोजपुर झिरका के पद से पदच्युत (Remove) करता हूँ।

ये आदेश तुरन्त प्रभाव से लागु समझे जावें।

दिनांक:- 01.07.2025

sd) -
विश्राम कुमार मीणा, भा.प्र.से.
उपायुक्त, नूह।

पृ0कमांक 1609-1617 / पंचायत दिनांक 1/7/2025

इसकी एक प्रति निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है:-

1. माननीय मुख्य सचिव हरियाणा सरकार की सेवा में Central Empowered Committee के पत्र F. No: 1-26/CEC/SC/2024-Pt. (71) Dated: 9th April 2025 की पालना में सूचनार्थ प्रेषित है।
2. राज्य निर्वाचन आयोग हरियाणा, पंचकुला।
3. आयुक्त एवं सचिव हरियाणा सरकार, विकास एवं पंचायत विभाग, चण्डीगढ़।
4. महानिदेशक, विकास एवं पंचायत विभाग, चण्डीगढ़।
5. पुलिस अधीक्षक, नूह।
6. पुलिस अधीक्षक, ए0सी0बी0, गुरुग्राम।
7. मुख्य कार्यकारी अधिकारी, जिला परिषद, नूह।
8. खण्ड विकास एवं पंचायत अधिकारी, नूह पुर-झिरका।
9. मौ0 हनीफ पुत्र श्री रूस्तम पदच्युत सरपंच ग्राम पंचायत बसईमेव खण्ड फिरोजपुर झिरका।

of
उपायुक्त, नूह।
8

Order

As a case has come to light against Shri Mohd. Haneef son of Shri Rustam, Sarpanch Gram Panchayat Basai Meo Khand Firozpur Jhirka for illegally constructing a road in the Khasra numbers related to Aravali plantation and PLPA-1900 Sections 4 and 5 in Gram Panchayat Basai Meo without the permission of the Forest Department and promoting illegal mining. Due to the said illegal road construction, a detailed report was submitted by the Central Empowered Committee constituted by the Hon'ble Supreme Court through the report letter F. No: 1-19ICECISC12024-Pt (71) Dated 15th April 2025 regarding the violation of Forest Conservation Act-1980 and the order of the Hon'ble Supreme Court dated 12 12 1996.

In the said report, in relation to the illegal road constructed without the permission of the Forest Department against Mohd. Haneef son of Shri Rustam for promoting illegal mining and in the report sent to the Hon'ble Chief Secretary Haryana Government through letter F No: 1-26/CEC/SC/2024-Pt. (71) Dated: 9th April 2025, action was recommended against Mohd. Haneef son of Shri Rustam for the illegal action of making the road illegally. As per other documents attached with the said report, in relation to the illegal road construction, on the basis of Forest Damage Report 80/25 dated 28.08.2024 by the Forest Department Nuh, Forest Division Officer, Forest Range Alipur Tigra, Range Firozpur Jhirka also issued notice to Mohd. Haneef son of Shri Rustam.

It was clearly found from the above report and the attached Forest Department reports that Shri Gau Haneef son of Shri Rustam did not discharge his duties as a public representative and it was found that Shri

Mohd. Haneef son of Shri Rustam misused the position of Sarpanch Basaimeth by indulging in illegal activities. Apart from this, Shri Mohd. Haneef son of Shri Rustam, while being Sarpanch of Gram Panchayat Basaimeth, despite the matter being pending in the Hon'ble Civil Court and the Hon'ble High Court, by not bringing the matter to the notice of any senior officer of the Panchayat Department and not discharging his duties properly, has clearly violated the provisions given under Section 19 of Haryana Panchayati Raj Act 1994 regarding the discharge of duties by the Sarpanch.

On the above basis and in view of the report of the Central Empowered Committee and the report of the Forest Department Nuh attached with the report, the undersigned, through this office order page No. 874-881 / Panchayat dated 13.05.2025, on the basis of powers conferred under Section 51 (3) (e) of the Haryana Panchayati Raj Act, 1994, suspended Shri Mohd. Haneef son of Shri Rustam from the post of Sarpanch Gram Panchayat Basai Meo Block Ferozepur Jhirka and appointed Additional Deputy Commissioner, Nuh as regular inquiry officer and directed him to do the job as per law / rules and submit a detailed inquiry report.

Additional Deputy Commissioner Nuh and Investigation Officer conducted the investigation involving all concerned and submitted the detailed investigation report to the undersigned office through their letter No. 1389 dated 23.06.2025.

On the basis of the facts given in the detailed investigation report sent by the regular investigation officer, it was found that according to the conclusions given in the investigation report, both the above mentioned roads were constructed in the year 2024 *. In view of the request of the

villagers, the Consolidation Officers constructed two roads respectively in the village to connect Nangal and Anjani Mata Temple, roads were included in the Consolidation Reserve, about which some villagers presented their objection to the Consolidation Officers against the widening of the said roads. According to the facts mentioned in the investigation report, the work of consolidation has not been completed even till date. And the District State Officer, by case no. 3/DRO, dated 16 12.2024, cancelled the decision to include the said roads in the Consolidation Reserve in the order of Mauja Basaimewa Tehsil Firozpur Jhirka. The comments given by the investigation officer in point no. 8, 9 and 10 given in the conclusion of the investigation report are clear, which are as follows-

"8. According to the statements of Sarpanch and Gram Sachiv of Gram Panchayat Basai Meo, they had no information about the construction of these roads and they have not used any funds of the Gram Panchayat in the construction of the said roads. It is also worth noting that the length of the said roads is approximately (2.5 KM towards Nangal village) and (2.5 KM towards Ajni Mata Mandir), hence if 5 KM long, 33 feet wide and 3 feet high roads are constructed from the village, then it is not possible that the Sarpanch and Gram Sachiv would not be aware of it. Apart from this, the construction of roads of the said length also involves a lot of expenditure in the form of machines, materials, human resources and time. But no concrete steps were taken by the Sarpanch and Gram Sachiv to stop the construction of the said roads and no official information was given to the higher officials in this regard.

9. Apart from this, a case number CS/271/2024 Smt. Sanjeeda vs. Gram Panchayat is pending in the Civil Court, Firozpur Jhirka. In which the Gram Panchayat has been banned from making any road from the land of

the said applicant. But despite the Sarpanch and Gram Panchayat being a party in the said case, no steps were taken to stop the construction of the said road.

10. According to Article 19 and Article 21 of Haryana Panchayati Raj Act 1994, it is the duty of the Gram Panchayat and Sarpanch to not allow any illegal occupation of Panchayat property and land. It is noteworthy that some of the Khasra numbers of the constructed roads are owned by the Gram Panchayat. Therefore, despite illegal construction of the road on the land owned by the Gram Panchayat, no action was taken by the Sarpanch and the higher authorities were also notified, which indicates that the Sarpanch and the Gram Secretary are not serious about their work and have committed gross negligence in discharging their duties."

On the basis of the facts and conclusions mentioned in the investigation report, under the provisions of Section 51 and other related sections of the Haryana Panchayati Raj Act 1994, through letter number 1535/Panchayat dated 25.06.2025 of this office, Mr. Mohd. Haneef son of Mr. Rustam, suspended Sarpanch of Gram Panchayat Basai Meva and through letter number 1537/Panchayat dated 25.06.2025, Mr. Javed Akhtar, Village Secretary, Gram Panchayat Basai Meva Block, Firozpur Jhirka, were given an opportunity of personal hearing and notices were distributed to Mr. Haneef son of Mr. Rustam to appear personally in the office of the undersigned on 01.07.2025 at 10:00 am and present his side by distributing them at his home and WhatsApping them on his mobile number and pasting them at his home.

Apart from the investigation report sent by the Additional Deputy Commissioner Nuh, it is learned from the report sent by the Block Development and Panchayat Officer Ferozpur Jhirka to the undersigned through his office letter No. 1227 dated 30.06.2025 that a report was given by Shri Mohd. Haneef son of Shri Rustam on 07.08.2024 for getting the work done under MNREGA scheme regarding the above mentioned roads. The report sent by BDPO Ferozpur Jhirka is as follows:-

On the above subject, work codes of 15 works were prepared on the MIS portal of MNREGA scheme in Gram Panchayat Basai Meo. And later they were deleted from the portal.

In this regard, statements of the village secretary, ABPO, MNREGA Accounting Assistant and MNREGA JE were taken. According to the statements, no proposal of the Gram Panchayat was passed for these works. The Sarpanch had written on his letter pad to get the above works done. This letter pad was provided by the MNREGA Accounting Assistant. The work codes of the above works were prepared by Shri Irfan Khan, Accounting Assistant. And Shri Azad Khan, MNREGA JE, has given in writing in his statement that due to the absence of the original proposal and other documents of the Gram Panchayat, the recommendation to cancel the above work codes was made by him.

Therefore, it is requested to inform you that the work codes of MNREGA scheme were created by Shri Irfan Accounting Assistant MNREGA, and the work codes were deleted on the recommendation of Shri Aajid Khan MNREGA JE. The report is sent to your service for necessary action and information."

On the scheduled date i.e. 01.07.2025 at 10:00 am, Shri Mohd. Haneef son of Shri Rustam did not appear for the personal hearing, whereas in the notice issued for the personal hearing, it was clearly mentioned that in case of not appearing on the scheduled date and time or in case the reply is not satisfactory, unilateral action would be taken.

According to the facts mentioned in the investigation report sent by Additional Deputy Commissioner Nuh, Shri Haneef son of Rustam, while holding the post of Sarpanch Gram Panchayat Basai Meo Khand Ferozpur Jhirka, by hiding the facts and misleading the higher officials, deliberately gave a report in this office for getting the said road constructed, while a case related to the said matter "Case No. CS/271/2024 Smt. Sanjeeda vs. Gram Panchayat" is also pending in the Hon'ble Civil Court Ferozpur Jhirka and the matter regarding the said matter was also pending in the Hon'ble National Green Tribunal, New Delhi and the Hon'ble Supreme Court. Despite Shri Haneef son of Rustam being well aware of all these cases and the stay order issued by the Hon'ble Civil Judge (Junior Division), Civil Court, Ferozpur Jhirka on 28.08.2024, a road has been found to have been made between the houses of private land owners and even after this, Shri Haneef son of Rustam gave a report in this office in the guise of making a road to Anjani Mata temple, which was found to have been received in this office on 29.11.2024. Apart from this, according to the report given by the Block Development and Panchayat Officer Ferozpur Jhirka, it has also been found from the report given by Shri Mohd. Haneef son of Shri Rustam for getting the said roads made from the funds of MNREGA scheme that Shri Mohd. Haneef wanted to grab money by repeatedly showing the said roads under MNREGA scheme. It is clear from the above facts that Shri Haneef son of Rustam, while being the Sarpanch

of Gram Panchayat Basai Meo, misled the officials by hiding the true and meaningful facts and disregarded the orders of the Hon'ble Civil Court, Hon'ble National Green Tribunal and Hon'ble Supreme Court.

Facts and documents mentioned in the report of the Central Empowered Committee and the relevant

After the suspension of Haneef son of Shri Rustam from the post of Sarpanch, on the basis of the factual investigation report sent by Additional Deputy Commissioner Nuh and Regular Investigation Officer, Vishram Kumar Meena, IAS Deputy Commissioner

Nuh find Mohd. Haneef son of Shri Rustam, suspended Sarpanch of Gram Panchayat Basai Meo, Block Ferozepur Jhirka, guilty of not discharging the duties vested in the Sarpanch and Gram Panchayat under Sections 19, 21, 49 and 50 of the Haryana Panchayati Raj Act, 1994, I, hereby, remove him from the post of Sarpanch, Gram Panchayat Basai Meo, Block Ferozepur Jhirka, using the powers conferred under Section 51(3) (e) of the Act.

This order is understood to take effect with immediate effect.

Date:- 01.07.2025

Sd

Vishram Kumar Meena, IAS

Deputy Commissioner, Nuh.

Page No. 1609-1617 / Panchayat

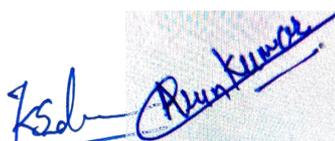
Date 1/7/2025

A copy of this is sent to the following for information and necessary action:-

1. This is sent to the Hon'ble Chief Secretary, Government of Haryana in pursuance of the letter of Central Empowered Committee 2. F. No: 1-26/CEC/SC/2024-Pt. (71) Dated: 9th April 2025 for information.
2. State Election Commission Haryana, Panchkula.
3. Commissioner and Secretary to Government of Haryana, Development and Panchayat Department, Chandigarh.
4. Director General, Department of Development and Panchayats, Chandigarh.
5. Superintendent of Police, Nuh.
6. Superintendent of Police, ACB, Gurugram.
7. The Chief Executive Officer, Zila Parishad, Nuh.
8. Block Development and Panchayat Officer, 50 Pubhirka.
9. Mohd. Haneef son of Shri Rustam, deposed Sarpanch of Gram Panchayat Basai Meo Block Firozpur Jhirka.

Sd

Deputy Commissioner, Nuh.


//True Translated copy//

CENTRAL EMPOWERED COMMITTEE
(CONSTITUTED BY THE HON'BLE SUPREME COURT OF INDIA)

III Floor, Chanakya Bhawan, Chanakyapuri, New Delhi – 21, Tel: 21610612, 21610613
Email cecindia202@gmail.com, Website: www.cecindia.in

F. No: 1-19/CEC/SC/2024-Pt. (78)

Dated: 15th July 2025

To

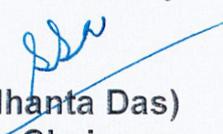
The Registrar
Supreme Court of India
New Delhi-110001
(Attn: PIL Writ Section)

SUB: CEC REPORT NO. 29 (A) OF 2025 – STATUS REPORT OF THE CENTRAL EMPOWERED COMMITTEE ON I.A. Nos. 269550, 269552, AND 269553 OF 2024 IN WRIT PETITION ON 202 OF 1995 FILED BEFORE THE HON'BLE SUPREME COURT OF INDIA BY JUMMA AND OTHERS, REGARDING PROTECTION AND CONSERVATION OF FOREST RESOURCES, IN LIGHT OF THE GRAVE ENVIRONMENTAL HARM BEING CAUSED IN DISTRICT NOOH, HARYANA, SPECIFICALLY IN VILLAGE BASAI, ADJACENT TO THE HARYANA RAJASTHAN BORDER.

Sir,

The CEC Report No. 29(A) of 2025 filed in W.P.(C) 202 of 1995 of the Central Empowered Committee on the above subject is enclosed (Four copies). It is requested that the Status Report may please be placed before the Hon'ble Court for kind consideration.

Yours faithfully


(Siddhanta Das)
Chairman

Copy to :

- I. Mr. Harish N. Salve, Sr. Advocate & Amicus Curiae.
- II. Mr. A.D.N. Rao, Sr. Advocate & Amicus Curiae.
- III. Mr. Siddhartha Choudhary, Advocate & Learned Amicus Curiae
- IV. Mr. K. Parameshwar, Sr. Advocate & Amicus Curiae.
- V. The Secretary, MoEF&CC, New Delhi
- VI. The Chief Secretary, Government of Haryana, Chandigarh
- VII. The Principal Chief Conservator of Forests, Haryana Forest Department, Panchkula
- VIII. The Divisional Forest Officer, District Nuh, Haryana
- IX. Advocate on Record on behalf of the Applicants
- X. Sh. Jumma Sb Sh. Hoshiya Khan, R/o village — Bansaimo (149), Mewat, Haryana - 122104
- XI. Standing Counsel for the State of Haryana
- XII. Standing Counsel for the MoEF&CC
- XIII. All Members of CEC

CENTRAL EMPOWERED COMMITTEE**STATUS REPORT
CEC REPORT No. 29(A) of 2025****IN****I.A. No. 269550, 269552,
and 269553 of 2024
(CEC Reports No. 17 and 29 of 2025)****IN****W.P. (C) No. 202 of 1995****Filed by:-
Jumma & others****Dated: 15th July, 2025**

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CENTRAL EMPOWERED COMMITTEE

STATUS REPORT OF THE CENTRAL EMPOWERED COMMITTEE ON I.A. Nos. 269550, 269552, AND 269553 OF 2024 IN WRIT PETITION ON 202 OF 1995 FILED BEFORE THE HON'BLE SUPREME COURT OF INDIA BY JUMMA AND OTHERS, REGARDING PROTECTION AND CONSERVATION OF FOREST RESOURCES, IN LIGHT OF THE GRAVE ENVIRONMENTAL HARM BEING CAUSED IN DISTRICT NOOH, HARYANA, SPECIFICALLY IN VILLAGE BASAI, ADJACENT TO THE HARYANA RAJASTHAN BORDER.

This Status Report is being submitted in compliance with the directions of the Hon'ble Supreme Court of India in I.A. Nos. 269550, 269552, and 269553 of 2024 in Writ Petition (Civil) No. 202 of 1995, filed by villagers of Village Basai Meo, District Nuh, Haryana. The Applicants in these I.A.s had raised serious concerns regarding the unauthorized construction of a road through forest and agricultural land, and the facilitation of illegal mining activities in the ecologically sensitive Aravalli region adjoining the Haryana–Rajasthan border. Taking cognizance of the allegations, the Hon'ble Supreme Court, by its order dated 19.03.2025, directed the CEC to examine the matter and submit a report within four weeks.

2. The relevant part of the order dated 19.03.2025 is reproduced below:

“2. It is the case of the applicants that certain persons are illegally, without approval of the competent authority, carrying on mining activities and construction of the road.

3. We, therefore, request the Central Empowered Committee (CEC) to examine the matter and submit a report pertaining to the aforesaid within four weeks from today.

4. List on 16.04.2025.”

3. In compliance with the directions of this Hon'ble Court, the CEC submitted its report dated 15.04.2025 (Report No. 17 of 2025). In the report, the CEC observed that most of the allegations made by the Applicants were correct. Accordingly, the CEC made several recommendations, which *inter alia* include that the District Magistrate, Nuh, shall ensure that the unauthorized road is rendered non-motorable with immediate effect, preventing any vehicular movement on it. The State Government of Haryana shall be responsible for restoring the damaged area through reforestation with native species and by rehabilitating the cultivable agricultural land of affected farmers. Further, the State Government shall constitute an independent high-power committee to investigate the conduct of the concerned Sarpanch, and if found guilty, recommend appropriate

preventive and disciplinary actions in line with existing rules, while also suggesting systemic improvements to strengthen oversight mechanisms for Gram Panchayats in the Aravalli hills and ranges. Additionally, the State Vigilance Department shall carry out a thorough investigation into the alleged collusion between the Sarpanch, government officials, and the mining mafia, and submit a detailed report to the State Government, with copies to the Central Empowered Committee and the Ministry of Environment, Forest and Climate Change.

4. Meanwhile, upon becoming aware of additional material facts, the CEC submitted an addendum dated 26.05.2025 (Report No. 29 of 2025) to its earlier Report No. 17 of 2025, and made the following further recommendations:

- a) *A detailed report on all the above aspects may be sought from the Chief Secretary of Haryana, to be submitted within the next 15 days.*
- b) *The Principal Chief Conservator of Forests & HoFF, Haryana, may be asked to submit a report identifying the names and designations of officials responsible for constructing the illegal roads in areas covered under the Forest (Conservation) Act, 1980. Additionally, the Divisional Forest Officer, Nuh, may be directed to initiate legal proceedings against these officials as per the provisions of Sections 3(A) and 3(B) of the Forest (Conservation) Act, 1980.*

5. This Hon'ble Court considered both the above Reports submitted by the CEC and, based on the findings therein, passed further directions on 29.05.2025, directing the Chief Secretary, State of Haryana, to take immediate action against all erring officers and file a detailed affidavit by 15.07.2025. This Hon'ble Court also expressed serious concern over the failure to register First Information Reports and initiate appropriate investigations against members of the mining mafia and delinquent government officials. Further, the Court directed the Chief Secretary to seek an explanation from the District Superintendent of Police, Nuh, regarding the inaction of the police authorities in the matter.

6. The relevant part of the order dated 29.05.2025 is reproduced below:

16. We, therefore, direct the Chief Secretary to take immediate action against all the erring officers and file a detailed affidavit in this Court on or before 15th July 2025. We clarify that if we find that the State Government is not paying due attention to the issue involved, we will be constrained to take steps as are permissible in law against the Chief Secretary as well as other erring officers.

17. We fail to understand as to why, in spite of the requests made by the concerned DFO, the First Information Reports have not been registered, or investigation / consequential action have not been

initiated against either the members of the mafia or the erring officers. The Chief Secretary, State of Haryana would also call an explanation from the District Superintendent of Police, Nuh with regard to the aforesaid.

A copy of the above order dated 29.05.2025 is enclosed as

ANNEXURE R-1 to this Report.

7. Following the directions of this Hon'ble Court, there has been a marked improvement in the Aravalli region. The unauthorised road through forest and agricultural land was excavated and a 15 km stretch replanted with native species, with trenching, ridge formation, and seeding currently underway; a state-level committee and nodal officer have been appointed to oversee satellite surveillance of the Aravalli landscape and all future mining or development proposals require mandatory environmental impact assessments; the "Aravalli Green Wall" restoration plan has been finalized in accordance with guidance of the Ministry of Environment, Forest and Climate Change; legal action under Sections 3(a) and 3(b) of the Forest (Conservation) Act, 1980, has been initiated against officials responsible for the illegal road, with cases filed in the SDJM Court; and a consolidated list of all unauthorised forest roads and mining routes has been prepared, each

of which has been or is being rendered non-motorable. A copy of the Status Report filed by the Divisional Forest Officer, Nuh, is enclosed as ANNEXURE R-2 to this Report.

8. A meeting with the Chief Secretary, Haryana, and senior officers of the Forest and Revenue Departments was convened by the CEC on 14.07.2025 to review the status of compliance with the directions issued by this Hon'ble Court. During the meeting, the Chief Secretary, Government of Haryana, confirmed that all unauthorised roads through forest and agricultural lands were excavated and brought under plantation. He further informed the CEC that the investigation into the matter had been entrusted to the Anti-Corruption Bureau and presented a copy of the 1st Status Report dated 01.07.2025, forwarded to the Government of Haryana by the Additional Director General of Police, Anti-Corruption Bureau, Haryana. The concluding paragraph of the said Status Report is reproduced below:

"19. The investigation so far reveals that the illegal roads were constructed by Hanif alias Hanna (then Sarpanch), Sabir, Shaukat Ali, Sher Mohammad, and Mohammad Latif residents of Basai Meo in collusion with Consolidation Officers and individuals involved in both legal and illegal mining in Rajasthan. These roads were actively used from August 2024 to March 2025 for transporting mining material. So far, three officials from the Consolidation Department Ram Kumar, Jan

Mohammad, and Akhtar Hussain have been arrested, along with Sher Mohammad and Mohammad Latif. Arrest warrants have been issued for the remaining accused: Hanif alias Hanna, Sabir, and Shaukat Ali. A reward of ₹50,000 has been announced for information leading to the arrest of each. The investigation remains ongoing. Officers from other government departments such as Forest, Mining, Regional Transport, Revenue, and Police will be also examined. Officials such as the then Station House Officer of Police Station Ferozepur Jhirka, the then DSP of Ferozepur Jhirka, the then Tehsildar/Naib Tehsildar, the then DRO, the then Secretary RTA, the then DMO, the then DDPO, the then DFO, and the then SDO (Civil), all from District Nuh, will also be join into in the investigation. If any other persons are found involved, action will be taken as per legal provisions.”

A copy of the Status Report dated 01.07.2025, submitted to the Government of Haryana by the Superintendent of Police, Anti-Corruption Bureau, Gurugram Range, Gurugram, is enclosed as **ANNEXURE R-3** to this report.

9. During the meeting, the CEC presented a recent news article reporting a blast in Pathrili village, located on the Rajasthan-Haryana border. The news article also stated that the blasts caused debris to spill into nearby agricultural fields of the Ferozepur Jhirka area of District Nuh, Haryana. By the time Sub-divisional Magistrate (SDM) Shri Lakshminarayan reached the site with police and forest officials, the perpetrators had fled. Locals reported seeing trucks and heavy

machinery retreating towards Rajasthan. The news article further mentioned that the miners have constructed a network of roads through Basai Meo village to establish a transit corridor with Rajasthan-where mining is permitted through leases, and South Haryana, where mining has been banned since 2009 pursuant to the orders of the Hon'ble Supreme Court. This indicates the extent to which illegal miners are willing to go to continue their activities. The SDM has formally requested the Mining Department to carry out demarcation of the interstate border to assess the extent of environmental damage on the Haryana side of the Aravalli Hills. A copy of the news article is enclosed as **ANNEXURE R-4** to this Report.

10. This news article accurately reflects the prevailing situation, wherein despite increased vigilance by the officials of Haryana, illegal miners continue to engage in unlawful activities plausibly due to on-ground ambiguity regarding the Haryana–Rajasthan boundary. The Chief Secretary informed the CEC that the State Government is aware of the issue of illegal mining along the border and explained that, since mining is legally permitted on the Rajasthan side, the absence of a clearly demarcated boundary has led to spillover of mining activities

into Haryana. He further submitted that the State Government, through its affidavit filed before this Hon'ble Court, has proposed that mining be prohibited within a five km buffer zone on either side of the Haryana-Rajasthan border in order to eliminate ambiguity and prevent future encroachments.

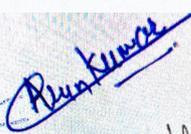
CONCLUSION

11. Considering all the relevant factors, the CEC is of the considered opinion that the State of Haryana has taken appropriate actions to restore the damaged forest and agricultural lands, enhance surveillance in the Aravalli region, and initiate legal proceedings against those responsible. The CEC further recommends that these efforts need to be sustained by the State Government of Haryana, through regular monitoring, clear demarcation of the inter-state boundary in a timely manner, and strict enforcement of mining prohibitions, including within the border zone.

This Status Report has the approval of the Chairman and all Members of the CEC and is submitted for the kind consideration of this Hon'ble Court.


(Siddhanta Das)
Chairman

Dated: 15.07.2025



// True copy // 

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
I.A. NO. 149726 OF 2025
IN
WRIT PETITION(S)(CIVIL) NO(S). 202/1995

IN THE MATTER OF –

T.N. Godavarman Thirumulpad Petitioner(s)
Versus
Union of India & Ors.Respondent(s)

IN THE MATTER OF –

Mohd. HaneefApplicant

WITH

IA NO 149725 OF 2025 Application for intervention
IA NO 149726 OF 2025 Application for Appropriate Direction on
behalf of Applicant.
IA NO. 149727 OF 2025 Application for Exemption of Filing
Official Translation.
IA NO.149733 OF 2025 Application for Exemption of Certified
copy of Order.

PAPER-BOOK

(FOR INDEX: KINDLY SEE INSIDE)

ADVOCATE FOR APPLICANT: VIKAS KUMAR

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
 I.A. No.149726 OF 2025
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.....Applicant

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Date: 25.06.2025
Place: New Delhi


Advocate for the Applicant
Vikas Kumar
CC Code: - 2080

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
I.A. NO 149726 OF 2025
IN
WRIT PETITION(S)(CIVIL) NO(S). 202/1995

IN THE MATTER OF –

T.N. Godavarman Thirumulpad	Versus Petitioner(s)
Union of India & Ors.	Respondent(s)

IN THE MATTER OF –

Mohd. Haneef
 Aged about 40 years, s/o Rustam
 Resident of Basai Meo, Tehsil – Firozpur,
 Jhirka, District- Nuh, Haryana -122104.Applicant

**APPLICATION FOR APPROPRIATE DIRECTION ON BEHALF
 OF APPLICANT (EX- SARPANCH)**

To,
 The Hon'ble Chief Justice of India and
 His Companion Justices of the Supreme Court of India

The Humble Application of the
 Applicant abovenamed

Most Respectfully Showeth:

1. The Applicant (Ex- Sarpanch) is constrained to file the present application for appropriate directions, as the Applicant is being framed due to mala fide and political reasons by the rival group in the village and apprehending an arrest in the matter wherein false allegations of construction of village roads and helping the mining mafia to pass on their trucks/dumpers, have been alleged.

2. That in the present matter after CEC reports certain directions and observations were made directing the Chief Secretary to take strict action against the concerned officers in the allegations relating to construction of illegal road passing through the border village of Basai Meo for facilitating illegal mining minerals transportation. After these directions all the authorities including Police are acting unfairly with high handedness and without taking into consideration any document or true facts of the matter. The Applicant (Ex- Sarpanch) has not been heard by any authorities, CEC or any investigation agency and is being condemned without a hearing. That detailed response with documents have been sent to Chief Secretary, CEC and ADC, however the same has not been taken into account.
3. That the Applicant has recently got to know that an FIR No. 0018 of 01.06.2025, has been registered against the Applicant and other persons and the Police Authorities are raiding various places to arrest the Applicant who has been elected representative and held the public office. The Police authorities in collusion with the rival political group are harassing the family and community members of the Applicant, including the acting Sarpanch. There are proofs that the Police officials are seen slapping minor family members and harassing female members during house raids.
4. The applicant is under constant fear for his life and liberty and apprehends an imminent arrest and torture at the hands of Police officials. That without checking and taking into account full background of the dispute, and related documents and previous litigations the authorities and Police are under pressure due to certain observations of this Hon'ble Court in its order dated 29.05.2025. Therefore, the Police authorities without following due process of law are not conducting impartial and fair investigation.
5. The brief background of the matter necessities the filing of this Application as follows

- a. In the present matter, IA No. 269550, 269552 & 269553 of 2024 were filed on 20.11.2024 by the rival group in the village claiming to bring certain environmental violations in the knowledge of this Hon'ble Court. The Applicants in this I.A. claimed to represent the villagers of Village Basai, Tehsil Firozpur, District Nuh, where a road has been constructed without requisite approvals connecting Firozpur Jhirka to the adjoining hilly regions of Rajasthan. They have alleged that the local Sarpanch, Mr. Haneef (Applicant herein), along with some government officials and the mining mafia, has violated laws by constructing the road without consulting or seeking approval from the Forest Department.
- b. It was further alleged that the newly constructed road connects three villages bordering Rajasthan—Chhapra, Dhaulet, and Naget—with Village Basai. This road cuts through both forest land and cultivable agricultural land. It was further alleged that the construction appears to have been initiated by the Sarpanch in collusion with certain government officials.
- c. That vide order dated 19.03.2025, this Hon'ble Court referred the Central Empowered Committee (CEC) to investigate mining activities in the region and submit a report. The CEC in its Report No. 17 dated 15.04.2025 wrongly stated that an illegal road construction was undertaken during the consolidation process in Basai Meo area, with the involvement of the Applicant (Ex- Sarpanch) and the Assistant Consolidation Officer, Nuh. The CEC report dated 15.04.2025 have been annexed herein as **ANNEXURE A-1**. (Pg No. 30 to 47)
- d. It is pertinent the point out that CEC report without hearing the Applicant herein or seeking any explanation or documents, indicted the applicant while heavily relying upon local media coverage on the

issue of illegal road construction during the consolidation process in the village of Basai Meo.

- e. As the above CEC report mentioned that none of the officer from the revenue department attended the meeting and the CEC also requested the Chief Secretary, Haryana to direct the DM, Nuh and Additional Chief Secretary Forest to personally attended the meeting on 11.04.2025 so that a detailed investigation could be undertaken however, no officials except those from forest department attended the meeting nor any information was supplied to the CEC.
- f. When the matter was taken up on 16.04.2025, this Hon'ble Court observed that neither the Revenue authorities not the Chief Secretary responded to the request of CEC to attend the joint survey. A copy of the order dated 16.04.2025 in the present matter is annexed herein **ANNEXURE A-2**. (Pg No. 48 to 86)
- g. That due to the observations of this Hon'ble Court, CEC reports, local media news, the Applicant herein was suspended from the post of Sarpanch without any show cause notice/ hearing or explanation vide the suspension order dated 13.05.2025. A true translated copy of Suspension order dated 13.05.2025 issued by Deputy Commissioner, Nuh is being annexed herein as **ANNEXURE A-3**. (Pg No. 87 to 90).
- h. The CEC filed its Report number 29 of 2025 (Addendum to the report no 17 of 2025) on 26.05.2025, a copy of the said CEC report dates 26.05.2025 has been annexed herein as **ANNEXURE A-4**. (Pg No. 91 to 108). In this addendum report, the Applicant was again not called upon to explain its stand. In this report again CEC heavily relied upon local media publications and photographs of mining and blasting in adjoining areas of Rajasthan to show the activities of mining mafia and also observed inaction by Forest Department and district officials.

The Applicant (Ex- Sarpanch) is in no manner involved in these activities and have always acted in accordance with its official duties.

- i. That vide order dated 29.05.2025, this Hon'ble Court noted that officers of Revenue department have acted with utmost laxity and as per the CEC report the concerned officials including collector or representatives of Chief Secretary were not present for meeting with the CEC. That the Chief Secretary has passed the buck to other officials without any explanation. Also the Chief Secretary has attempted to put blame on the DFO for taking action in relation to the illegally constructed roads.
- j. That strong observations against Chief Secretary were made by this Hon'ble Court also observing that affidavit of Chief Secretary what actions against the concerned officers have been taken. This Hon'ble Court directed Chief Secretary to take immediate action against all erring officers and file a report on or before 15.07.2025. And why, the FIR and subsequent action have not been taken against members of the mafia or the erring officers with directions to Chief Secretary to call explanations from DSP, Nuh in this regard. A copy of order dated 29.05.2025 is being annexed herein as **ANNEXURE A-5**. (Pg No. 109 to 132)
- k. Due to such strong observations against the Chief Secretary and the other officials, pressure mounted on the authorities. That various high powered committees and investigations were launched. That without inquiring the true facts of the matter or calling any explanation the Anti-Corruption Bureau, Gurugram registered an FIR No. 0018 dated 01.06.2025, against the Applicant (Ex- Sarpanch), alleging the construction of illegal roads in collusion with the Government officials without any requisite approvals. A true translated copy of FIR No. 0018 dated 01.06.2025, filed against the Applicant by the Anti-

Corruption Bureau, Gurugram is being annexed herein as **ANNEXURE A-6.** (Pg No. 133 to 156)

- l. That first time the Applicant, was called for explanation before the inquiry committee of Additional Deputy Commissioner (ADC), in relation to the suspension from the post of Sarpanch. That the Applicant duly appeared in the hearing dated 03.06.2025. Despite submitting a written reply, the ADC declined to provide an acknowledgment. A true copy of the reply dated 03.06.2025 with its annexures submitted by the Applicant to Additional Deputy Commissioner (ADC) Inquiry officer, District Nuh, Haryana, is being annexed herein as **ANNEXURE A-7.** (Pg No. 157 to 289)
 - m. The Applicant also to make its stand clear sent its reply with its annexures dated 03.06.2025 to CEC, and Chief Secretary, Haryana. True typed copies of postal receipts dated 16.06.2025, relating to reply sent to the CEC and Chief secretary is being annexed herein as **ANNEXURE A-8.** (Pg No. 290 to 291)
 - n. That subsequent to the suspension of the Applicant, a formal removal order dated 01.07.2025 was issued by the Deputy Commissioner, Nuh under Section 51(3)(e) of the Haryana Panchayati Raj Act, 1994, thereby removing the Applicant from the post of Sarpanch, Gram Panchayat Basai Meo, Firozpur Jhirka. The True translated copy of Termination/Removal order dated 01.07.2025 issued by Deputy Commissioner, Nuh has been Annexed herein as **ANNEXURE A-9.** (Pg No. 292 to 303).
6. The Applicant (Ex- Sarpanch) in its response dated 03.06.2025, to inquiry before ADC submitted the following explanation which is also part of the present application along with its annexures:

“Respected Sir,

1. *Since assuming the office of Sarpanch in 2022, I have acted lawfully and in accordance with my official duties. No unauthorized road construction or development activities beyond the legally sanctioned consolidation proceedings have been undertaken by the Gram Panchayat during my tenure.*
2. *The roads mentioned in the notice form part of an ongoing Consolidation Scheme under the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948, initiated following the demand of villagers and in coordination with the Revenue Department.*
3. *The Panchayat's involvement has been limited to cooperating with this lawful administrative process. Mining-related activities and vehicular traffic using these roads are entirely beyond my control or authority, as well as beyond that of the Gram Panchayat. Neither I nor the Panchayat have granted any permission or regulated mining leases or related transportation. Litigation concerning these roads has been finally decided in favor of the Gram Panchayat.*
4. *Recent attempts by the District Revenue Officer- cum-Settlement Officer to overturn consolidation orders lack jurisdiction and are currently subject to judicial review. I have fully complied with all notices, inquiries, and directives issued by competent authorities and have cooperated transparently with all concerned departments, including the Block Development and Panchayat Officer and the Pollution Control Board.*
5. *It is respectfully submitted that I, as the Sarpanch, have not constructed any road, nor facilitated any illegal activity. My only role has been limited to forwarding the villagers' request for improved access under the consolidation framework and apprising the competent authorities of the factual situation.*

6. *Allegations relating to illegal mining, if any, are entirely the domain of the Forest Department, Mining Department, Revenue Department, and the Police. These departments interact with one another and are fully empowered under respective statutes to prevent or prosecute illegal mining. The Gram Panchayat, and specifically the Sarpanch, has no legal authority, jurisdiction, or infrastructure to monitor or restrain such activities independently. I have duly informed the BDPO and concerned departments in writing. No omission or dereliction can be attributed to me in this regard.*
7. *I have been suspended vide the order 13.05.2025 on the basis of CEC Report dated 15.04.2025 and certain media reports. It is pertinent to point out that I have been suspended without issuing me any show cause notice or giving me an opportunity to explain thus violating the rule of natural justice. That the statutory scheme of the Section 51 of the Haryana Panchayati Raj Act 1994 is clear where the concern authority is duty bound to give a reasonable opportunity to Sarpanch/Panch to explain the allegation on which the propose action is being taken.*
8. *That the order passed by the Deputy commissioner must reflect application of mind to the explanation offered by the concerned Sarpanch but in the present case no opportunity of explanation was given thus violating the scheme and intent of Section 51. There are catena of judgments by the Hon'ble Courts to supports the above contention.*
9. *In the present case, it is first time that the undersigned is being asked to put forward its stand on the allegation. That neither any authority, nor CEC deemed fit to seek any explanation form the undersigned resulting the undersigned being condemned without hearing. No explanation was ever asked from the Sarpanch (now suspended) nor any documents or factual background taken or considered.*

10. *There is a lengthy litigation history on these roads/paths in question which reflect the existence and regular usage of these roads since time immemorial. That various complaints and representations were made by Gram Panchayat through Sarpanch in 2011 onwards whereby it was complained that some unsocial elements have started taking money from Trucks/Dumpers for passing through the roads in village in 2011 and sometime they dig-up these roads/passage causing inconvenience to villagers for using these roads/passages. The complaint of illegal transportation of mined materials were also made in 2011 and 2012 and prayers were made to the authorities to open the usage of these roads/passage for the convenience of common person and vehicles (Copies of these complaints are enclosed herewith).*
11. *That multiple FIRs and Civil litigations have happened in past 10 to 15 years where the issue of access, use and digging were raised and answered by the Court. The copies of the FIR/judgments in criminal and civil cases where the disputed roads have been in issue, are being attached herewith.*
12. *That the findings of the court is referred whereby the court has found that the passages are already in existence and they are used by general public since time immemorial. In the related case, in FIR no. 22 dated 27.01.2012 was lodged by BDPO, FP Jhirka alleging that some accused had blocked the open passage by digging and raising a hut on the path from the village Basai to village Nangal, Rajasthan. The accused were charge-sheeted and tried however got acquittal due to the prosecution witnesses becoming hostile.*
13. *It is respectfully submitted that there is a political rivalry against the undersigned in the village due to rival group losing out the election of Sarpanch. Due to that rivalry, in revenge, the rival group through its various members have initiated multiple false cases raising the issue of*

existing road which were widened under the consolidation proceedings. However, false allegations were levelled against the undersigned without there being any basis and also wrongly published in various local newspapers. The undersigned is in process of filing defamation proceedings against the concerned persons and local newspapers for false and defamatory publication against the undersigned

*14. That the rival group in its political grudge and vendetta have filed multiples cases at multiple forums like CWP No.10241 of 2023 and CWP No.20703 of 2024 pending before the Hon'ble High Court of Punjab and Haryana alleging laying down of illegal passages from their agricultural land and misusing of power as Sarpanch. The Hon'ble High Court did not find any merit and both the cases were disposed off (**Copy of orders are enclosed herewith**).*

*15. Again to satisfy their political grudge, the rival group have filed **O.A No. 1249 of 2024 before the Hon'ble National Green Tribunal, New Delhi** where same set of allegations have been levelled. The undersigned has now come to know that on the same set of allegations, some applications have been filed before the Hon'ble Supreme Court. Whereby the Hon'ble Supreme Court appointed CEC to report the matter but no explanation or any reply or any document have been asked by any authority or CEC on the issue from the undersigned.*

17. It is respectfully submitted that the present proceedings amount to forum shopping, as the subject matter in question is already sub-judice before the Hon'ble Supreme Court of India. Furthermore, parallel proceedings concerning related environmental aspects are also pending adjudication before the Hon'ble National Green Tribunal. The initiation of multiple proceedings on the same subject matter before different forums amounts to a misuse of judicial process and wastage of valuable judicial time. As from the perusal of the facts and circumstances including satellite data,

it is clear that any allegation against the undersigned regarding mining, transportation or construction of road are wrong, unfounded and motivated due to the local political rivalry as the alleged road already exists and are in usage.

18.It is submitted that several civil proceedings have previously been instituted before the Learned District Court regarding the ownership and legal status of the road in question, including matters concerning its construction. The very pendency of such litigation is indicative of the existence of the said road prior to the present dispute. Consequently, the allegation that the road has been newly constructed is misconceived, factually incorrect, and devoid of any evidentiary support.

19.That a legal notice dated February 22, 2012, was issued by the then Sarpanch, Smt. Parvati, categorically stating that the land in question is fully owned and possessed by the Gram Panchayat and that the Forest Department has no claim or jurisdiction over the said land. The notice further affirms that the road has existed since old times and was historically used by bullock carts and camel carts. Over time, with the evolution of rural infrastructure, the same path is now being used by motor vehicles for agricultural and public purposes, reaffirming its long-standing existence and use.

20.That the google satellite real time image data pertaining to years 2011 to 2024 have been enclosed herewith. Your good-self and all the concerned authorities are humbly requested to peruse the satellite image of past years which clearly demonstrate the existence of the roads/passages in the village in the year 2011. That the satellite recordings clearly shows the existence of road well before the undersigned assumed office of Sarpanch i.e. 2022. These visual evidences substantiate the fact that the road is not of recent origin,

thereby disproving the allegations of unauthorized or recent construction alleged against the undersigned

21. *That the satellite image date also shows that there is no plantation of any tree or existing forest along with the roads/passages or nearest land thereby falsifying the allegation of destruction of forest or degradation of Aravali plantation. That the assessment notices issued by the forest department against the undersigned are also unfounded, untenable and misconceived. It is pertinent to point out that there is no forest department's plantation in Khasra Nos. 3,204, 205, 206 of village Basai Meo. There are some bushes and naturally grown Dakhni-kikar (Neltuma Velutina) and other small plants which are not tree or planted by forest department under any scheme or budget. The same fact can be perused from the satellite image from the year 2011 to 2024. Therefore, any contrary allegation of destruction of forest plantations are wrong and unfounded.*

22. *That the consolidation officer vide its order dated 11.06.2024 after hearing all the parties concerned including the villagers and gram panchayat representatives held as follows: -*

“At this juncture, it is all the more necessary to mention here that the Director of Consolidation of Holdings Haryana, vide notification bearing endorsement No. EA4/2021 dated 26.02.2021 directed to Consolidation of Holdings in the Mewat District (for the village wherein the consolidation of holdings was not taken place in 1961-62) and the revenue estate Basai Meo was one of them. In pursuance of the said notification proceedings for consolidation of holdings of revenue estate Basai Meo are being carried out.

It is further quintessential to mention here that the Govt. of Haryana Department of Revenue and Disaster Management through its notification dated 10.01.2010 categorically made an amendment East

Punjab Cultivation (Consolidation and Fragmentation Prevention) Rule 1949 (for state of Haryana) appendix Part-I to the effect that village to village and Circular (Peripheral ways/roads) shall be carved out from 5 to 6 Karam width i.e. 27.6 ft to 33 ft.

Further it was also inserted in the appendix part-1 that the passages from village Abadi to agricultural holdings would be from 4-5 Karam. In light of the aforesaid amendment, village to village common passages/way/road shall be carved out as per the new amended mandatory rules of East Punjab Cultivation (Consolidation and Fragmentation Prevention) Rules 1949 (for state of Haryana) appendix Part-2 not as per the wishes of land owners of concern revenue estate and therefore, the grievance of the Haneef son of Chaw Khan (Petitioner) is not genuine. (Copy of the amendment is attached herewith).

Allegations made in the intimation/representation found false and frivolous one. Procedure which has been carried out hitherto for Consolidation of holdings of revenue estate Basai Meo is found as per the rules.

Apart from the above, regarding the issue in hand, an appeal was also filed before the District Revenue Officer cum Settlement Officer (consolidation), Nuh and same dismissed in view of the afore quoted amendment.

After hearing the petitioner and villagers of Basai Meo and considering the facts and circumstances of the matter in hand, the undersigned has a considered view that petitioner filed a motivated representation with a hidden agenda to linger on the consolidation of holdings of revenue estate Basai Meo, Petitioner has no merit in his claim and also has no genuine grievance in the matter and therefore, representation of the petitioner is disposed of as same is motivated, vexatious, frivolous and

against the mandatory rules and officials are directed to complete the consolidation of holdings of revenue estate Basai Meo as per rules.”

23. *That any widening of road if done then it is due the above direction under the consolidation proceedings after hearing all the concern by the officials. In the various media publications and in the CEC Reports also various photographs and news report depicting illegal mining in Rava village are mentioned and somehow the impression is given that undersigned is involved in illegal mining or facilitating an illegal mining vide constructing the illegal roads through the village Basai Meo.*
24. *All these allegations and depiction against the undersigned are wrong and unfounded. The undersigned has no role in any mining or transportation of mined material or construction of any illegal road/passages. As stated in the present reply the concern authorities who regulate and oversee all the mining operations and transportation or constructions of road are responsible for such acts or omissions which are against the law of the land.”*
7. The above response may also be read as part and parcel of the present application and is not being repeated for the sake of brevity.
8. It is respectfully submitted that the removal order dated 01.07.2025 passed under Section 51(3)(e) of the Haryana Panchayati Raj Act, 1994, is liable to be set aside for being in contravention of the fundamental tenets of natural justice. The Applicant was not granted a fair or reasonable opportunity of hearing.
9. The impugned order merely reiterates conclusions drawn from internal departmental inquiries and CEC reports both of which were prepared without affording the Applicant an opportunity to be heard or to submit documentary evidence.
10. It is necessary to point out that the Applicant (Ex- Sarpanch) only began holding office since December 2022. But the consolidation process was

initiated before his tenure began and consolidation process was notified vide notification dated 10.01.2020 passed by the Government of Haryana.

11. That the consolidation process was started during the tenure of the former Sarpanch Mr. Mohd. Anees, who served during 17.01.2016- 16.01.2021 as the office bearer before the Applicant Sarpanch (Suspended). Mr. Anees is one of the members of the rival group and has played the main role in the consolidation process.
12. Furthermore, it is respectfully submitted that the road in question was constructed during the tenure of the former Sarpanch, Mr. Mohd. Anees, who held office from 2016 to 2021, i.e., well before the Applicant assumed charge in December 2022. The Applicant had no role to play in the conception, approval, or execution of the said road.
13. It has also come to light that the said former Sarpanch not only undertook the road construction but also allegedly collected financial contributions from the villagers for the same. A number of villagers are now voluntarily coming forward and are willing to depose before the appropriate authority, CEC, Police, affirming that the former Sarpanch had demanded and accepted monetary contributions specifically towards the construction of the said road.
14. That despite, there being a long history of litigations and without hearing the Applicant (Ex- Sarpanch) has been scapegoated and is being selectively subjected to coercive action, including suspension and criminal prosecution, without being afforded a fair, reasonable, or adequate opportunity of hearing, thereby violating the cardinal principles of natural justice.
15. That the Applicant (Ex- Sarpanch) was not heard or given a chance to respond before the CEC, nor was he issued any show cause prior to being named in the affidavit dated 15.05.2025 filed by the State of Haryana before this Hon'ble Court. The absence of hearing violates the principles of natural justice and severely prejudices the Applicant (Ex- Sarpanch).

16. It is respectfully submitted that there is a political rivalry against Applicant in the village due to a rival group, losing the election for the post of Sarpanch. Due to the rivalry and the sentiment of revenge, the rival group through its various members have initiated multiple false cases, where they have raised issues related to the existing roads which were enhanced during the consolidation process. However, these were false allegations against the applicant without any basis and also wrongfully published in various local newspapers.
17. That the Original Application No. 1249/2024 is presently pending consideration before the Hon'ble National Green Tribunal. The continuation of parallel proceedings on the same subject matter before multiple forum gives rise to a clear case of multiplicity of proceedings.
18. That in light of the binding precedent laid down by the Hon'ble Supreme Court in *Bhopal Gas Peedith Mahila Udyog Sangathan v. Union of India*, (2012) 8 SCC 326, wherein it has been categorically held that all matters relating to environmental issues covered under the National Green Tribunal Act, 2010, particularly those falling within the scope of Schedule I, must be instituted and adjudicated before the National Green Tribunal (NGT), it is respectfully submitted that the present subject matter squarely falls within such jurisdiction.
19. The Hon'ble Supreme Court has further emphasized that even matters pending before other courts, which pertain to environmental laws or statutes enumerated in Schedule I to the NGT Act, should ideally be transferred to the NGT in order to avoid conflicting decisions and to ensure specialized and expeditious justice in environmental matters.
20. It is submitted that a matter arising out of the same cause and relating to the same subject road construction and environmental issues is already pending adjudication before the Hon'ble NGT. In the interest of judicial propriety, avoiding multiplicity of proceedings, and to ensure consistency in

adjudication, it is therefore prayed that the present matter be referred to and considered by the Hon'ble National Green Tribunal.

21. The recommendations made in CEC Report No. 17 dated 15.04.2025 and CEC Report No. 29 dated 26.05.2025, submitted in W.P. (C) No. 202 of 1995, are unsubstantiated and baseless, and have been presented without conducting an independent, fair, or thorough enquiry, and without affording the Applicant (Ex- Sarpanch) any opportunity of being heard, thereby violating the principles of natural justice.
22. That during the inspection by CEC the Applicant was holding a public office of Sarpanch, being an elected representative however, before condemning the applicant no records whatsoever including Panchayat records were called from the Applicant by the CEC.
23. The CEC Report fails to acknowledge various previously decided and pending cases before competent courts concerning the same road. This omission reflects a serious procedural lapse, as it disregards relevant judicial findings and ongoing litigation directly affecting the subject matter. Such failure undermines the legality and fairness of the CEC's assessment and recommendations.
24. The CEC failed to obtain or call for records from the Forest Department regarding any previous plantations carried out on the road in question. This omission reflects a lack of due diligence and results in an incomplete assessment, particularly when such records were essential for determining the ecological character and usage history of the land. The non-consideration of official plantation records undermines the accuracy and credibility of the CEC's findings.
25. That the Central Empowered Committee (CEC) has failed to take into consideration the material fact that the process of consolidation in the village was initiated and was already underway much prior to the Applicant (ex - sarpanch) assuming office. This omission has led to an incorrect and

incomplete appreciation of the factual background and timeline of events, thereby attributing actions and developments to the Applicant which were in fact beyond the scope of his tenure.

26. That the findings in the CEC Report dated 15.04.2025, particularly in paragraph 13, are based entirely on media coverage and unverified allegations. The CEC in its report itself mentions the non-cooperation of the officials of different department in providing relevant information, documents and site inspections.

27. In *Himachal Pradesh Bus-Stand Management and Development Authority.2 Vs Central Empowered Committee and Others*, (2021) 4 SCC 309, the Apex Court clearly observed that while the CEC's assistance is valuable, its findings are not conclusive and must be subjected to judicial scrutiny. It was noted that the report lacked adequate on-site verification and failed to account for all relevant legal and factual considerations. So CEC was instructed to visit the site again and take necessary actions. Therefore, it is respectfully submitted that the recommendations of the CEC in the present case also warrant critical examination, particularly as they are based largely on media reports and without due verification of ground realities or existing court orders.

28. That in *Samaj Parivartana Samudaya and Others V. State of Karnataka and Others*, the Hon'ble Supreme Court in its order observed that while the Central Empowered Committee (CEC) had recommended a complete relaxation of the ceiling limit, the Court was not inclined to accept the said recommendation in toto. This clearly establishes that the recommendations of the CEC are not binding and that the Hon'ble Court retains full discretion to either accept, modify, or reject such recommendations, depending on the facts, legal merits, and larger public interest involved in the matter.

29. That as per the CEC Report, the activities pertaining to mining have been primarily based on newspaper reports; however, no independent

investigation or verification appears to have been conducted, nor is any such inquiry reflected on record.

30. That in the meeting convened by the Central Empowered Committee (CEC) on 09.04.2025, while officials such as the Divisional Forest Officer, Nuh, and the Principal Chief Conservator of Forests & Head of Forest Force, Haryana, were invited, the Sarpanch of the concerned village was not issued any notice to attend. Furthermore, the revenue authorities failed to attend the said meeting. It is pertinent to submit that all other relevant stakeholders were either invited or represented, except the Sarpanch, thereby denying him a fair opportunity to present his version of the facts and issues involved in the matter.
31. That CEC in its report dated 15.04.2025 in its recommendations, recommended the State to constitute an independent high power committee to investigate the Sarpanch's conduct and if found guilty recommend appropriate preventive action. However, in the same report, CEC observed involvement of Sarpanch on the basis of local media coverage. Therefore, in absence of thorough inquiry and taking into consideration all the relevant documents and data including satellite imagery, the Applicant has been condemned and held guilty. Therefore, in view of the above submission, the CEC reports may be reassessed and the site may be revisited and all the relevant information and documents may be taken into account and a fresh report may be filed.
32. That subsequent to the suspension of the Applicant (Ex- Sarpanch), a new Acting Sarpanch, namely Smt. Sunnati, wife of Mr. Sabir Khan, was elected. Now the Police officials in the guise of investigation are regularly harassing the Acting Sarpanch. That various raids are being conducted at the house of Acting Sarpanch and other community members of the Applicant.
33. That during such raids on 21.06.2025, some of the visuals were recorded by a family member of the Acting Sarpanch in her mobile phone where certain

police officials are seen physically thrashing up and harassing female members of the family and slapping minor girls. The actions of the authorities are excessive, arbitrary, and without due procedure, thereby causing physical harm, fear and mental trauma to them. These visuals can be produced before this Hon'ble Court if and when directed.

34. On multiple occasions, officials or people claiming to be officials, dressed in civilian attire have entered the residential premises of the Applicant (ex-sarpanch) residence without any prior notice or lawful authorization. That the authorities and Police officials are not following due process of law, in carrying out the investigation. The Applicant has not been summoned or called upon for any explanation by police officials however, the Police is trying to arrest the applicant without there being any basis or material.
35. That the Government authorities and police are acting in utter disregard to the norms of impartial and fair investigation. There seems to be one plausible reason in the humble submission of the Applicant that after the strong observations by this Hon'ble Court in order dated 29.05.2025 against the Chief Secretary and officials of the State Government, the Applicant is being targeted so that some action could be shown to this court in its affidavit to be filed before 15.06.2025.
36. That due to the strong observation by this Hon'ble Court against the State Government there is no fair and impartial investigation or fact finding which is resulting in gross violations of the principles of natural justice, particularly the doctrine of *audi alteram partem*. Such unilateral proceedings have caused serious prejudice to the Applicant (Ex- Sarpanch) and have undermined his right to be heard and due process of law.
37. That actions of the authorities including suspension of the Applicant from the post of Sarpanch, CEC reports, FIR and other proceedings and coercive action are wrong and unfounded. These proceedings and actions fail to meet

the “test of prejudice”. The “test of prejudice” is a well settled canon of law that may be applied where any procedural impropriety or violation of rule of *audi alteram* is alleged. This Hon’ble Court in *State Bank of Patiala and Others v. S.K. Sharma*, (1996) 3 SCC 364 held that the test is to ascertain whether the violation of such procedure or process resulted in a prejudice being caused or a loss of fair hearing.

38. That all the authorities and police are treating the Applicant (Ex- Sarpanch) as guilty without a fair enquiry on the basis of certain motivated local media publication and rival political group’s complaints and allegations.
39. That the Applicant is apprehending an imminent arrest and threat to his life and personal liberty in the hands of authorities and police officials. The Applicant fears for physical harassment and torture in the hands of authorities and police officials.
40. In these above stated circumstances, the Applicant is constrained to approach this Hon’ble Court with prayer directions to the concerned authorities to conduct fair and impartial investigations without prejudice or affected by any observation made by this Hon’ble Court in the present matter. And the Applicant is also praying stay on arrest pending the investigation subject to the terms and conditions as deem fit and proper. The Applicant is ready to join the investigation and to co-operate with the authorities and to provide all the related documents and explanations subject to protections from physical harm.
41. This application is being filed in view of these urgent circumstances where the Applicant is fearing coercive action against him. The Applicant herein is not a party in the present matter and a separate application for intervention is being filed along with the present application.
42. That no similar application has been filed by the Applicant before this Hon’ble Court or any other forum.
43. That the present application is bona fide and in the interest of justice.

PRAYER

In view of the facts and circumstances stated hereinabove, the Applicant most respectfully prays that this Hon'ble Court may be pleased to:

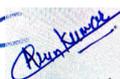
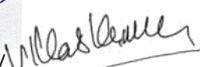
- a) Pass an appropriate direction to concern authorities including administrative/department committees and police authorities to conduct fair and impartial investigation/inquiry, uninfluenced by any observation passed by this Hon'ble Court in the present matter including the CEC reports; and/or
- b) Pass an appropriate direction to all the concerned authorities and police to consider and take into account all the relevant documents, data, various previous litigations/judgement/FIR on the disputed routes/passages in its inquiry/investigation; and/or
- c) Pass an appropriate direction to all the authorities, departmental committees, police and investigation agency to provide an opportunity of hearing/ right to be heard to the Applicant (Ex- Sarpanch) before taking any coercive action against applicant; and/or
- d) Pass an appropriate direction/ order disregarding the findings and recommendations made in CEC report no. 17 and 29 dated 15.04.2025 and 26.05.2025 against the Applicant (Ex- Sarpanch); and/or
- e) CEC reports may be reassessed, reconsidered, reviewed and revised after taking into account all the relevant documents, data, satellite imagery of the site, previous litigation on the roads in question and hearing the Applicant (Ex- Sarpanch); and/or
- f) Pass an appropriate direction/order to concerned authorities/police not to harass or physically harm the applicant, its family members and relatives during the course of investigation; and/or
- g) Pass an ad interim stay on arrest to the applicant pending the investigation/ inquiry in FIR no 0018 dated 01.06.2025, P.S. ACB,

Gurugram, subject to the terms and conditions as deem fit and proper;
and/or

- h) Hon'ble Court be pleased to refer the present matter to be heard by Hon'ble National Green Tribunal with OA No. 1249/2024 pending on the same issue; and/or
- i) Pass an appropriate direction/ order as this Hon'ble court may deem necessary in the interest of justice.

Date: 25.06.2025
Place: New Delhi


Advocate for the Applicant
Vikas Kumar
CC Code: - 2080



//True copy// 

ITEM NO.18

COURT NO.1

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s). 202/1995

IN RE : T.N. GODAVARMAN THIRUMULPAD

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

INTERLOCUTORY APPLICATION FOR 23.07.2025 "ONLY" [1] CONTEMPT PETITION (C) DIARY NO. 39857 OF 2024 WITH I.A. NO. 75416 OF 2025 (Application for Intervention filed by Mr. Yash S. Vijay, Advocate) IN RE : K. MRUTYUNJAYA RAO IN RE : ANDHRA PRADESH STATE FISH FARMERS ASSOCIATION AND [1 (a)] I. A. NOS. 81754 & 81576 OF 2025 [Applications for Directions and Intervention filed by Mr. Yash S. Vijay, Advocate in W.P.(C)No. 202/1995] IN RE : ANDHRA PRADESH STATE FISH FARMERS ASSOCIATION AND [2] I.A. NO. 5891 OF 2019 [Application For Directions] AND I.A. NOS. 259426, 259429 & 259431 OF 2024 (Applications for Impleadment, Directions and Exemption from filing O.T. filed by Ms. Rani Mishra, Advocate) IN RE : COMPENSATORY AFFORESTATION MANAGEMENT AND PLANNING AUTHORITY (CAMPA) FUNDS ALONGWITH IN RE: STATUS OF FUNDS IN RE: VAISHALI RANA AND [3] ISSUE REGARDING ORDER DATED 16.04.2025 PASSED IN W.P. (C)NO. 4677 OF 1985 AND [4] I. A. NOS. 100352 & 100351 OF 2024 [Applications for Impleadment and Directions filed by Mr. Rajeev Kumar Dubey, Advocate] AND I. A. NOS. 56927, 56928 & 56929 OF 2025 [Applications for Amendment of I.A. Nos. 100351 & 100352/2024 , Amended application for Directions and Exemption form filing O.T. filed by Mr. Rajeev Kumar Dubey, Advocate] AND I. A. NO. 139151 OF 2025 [Application for Exemption from filing O.T. in Counter Affidavit] IN RE : SHRI RAM KRISHNA PANDEY AND [5] I.A. NO. 126582 OF 2025 (CEC REPORT NO. 25 OF 2025) AND I.A. NOS. 135736 & 136040 OF 2025 (Applications for Intervention and Directions in I.A. 126582/2025 filed by Ms. Tanya Srivastava, Advocate) AND I.A. NO. 135954 OF 2025 (Applications for Intervention in I.A. 126582/2025 filed by Ms. Ranu Purohit, Advocate) AND I.A. NO. 138810 OF 2025 (Applications for permission to file Additional documents in I.A. 136040/2025 in I.A. 126582/2025 filed by Ms. Tanya Srivastava, Advocate) AND I.A. NO. 138813 OF 2025 (Applications for permission to file Additional documents in I.A. 136040/2025 in I.A. 126582/2025 filed by Ms. Tanya Srivastava, Advocate) IN RE: M/S. RR TEXKNIT LLP IN RE: RAJEEV RANJAN IN RE: VASANT KUNJ RESIDENTS WELFARE ASSOCIATION AND [6] I. A. NO. 82534 OF 2025 [Application for Clarification filed by Mr. M.K. Maroria, Advocate in I.A. No. 47367/2019 (CEC Report No. 08/2019)] IN RE : REFERAL AND RESEARCH (R AND R) ARMY HOSPITAL, MINISTRY OF DEFENCE AND [7] ISSUE REGARDING ORDER DATED 18.03.2025 PASSED IN W.P.

(C)NO. 13381 OF 1984 AND [8] I.A. NO. 218391 OF 2024 (CEC REPORT NO. 19 OF 2024) IN RE : TO PREVENT THE CONSTRUCTION OF BAL-BHARATI PAUD PHATA (BBPP) ROAD, BY PUNE MUNICIPAL CORPORATION (PMC) AND [9] I.A. NOS. 269550, 269552 AND 269553 OF 2024 [Application for Impleadment, Directions and O.T. filed by Ms. Rani Mishra, Advocate] WITH I.A. NO. 100529 OF 2025 [CEC REPORT NO. 17 OF 2025] WITH I.A. NO. 137359 OF 2025 [CEC REPORT NO. 29 OF 2025- ADDENDUM TO THE REPORT NO. 17 OF 2025 IN I.A. NO. 269550, 269552 AND 269553 OF 2024] IN RE : JUMMA & ORS. AND [10] I. A. NOS. 140072 & 140078 OF 2025 [Applications for Intervention and Directions filed by Mr. Adarsh Kumar Tiwari, Advocate] IN RE : VIJAYENDRA PAL SINGH AND [11] I. A. NOS. 149725, 149726, 149727 & 149733 OF 2025 [Applications for Intervention, Directions, O.T. and Exemption from filing Certified Copy of order filed by Mr. Vikas Kumar, Advocate] IN RE : MOHD. HANEEF AND [12] I. A. NOS. 153500 & 153501 OF 2024 [Applications for Directions and Exemption from filing O.T. filed by Ms. Shibani Ghosh, Advocate] WITH I. A. NO. 153502 OF 2024 [Applications for Intervention filed by Ms. Shibani Ghosh, Advocate] IN RE : DR. DAYA SHANKAR SRIVASTAVA (SARANDA GAME SANCTUARY) AND [13] I. A. NOS. 90595 & 90596 OF 2025 [Applications for permission to file Impleadment and application for Impleadment filed by M/s. Hooda & Co., Advocate] IN RE : B.K. SINGH - IFS (RETD.) AND [14] I.A. NO. 156703 OF 2024 [Application for Impleadment filed by Mr. Shrey Kapoor, Advocate] AND I.A. NO. 156707 & 156710 OF 2024 [Application for Directions and Exemption from filing O.T. filed by Mr. Shrey Kapoor, Advocate] WITH I.A. NOS. 182429 & 182432 OF 2024 [Application for permission to file Additional documents and Exemption from filing O.T. filed by Mr. Shrey Kapoor, Advocate] AND I.A. NOS. 279970 & 279972 OF 2024 [Application for placing on record Addition Facts and documents and Exemption from filing English translation filed by Mr. Shrey Kapoor, Advocate] AND I.A. NO. 8102 OF 2025 [Application for Directions in I.A. No. 211378, 211725/2024 in I.A. 58031/2024 filed by Ms. Aruna Gupta, Advocate] AND [14 (a)] I.A. NO. 212089 OF 2024 [Application for Impleadment in I.A. Nos. 58031 & 58032 of 2024 filed by Ms. Aruna Gupta, Advocate] AND I.A. NOS. 212084 & 212086 OF 2024 [Application for Directions & Exemption from filing O.T. in I.A. Nos. 58031 & 58032 of 2024 filed by Ms. Aruna Gupta, Advocate] AND [14 (b)] CIVIL APPEAL DIARY NO. 12516 OF 2019 AND [14 (c)] SUO-MOTU WRIT PETITION (C) NO. 1 OF 2023 WITH I.A. NO. 128329 OF 2025 [Application for Clarification/Directions filed by Ms. Megha Karnwal, Advocate] IN RE : SARISKA TIGER RESERVE IN RE : PAVAN SINGH IN RE : CHAND KANWAR IN RE : ANIL JATAV IN RE : M/S. RADHE GOVIND MARBLE IN RE : STATUS OF FUNDS IN RE : VAISHALI RANA AND [15] I.A. NO. 285881 OF 2024 (Application for Impleadment as Co-petitioners filed by Mr. Arun K. Sinha, Advocate) WITH I.A. NOS. 285829 & 285830 OF 2024 (Applications for Directions and Exemption from filing O.T. filed by Mr. Arun K. Sinha, Advocate) AND I.A. NO. 300603 OF 2024 (Application seeking Impleadment of the owner of the Land as Party Respondent filed by Mr. Arun K. Sinha, Advocate) IN RE : UDIT NARAYAN SONAKIYA & ANR. AND [16] I. A. Nos. 118236 AND 129623 OF 2020 [Applications for Impleadment and Directions] IN RE : M/O AGRICULTURE AND FARMERS WELFARE IN RE : U.T. OF ANDAMAN

AND NICOBAR ADMINISTRATION WITH I.A. No. 179389 OF 2018 [Application for Modification of Court's order dated 07.05.2002 in I. A. No. 502] AND I.A. No. 69399 OF 2021 [Application for permission to file Additional Affidavit] AND I.A. No. 144539 OF 2021 [Application for Intervention in I.A. No. 179389/2018] AND I.A. No. 13413 OF 2023 [CEC Report No. 2/2023 - Note filed by Member Secretary, CEC in I.A. No. 179389/2018] AND I.A. No. 217138 OF 2024 [Application seeking Extension of Time on behalf of MoEF & CC in I.A. No. 179389/2018] IN RE : U.T. OF ANDAMAN AND NICOBAR ADMINISTRATION AND [17] I. A. NOS. 79569 AND 79576 OF 2019 [Applications for Intervention and Directions] WITH I. A. NOS. 159670 AND 159677 OF 2019 [Application for Exemption from filing Official Translation] WITH I. A. D. NOS. 14261 AND 14262 OF 2021 [Applications for Urgent Listing of I.A. Nos. 79569 and 79576/2019 and Exemption from filing duly Attested Affidavit] AND I. A. NOS. 40599 AND 40624 OF 2023 [Applications for Intervention and Modification of Court's order dated 12.05.2022] AND I. A. NO. 220675 OF 2023 [Application for Direction in I.A. No. 79576/2019] AND I. A. NO. 111336 OF 2025 [Application permission to file Additional documents in I.A. No. 79569 & 79576/2019 filed by Mr. Aaditya A. Pande, Advocate] AND I. A. NO. 137276 OF 2025 [Application permission to file Additional documents in I.A. No. 40599 & 40624/2021 filed by M/s. Karanjawala & Co., Advocate] IN RE : SHRAMIK RICKSHAW CHALAK-MALAK SEVASANSTHA IN RE : E-RICKSHAW IN MATHERAN AND [18] IN RE : RANTHAMBORE TIGER RESERVE I.A. NOS. 117782, 117783 AND 117785 of 2025 [Applications for Impleadment, Directions and O.T.] IN RE : SANJAY KUMAR AND [19] SPECIAL LEAVE PETITION(C) No. 25047 OF 2018 AND [20] I. A. NOS. 162033 & 162034 OF 2025 [Applications for Directions & O.T. filed by Ms. Usha Nandini V., Advocate] WITH I. A. NOS. 162154 & 162155 OF 2025 [Applications for Intervention & O.T. filed by Ms. Usha Nandini V., Advocate] IN RE : M.V. ANTOO IN WRIT PETITION (CIVIL) NO. 202/1995 "ONLY" ARE LISTED IN W.P.(C) No. 202/1995, I.A. Nos. 62990 & 62991 of 2025 with I.A. No. 138126 of 2025 (CEC REPORT NO. 28 of 2025) and I. A. Nos. 154102, 154104 & 154106 of 2025 with I. A. No. 169242 of 2025, I. A. Nos. 138323 & 138324 of 2025 "ONLY" ON 23.07.2025 AND THE NAMES OF "ONLY" THE FOLLOWING ADVOCATES MAY BE TREATED TO HAVE BEEN SHOWN AGAINST THESE I.As. MR. HARISH N. SALVE, SR. ADV. [A.C.], MR. A.D.N. RAO, SR. ADVOCATE [A.C.], MS. APARAJITA SINGH, SR. ADVOCATE [A.C.], MR. SIDDHARTHA CHOWDHURY, ADVOCATE [A.C.] MR. K. PARAMESHWAR, SR. ADVOCATE [A.C.] MR. G.S. MAKKER, ADVOCATE MR. S.N. TERDAL, ADVOCATE FOR S.NO. [1 & 1 (a)] MR. K. PARAMESHWAR (A.C.), MR. MUKESH KUMAR, MR. GUNTUR PRASAD KUMAR (STATE OF ANDHRA PRADESH), MR. YASH S. VIJAY (INTERVENOR) FOR S. NO. [2] MR. K. PARAMESHWAR (A.C.), MR. G.S. MAKKER, MR. ARAVIND S. (PUDUCHERRY), MR. SAMIR ALI KHAN (BIHAR), MR. AKSHAY AMRITANSHU (HARYANA), MS. PURNIMA KRISHNA (TAMIL NADU), MR. PRASHANT KUMAR (CHHATISGARH), MR. S.N. TERDAL (ANDAMAN & NICOBAR, CHANDIGARH, LADAKH, LAKSHADWEEP), MR. V.N. RAGHUPATHY (KARNATAKA), MR. KARAN SHARMA (PUNJAB), MS. ASTHA SHARMA (WEST BENGAL), MR. SUDEEP KUMAR (UTTAR PRADESH), MR. SHOVAN MISHRA (ODISHA), MR. SHUVODEEP ROY (ASSAM, TRIPURA), MS. SUGANDHA ANAND

(HIMACHAL PRADESH), MR. ABHISHEK ATREY (UTTARAKHAND), MR. NISHE RAJEN SHONKER (KERALA), MR. AADITYA A. PANDE (MAHARASHTRA), MR. K. ENATOLI SEMA (NAGALAND), MR. PASHUPATI NATH RAZDAN (JAMMU & KASHMIR), MR. ANANDO MUKHERJEE (JHARKHAND, MIZORAM), MR. GUNTUR PRAMOD KUMAR (ANDHRA PRADESH), MS. NIDHI JASWAL (RAJASTHAN), MR. CHIRAG M. SHROFF (NCT OF DELHI), MS. SWATI GHILDIYAL (GUJRAT), MS. MRINAL GOPAL ELKER/MRINAL ELKER MAZUMDAR (MADHYA PRADESH), MR. SAMEER ABHYANKAR (SIKKIM), MR. SHISHIR DESHPANDE (GOA), MR. PUKHRAMBAM RAMESH KUMAR (MANIPUR), MR. SRAVAN KUMAR KARANAM (TELANGANA), MR. AVIJIT MANI TRIPATHI (STATE OF MEGHALAYA) MS. RANI MISHRA (FOR I.A. NOS. 259426, 259429 & 259431 OF 2024) FOR S.NO. [3] MR. K. PARAMESHWAR (A.C.) FOR S.NO. [4] MR. K. PARAMESHWAR (A.C.), MR. RAJEEV KUMAR DUBEY, MR. SUDEEP KUMAR (FOR STATE OF U.P.) FOR S.NO. [5] MR. K. PARAMESHWAR (A.C.), MS. TANYA SRIVASTAVA, MS. RANU PUROHIT FOR S.NO. [6] MR. K. PARAMESHWAR (A.C.), MR. M.K. MARORIA FOR S.NO. [7] MR. K. PARAMESHWAR (A.C.), MR. G.S. MAKKER (MoEF & CC), MS. NIDHI JASWAL (STATE OF RAJASTHAN) FOR S.NO. [8] MR. K. PARAMESHWAR (A.C.) FOR S.NO. [9] MR. K. PARAMESHWAR (A.C.), MS. RANI MISHRA, MR. AKSHAY AMRITANSHU (FOR R-2/STATE OF HARYANA) FOR S.NO. [10] MR. K. PARAMESHWAR (A.C.), MR. ADARSH KUMAR TIWARI, MS. SUGANDHA ANAND (STATE OF HIMACHAL PRADESH) FOR S.NO. [11] MR. K. PARAMESHWAR (A.C.), MR. VIKAS KUMAR FOR S.NO. [12] MR. K. PARAMESHWAR (A.C.), MS. SHIBANI GHOSH, MS. PALLAVI LANGAR, MR. G.S. MAKKER FOR S.NO. [13] MR. K. PARAMESHWAR (A.C.), MS. SHIBANI GHOSH FOR S.NO. [14 (a to c)] MR. K. PARAMESHWAR (A.C.), MR. G.S. MAKKER, MS. RANI MISHRA, MR. K. PARAMESHWAR (A.C.), MS. PARUL SHUKLA, MR. MILIND KUMAR, MR. SHREY KAPOOR, MS. ARUNA GUPTA, MS. NIDHI JASWAL, MR. SHYAM D. NANDAN, ADV. IN C.A.(D)NO. 12516/2016 FOR S.NO. [15] MR. K. PARAMESHWAR (A.C.), MR. ARUN K. SINHA, MR. ASHUTOSH KUMAR SHARMA (STATE OF UTTARAKHAND), MR. P.S. SUDHEER FOR S.NO. [16] MR. K. PARAMESHWAR (A.C.), MR. RAJ BAHADUR YADAV, MS. MRINAL ELKER MAZUMDAR, MR. RAJAT ARORA, MR. P.K. MANOHAR, MR. G.S. MAKKER FOR S.NO. [17] MR. K. PARAMESHWAR (A.C.), MS. MISHA ROHATGI MOHTA, M/S. KARANJAWALA & CO., MR. KRISHNA BALLABH THAKUR, MR. T.R.B. SIVAKUMAR, MR. AADITYA A . PANDE (STATE OF MAHARASHTRA) FOR S.NO. [18] MR. K. PARAMESHWAR (A.C.), MS. RANI MISHRA FOR S. NO. [19] MR. K. PARAMESHWAR (A.C.), MR. KUNAL CHATTERJI, MS. ASTHA SHARMA, MR. NARESH KUMAR, MR. G.S. MAKKER, MR. ANANDO MUKHERJEE, MS. POOJA DHAR, MR. S.N. TERDAL, MR. MOHIT D. RAM FOR S.NO. [20] MR. K. PARAMESHWAR (A.C.), MS. USHA NANDINI V.

WITH

Diary No(s). 39857/2024 (PIL-W)

(IA No. 75416/2025 - INTERVENTION/IMPLEADMENT)

SLP(C) No. 25047/2018 (XVI)

Diary No(s). 12516/2019 (XVII)

(IA No. 68530/2019 - CONDONATION OF DELAY IN FILING, IA No. 68535/2019 - EX-PARTE STAY, IA No. 68538/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 220462/2024 - INTERVENTION/IMPLEADMENT, IA No. 68527/2019 - PERMISSION TO FILE

APPEAL)

SMW(C) No. 1/2023 (PIL-W)

[IA No. 282482/2024 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 128329/2025 - CLARIFICATION/DIRECTION, IA No. 128330/2025 - EXEMPTION FROM FILING O.T., IA No. 285430/2024 - EXEMPTION FROM FILING O.T., IA No. 227339/2024 - INTERVENTION/IMPLEADMENT)

Date : 23-07-2025 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE K. VINOD CHANDRAN
HON'BLE MR. JUSTICE JOYMALYA BAGCHI

For petitioner (s) :

Mr. Akshay Mann, Adv.
Mr. Mukesh Kumar, AOR

Mr. Kunal Chatterji, AOR
Ms. Maitrayee Banerjee, Adv.
Mr. Rohit Bansal, Adv.
Mr. Varij Nayan Mishra, Adv.

Mr. Shyam D. Nandan, AOR
By Courts Motion, AOR
Mr. Chanchal Kumar Ganguli, AOR
M/S. Plr Chambers And Co., AOR

Mr. Syed Mehdi Imam, AOR
Mr. Mohd Parvez Dabas, Adv.
Mr. Uzmi Jamil Husain, Adv.

Mr. T. Harish Kumar, AOR
M/S. Mitter & Mitter Co., AOR
M/S. Lawyer S Knit & Co, AOR

For Respondent(s)/
applicant(s) :

Mr. Mukul Rohatgi, Sr. Adv.
Mr. Sidharth Bhatnagar, Sr. Adv.
Mr. Vivek Gupta, AOR
Mr. Ankit Verna, Adv.
Mr. Govind Gupta, Adv.

Mr. Pankaj Sharma, Adv.
Mr. Parth Johri, Adv.
Ms. Vidushi Pandey, Adv.
Mr. Subham Bahuguna, Adv.
Mr. Eshan Kumar Saxena, Adv.

Mr. Rajeev Kumar Dubey, Adv.
Mr. Srajana Suman Mund, Adv.

Mr. Aman Panwar, AAG for Karnataka
Mr. Sanchit Garga, AOR
Mr. Piyush Wadhwa, Adv.
Mr. Abhinav Kumar, Adv.

Mr. Gurmeet Singh Makker, AOR
Mr. Gaichangpou Gangmei, AOR

Mr. Raj Kishor Choudhary, AOR
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Ms. Pratibha Singh, Adv.
Ms. Shalini Tripathi, Adv.
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Mr. Anupam Bhati, Adv.
Mr. Nakul Chaudhary, Adv.

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Mr. Deepayan Dutta, Adv.
Mr. Saurabh Tripathi, Adv.

Mr. T. Mahipal, AOR
Mr. Umesh Bhagwat, AOR
Mrs. M. Qamaruddin, AOR
Mr. H. S. Parihar, AOR
Ms. Baby Krishnan, AOR
Mr. P. R. Ramasesh, AOR

Ms. Adviteeya, Adv.
Mr. Rakesh K. Sharma, AOR

Mr. P. N. Gupta, AOR
Mr. Sarad Kumar Singhania, AOR
Mr. E. C. Agrawala, AOR
Mr. Kuldip Singh, AOR
Ms. Bina Madhavan, AOR
Ms. Pratibha Jain, AOR
Mr. Rajat Joseph, AOR
Mr. Gopal Prasad, AOR
Ms. Jyoti Mendiratta, AOR
Mr. S. Udaya Kumar Sagar, AOR
Mr. Ranjan Mukherjee, AOR
Ms. Sharmila Upadhyay, AOR

Mr. Tejaswi Kumar Pradhan, AOR
Mr. Pranab Samantaray, Adv.
Mr. Manoranjan Paikaray, Adv.

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Mrs. Nandini Gore, AOR

Mr. Raj Kumar Mehta, AOR
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 Mrs. B. Sunita Rao, AOR
 Mr. Rajeev Singh, AOR
 Mrs. Kanchan Kaur Dhodi, AOR
 Mr. Surya Kant, AOR
 Mr. E. C. Vidya Sagar, AOR
 M/S. M. V. Kini & Associates, AOR
 Mrs. Manik Karanjawala, AOR

Mr. Kamal Mohan Gupta, AOR
 Ms. Mehraj, Adv.

Mr. Prashant Kumar, AOR

Mr. Dharmendra Kumar Sinha, AOR

Mr. P. Parmeswaran, AOR
 Ms. Sujata Kurdukar, AOR
 Ms. Charu Mathur, AOR

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 Mr. A. Venayagam Balan, AOR
 Mr. Vishwanath Gadnis, Adv.

Mr. Sudarsh Menon, AOR

Mr. Ramesh Babu M. R., AOR
 Mr. Vikrant Singh Bais, AOR
 Mr. Shiva Pujan Singh, AOR
 Ms. K. V. Bharathi Upadhyaya, AOR
 Mr. Rajiv Mehta, AOR
 Mr. Ejaz Maqbool, AOR
 Mr. Rajesh, AOR
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 Mr. Rajendra Sahu, Adv.
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 Ms. Hema Sahu, Adv.
 Mr. C. L. Sahu, AOR

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 Ms. Abha R. Sharma, AOR
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Ms. Gauri Pandey, Adv.

Mr. Gopal Singh, AOR
 Mr. T. V. George, AOR
 Mr. Krishnanand Pandeya, AOR
 Mr. Neeraj Shekhar, AOR
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 Mr. Akhileshwar Jha, Adv.
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 Mr. Javed Raza, Adv.
 Mr. Sandeep Singh Dingra, Adv.
 Mr. Sanjiv Kumar Jain, Adv.
 Mr. Ravinder Pal Singh, Adv.
 Ms. Manisha Chawla, Adv.
 Ms. Niharika Dwivedi, Adv.
 Mr. Varun Varma, Adv.
 Mr. Shubham Rajhans, Adv.
 Mr. Ishank Ranjan, Adv.
 Mr. Prakhar Shukla, Adv.

Ms. Hemantika Wahi, AOR

Mr. Mohd. Irshad Hanif, AOR
 Ms. Rifat Ara Butt, Adv.

Mr. Punit Dutt Tyagi, AOR
 Mr. Rathin Das, AOR
 Mr. Ratan Kumar Choudhuri, AOR
 Mr. Sudhir Kulshreshtha, AOR

Mr. Himanshu Shekhar, AOR
 Mr. Parth Shekhar, Adv.
 Mr. Shubham Singh, Adv.
 Mr. Youkteshwari Prasad, Adv.
 Mr. Mukesh Kumar Verma, Adv.
 Mr. Mata Prasad Pathak, Adv.
 Mr. Vijay Singh, Adv.
 Ms. Ambali Vedasen, Adv.
 Mr. Arvind Kumar Tomar, Adv.
 Mr. Soumyadeep Chatterjee, Adv.
 Mr. Mayur Raj, Adv.
 Mr. Nikhil Kumar, Adv.
 Mr. Tushar Rawal, Adv.

Ms. Sushma Suri, AOR
 Mr. Sudhir Kumar Gupta, AOR
 Mr. A. N. Arora, AOR
 Mr. Irshad Ahmad, AOR

Mr. G. Prakash, AOR
Mr. E. M. S. Anam, AOR

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Mr. Guntur Pramod Kumar, AOR
Ms. Prerna Singh, Adv.
Mr. Dhruv Yadav, Adv.

Mrs. Bina Gupta, AOR
Mr. P. V. Yogeswaran, AOR
Mr. Jitendra Mohan Sharma, AOR
Ms. Malini Poduval, AOR
Ms. C. K. Sucharita, AOR
Ms. Binu Tamta, AOR
Mr. Shibashish Misra, AOR
Mr. K. L. Janjani, AOR
Mr. Naresh K. Sharma, AOR
Ms. A. Sumathi, AOR
Mr. Jai Prakash Pandey, AOR
Mrs. Anjani Aiyagari, AOR
Mr. K. V. Vijayakumar, AOR
Mrs. Rani Chhabra, AOR
Ms. Divya Roy, AOR
Mr. Tarun Johri, AOR
Mr. Radha Shyam Jena, AOR
Mr. Ajit Pudussery, AOR
Mr. Ashok Mathur, AOR
M/S. Parekh & Co., AOR
M/S. K J John And Co, AOR
Mr. V. Balachandran, AOR
Mr. S. C. Birla, AOR
Mr. Ram Swarup Sharma, AOR
Mr. M. Yogesh Kanna, AOR
Mr. Naresh Kumar, AOR

Ms. Aishwarya Bhati, A.S.G.
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Ms. Abhinandini Sharma, Adv.
Mr. Saurabh Rajpal, Adv.
Mr. Amogh Bansal, Adv.
Ms. Nidhi Jaswal, AOR

Mr. Kunal Mimani, AOR
Mr. Vikash Singh, AOR
Dr. Surender Singh Hooda, AOR
Mr. Sunil Kumar Verma, AOR
Mr. Prakash Kumar Singh, AOR
Ms. Tanya Srivastava, AOR
Mr. Mohit D. Ram, AOR
Ms. Adarsh Nain, AOR

Mr. Dama Seshadri Naidu, Sr. Adv.

Mr. Guntur Pramod Kumar, AOR
 Ms. Purna Singh, Adv.
 Mr. Dhruv Yadav, Adv.

Mr. Amrish Kumar, AOR
 Ms. Purnima Krishna, AOR

Ms. Aishwarya Bhati, A.S.G.
 Mrs. Ruchi Kohli, Sr. Adv.
 Mr. Mukesh Kumar Maroria, AOR
 Mr. Raghav Sharma, Adv.
 Mr. Jagdish Chandra Solanki, Adv.
 Mr. Suhasini Sen, Adv.
 Mr. Gaurang Bhushan, Adv.

Mr. Sujit Kumar Mishra , AOR
 Mr. Aldanish Rein, AOR
 Mr. Kunal Mimani, AOR

Mr. Shantanu Kumar, AOR

Ms. Seita Vaidyalingam, AOR

Mr. Anando Mukherjee, AOR
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 Mr. John Thomas Arakal, Adv.

Ms. Ila Shikhar Sheel, AOR
 Mr. Sanjeev Kumar Karagwal, Adv.

Mr. Nishanth Patil, AOR
 M/S. Venkat Palwai Law Associates, AOR
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 Mr. Ravindra S. Garia, AOR

Mr. Karan Sharma, AOR
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Ms. Sugandha Anand , AOR

Mr. Pukhrambam Ramesh Kumar, AOR

Mr. Karun Shrama,, Adv.

Ms. Anupama Ngangom, Adv.

Ms. Rajkumari Divyasana, Adv.

Mr. Venkata Raghuvamsy D. , AOR

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Mr. Ashok Gaur, Sr. Adv.

Ms. Megha Karnwal, AOR

Ms. Sakshi Singh, Adv.

Mr. Aaditya Thorat, Adv.

Mr. Avishal Singh, Adv.

Ms. Vanshaja Shukla, AOR

Mr. Chirag M. Shroff, AOR

Ms. Mayuri Raghuvanshi, AOR

Mr. Vivek Jain, AOR

Ms. Garima Prashad, Sr. A.A.G.

Mr. Sudeep Kumar, AOR

Ms. Manisha, Adv.

Ms. Rupali, Adv.

Mr. Gaurav Kumar Bansal, Adv.

Mr. Vishnu Gupta, Adv.

Ms. Nandita Bansal, Adv.

Ms. Rani Mishra, AOR

Mr. Sameer Abhyankar, AOR

Mr. Krishna Rastogi, Adv.

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Ms. Ranjeeta Rohatgi, AOR

Mr. Shubham Upadhyay, AOR

Mr. Ajay Agarwal, A.A.G.

Mr. Ashiwan Mishra, Adv.

Ms. Aditi Mishra, Adv.

Mr. Kamendra Mishra, AOR

Mr. Somesh Chandra Jha, AOR

Ms. Ruchira Goel, AOR

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Mr. Bharat Bagla, Adv.
Mr. Sourav Singh, Adv.
Mr. Aditya Krishna, Adv.
Mr. Adarsh Dubey, Adv.

Mr. Parth Awasthi, Adv.
Mr. Pashupathi Nath Razdan, AOR
Ms. Richa Tiwari, Adv.

Mr. Tarun Gupta, AOR
Mr. Shovan Mishra, AOR

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Mr. Ashutosh Kumar Sharma, AOR
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Ruchi Kohli, Adv.
Suhashini Sen, Adv.
Shyam Gopal, Adv.
Raghav Sharma, Adv.
Raman Yadav, Adv.
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Mr. P. S. Sudheer, AOR
Mr. Rishi Maheshwari, Adv.
Ms. Anne Mathew, Adv.
Mr. Bharat Sood, Adv.
Mr. Jai Govind M J, Adv.
Mr. Jashan Vir Singh, Adv.

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Mr. Siddhartha Jha, AOR

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Mr. Naved Anwar, Adv.
Mr. Satyam Srivastava, Adv.

Mr. Mayank Aggarwal, AOR
Mr. Sanjeev Kumar, AOR

Mr. Abhishek Pandey, Adv.
Mr. Prashant Kumar Umrao, AOR

Mr. Arun K. Sinha, AOR
Ms. Sakshi Kakkar, AOR

Mr. Aman Pawar, Adv.
Mr. Sanchit Garga, AOR
Mr. Shashwat Jaiswal, Adv.

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Mr. Vansmani Tripathi, Adv.
Ms. Aahana Jaiswal, Adv.
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Ms. Drishti Saraf, Adv.
Ms. Tanya Gupta, Adv.

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Mr. James P. Thomas, AOR
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Mr. Umesh Kumar, Adv.

Mr. Samir Ali Khan, AOR
Mr. Pranjal Sharma, Adv.
Mr. Kashif Irshad Khan, Adv.

Mr. Sachin Patil, AOR

Mr. Nishant Awana, AOR
 Mrs. Rini Badoni Awana, Adv.
 Mr. Suraj Kundu, Adv.
 Mr. Aniket Chauhan, Adv.

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 Mr. Amit Kumar, Adv.
 Mr. Abhishek Verma, Adv.
 Ms. Nimisha Menon, Adv.

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Mr. Shubhranshu Padhi, AOR

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Ms. Samiksha Jain, Adv.

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Ms. Deepanwita Priyanka, AOR

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Ms. Shruti Jose, AOR

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Ms. Indira Bhakar, Adv.

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 Mr. Dinesh Chandra Pandey, AOR
 Mr. Shrey Kapoor, AOR
 Ms. Anne Mathew, AOR
 Mr. Yash S. Vijay, AOR
 Mr. Adarsh Kumar Tiwari, AOR
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Mr. Sandeep Kumar Jha, AOR
Mr. Milind Kumar, AOR
Mr. Mohit Paul, AOR
Ms. Rashmi Nandakumar, AOR

Mr. Kunal Mimani, AOR
Ms. Shraddha Chirania, Adv.
Mr. Dhruv Sahu, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Recent incident of Tiger Deaths in Mal Mahadeshwara Hills
Wildlife Sanctuary, Karnataka (CEC Report No. 36 of 2025)

1. This report pertains to the death of five tigers in the Hugyam Range of Karnataka's Male Mahadeshwara Hills Wildlife Sanctuary. The incident occurred due to pesticide being sprayed on a cattle carcass, which was consumed by the tigers.
2. The case appears to be one of human-animal conflict.
3. The report of the SIT would reveal that a large number of posts in the cadres of Beat Foresters and Forest Watchers are currently lying vacant.
4. We, therefore, direct the State of Karnataka to file an affidavit explaining as to why such a huge shortage of 80 per cent staff exists, when such staff is required to protect wildlife on the ground.

5. Mr. K. Parameshwar, learned Amicus Curiae submits that one of the reasons for this, is that most of the staff is outsourced through contractors, who often exploit the workers and fail to make timely payments.

6. Issue notice to the Union of India and the Ministry of Environment, Forest and Climate Change (MoEF&CC). They are requested to take all the stakeholders on board and work towards a complete solution.

7. Ms. Aishwarya Bhati, learned Additional Solicitor General accepts and waives notice on behalf of the MoEF&CC.

8. List on 13.08.2025.

[1] I. A. Nos. 162033 & 162034 of 2025 with I. A. Nos. 162154 & 162155 of 2025

1. The present applications have been filed seeking the following reliefs:

(a) Pass an order clarifying that no Certificate of Clearance from the Standing Committee of National Board for Wildlife is required for conducting quarrying operations in an extent of 1.9600 Hectares of land comprised in Re Sy.Block No.50 of Re.Sy. No.24/1 (new resurvey nos.24/15,24/13) and 25/4 of Mangalam Dam Village, Alathur Taluk, Palakkad District, Kerala State in the name of the Applicant herein who is a grantee of Letter of Intent; and

(b) Pass an order clarifying that no Certificate of Clearance from the Standing Committee of National Board for Wildlife is required for quarries situated outside ESZ as per draft/final notification in view of the judgment dated 26.04.2023 passed by this Hon'ble Court; and

(c) Direct the MOEF&CC to issue revised Office

Memorandum to be circulated to all states for the proper compliance of the orders passed by this Hon'ble Court; and

(d) Direct the State of Kerala that strict action shall be taken against all those officials for disobeying/misinterpreting the orders of this Hon'ble Court in its true letter and spirit; and

(e) Pass such other further order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of this case."

2. This court in its order dated 29.05.2025 has observed thus:

"5. Vide an earlier judgment dated 03rd June, 2022, this Court had prohibited mining activities within an area of 10 kms., from the boundaries of the Wildlife Sanctuary and National Park.

6. Subsequently, vide judgment and order dated 26th April, 2023, this Court had reduced the same to 1 km., from such boundaries or ESZ."

3. After observing the aforesaid, this Court had allowed the IA No. 132290 of 2025 in W.P.(C) No. 202 of 1995.

4. The position that is settled is very clear. Wherever there is a draft notification specifying particular limits for the Eco-Sensitive Zone (ESZ), the same has to be as per the draft notification and not as per the one kilometer which has been provided by our order dated 26.04.2023.

5. It is, therefore, clarified that wherever there is a draft notification or where the proposal for notification is sent by the State to the MoEF&CC for consideration, with regard to the ESZ area, the State shall follow the same as per

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the draft notification while regulating the activities within the ESZ areas. Only where no such draft notification are issued, the ESZ area would continue upto one kilometer from the boundaries of such wildlife sanctuaries/national parks as per our order dated 26.04.2023.

6. Needless to state that insofar as the mining activities within the distance of one kilometer from the boundaries of wildlife sanctuaries/national parks are concerned, the restriction shall continue to operate.

7. The applications are, accordingly, disposed of.

[2] I.A. Nos. 149725, 149726, 149727 and 149733 of 2025

1. The present applications have been filed by Mr. Mohd. Haneef, who is the ex-sarpanch in the village-Basai Meo, District Nooh, Haryana.

2. In the present applications, since neither the Chief Secretary nor the District Magistrate responded to the request of CEC to cooperate with the investigation regarding the construction of an illegal road passing from the State of Haryana to Rajsthan, this Court was constrained to pass certain coercive directions against the officers of the State of Haryana.

3. It is alleged that the road was constructed to facilitate illegal mining activities being carried out in an area falling within the State of Rajasthan.

4. Shri Navin R. Nath, learned senior counsel appearing for the applicant submits that the applicant, who was serving as sarpanch of the village and had duly complied with the orders of this Court, has been singled out and terminated without adherence to the procedure prescribed in law. He further submits that an FIR has been registered against the applicant and that the proceedings for quashing the said FIR are also not being entertained.

5. Shri Nath further submits that there is a contemporaneous record which would reveal that the road in question existed much prior to the applicant being elected as sarpanch of the village. He also submits that there are various civil and criminal proceedings either pending or have already been decided among the villagers with respect to the said road.

6. Shri Nath further submits that the applicant has been left without any remedy.

7. We clarify that the pendency of the present proceedings will not preclude the applicant from challenging his removal as Mukhia or from seeking expedited relief in the criminal proceedings initiated against him.

8. If such challenges are brought before the competent Court or authority, they would decide the same on the basis of material placed before it and in accordance with law, without being influenced by the pendency of the present proceedings

before this Court.

9. The applications are, accordingly, disposed of.

[3] I. A. Nos. 138323 & 138324 of 2025

1. Issue notice, to the State of Karnataka and the Union of India, returnable in four weeks.

2. Mr. Sanchit Garga, learned counsel, appears and accepts notice for the State of Karnataka.

3. In addition to the usual mode, liberty is granted to the applicant(s) to serve notice upon Union of India through Central Agency.

[4] (i) I.A. Nos. 62990 & 62991 of 2025 with I.A. No. 138126 of 2025 (CEC REPORT NO. 28 of 2025)

List these applications on 17.09.2025.

[4] (ii) I. A. Nos. 154102, 154104 & 154106 of 2025 with I. A. No. 169242 of 2025 with IA No. 169255 of 2025

1. Learned counsel appearing for the applicant(s) seeks permission to withdraw these applications.

2. Permission is granted.

3. These applications are dismissed as withdrawn.

[5] I. A. Nos. 79569 and 79576 of 2019 with I. A. Nos. 159670 and 159677 of 2019 with I. A. D. Nos. 14261 and 14262 of 2021, I. A. Nos. 40599 and 40624 of 2023, I.A. No. 220675 of 2023 and I. A. No. 111336 of 2025 with I.A. No. 137276 of 2025

As prayed, list on 06.08.2025.

[6] I.A. No. 82534 of 2025 in I.A. No. 47367 of 2019 (CEC REPORT No. 08 of 2019

1. By way of the present application, the applicant seeks clarification of order dated 08.04.2019 passed in IA No. 47367 of 2019 in W.P.(C) No. 202 of 1995.

2. This Court vide order dated 08.04.2019 had allowed the said application with the following directions:

"An (Affidavit has been filed on behalf of Ministry of Defense wherein the following conditions in terms of CEC Report No. 8 of 2019 have been accepted by them: -

- a)
- b) *The user agency AH (R & R) shall deposit 5% of the project cost to Ridge Management Board Fund which under the close supervision of the Ridge Management Board will be used by the Forest Department of Delhi Government for conservation and protection of the Delhi Ridge.*
- c) *Compensatory plantation of 5000 saplings in lieu of 497 trees to be felled will be undertaken in the existing complex of AH (R&R) at locations to be identified jointly by AH (R&R) and the Forest Department of Delhi Government and the funds for which will be provided by the applicant AH (R& R).*
- d) *The cost of raising 5000 trees shall be deposited in advance by AH(R&R) with the Forest Department of Delhi Government and*
- e) *The user agency shall obtain necessary permission for the tree felling as per provision under the Delhi (Preservation) of Trees Act, 1994.*

*Let them file a report to CEC every six months reporting progress of plantation for a period of five years.
Consequently, the IA is allowed."*

f)

3. Subsequent thereto, the CEC had also submitted its report.

4. In the said application, it is stated that the directions issued by this Court in its order dated 08.04.2019 have been

duly complied with.

5. It is further stated that No Objection Certificate for felling/cutting of 210 trees and transplantation for 111 was issued by the competent authority.

6. The CEC has also recommended the grant of permission.

7. We are, therefore, inclined to allow the application.

8. The applicant shall be permitted to fell the trees, subject to compliance with the conditions of compensatory afforestation as directed by the CEC as well as the competent forest authorities.

[9] I.A. Nos. 269550, 269552 and 269553 of 2024 with I.A. No. 100529 of 2025 (CEC REPORT No. 17 of 2025) with I.A. No. 137359 of 2025 (CEC REPORT No. 29 OF 2025) with I.A. No. 162898 of 2025 [CEC REPORT NO. 29 (A) OF 2025 - status report of CEC in I.A. Nos. 269550, 269552, 269553 of 2024]

1. In pursuance to the order dated 29.05.2025 passed by this Court, the State of Haryana has filed its affidavit on 14.07.2025.

2. An elaborate set of steps taken by the State of Haryana in compliance with our directions have been enumerated in the affidavit.

3. Mr. Tushar Mehta, learned Solicitor General appearing for the State of Haryana states that the State is now in an active mode so as to control the illegal mining activities which were being carried out in District Nooh, State of Haryana.

4. We place on record our appreciation for the steps taken

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by the State of Haryana. However, we expect all such steps to be taken to their logical end so that such illegal activities are not repeated and a strong deterrent is created against the mining mafia operating in the States of Haryana and Rajasthan.

5. Needless to state that CEC shall always be at liberty to take such steps required to combat illegal mining, in consultation with the State of Haryana, which shall extend full cooperation for the said purpose.

6. List these applications after 12 weeks.

[10] CONTEMPT PETITION(C) DIARY NO. 39857 OF 2024 with I.A. No. 75416 of 2025

As requested by Mr. D.S. Naidu, learned senior counsel, list this matter on 17.09.2025.

[18] I. A. NOS. 90595 & 90596 OF 2025

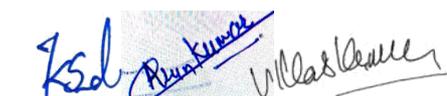
As prayed, list on 06.08.2025.

Rest of the application(s)/matter(s)

List on 13.08.2025

(DEEPAK SINGH)
ASTT. REGISTRAR-cum-PS

(ANJU KAPOOR)
ASSISTANT REGISTRAR


//True copy//

**BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL
BENCH AT NEW DELHI
ORIGINAL APPLICATION NO. 1249 OF 2024
IN THE MATTER OF:**

Yasin & Anr. ...Applicants

VERSUS

State of Haryana & Ors. ... Respondents

APPLICATION FOR CONDONATION OF DELAY

MOST RESPECTFULLY SHOWETH

1. That the present application is filed on behalf of Respondent No. 6 (Ex-Sarpanch) seeking condonation of delay in filing the reply of Original Application.
2. That the delay in filing the reply occurred due to multiple unforeseen and unavoidable circumstances beyond the control of Respondent No. 6 (Ex Sarpanch), which significantly disrupted his ability to prepare the reply in a timely manner, as detailed hereinbelow:
 - (i) That the Applicant has failed to furnish the complete record of Original Application No. 1249 of 2024 filed before this Hon'ble Tribunal, despite repeated requests and reminders. Multiple communications were made through emails dated 15.05.2024 and 26.05.2024, as well as follow-up phone calls and WhatsApp messages, but to no avail.
 - (ii) That even as on date, the Applicant has not provided the complete copy of O.A. No. 1249 of 2024 pending before this Hon'ble Tribunal.
 - (iii) That several documents forming part of the said record are in the vernacular language requiring proper translation into English in

order to comply with the procedural requirements of this Hon'ble Tribunal. This translation process has also contributed to the delay.

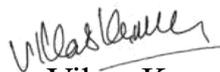
- (iv) That Respondent No. 6 (Ex-Sarpanch) resides at a distance of more than 100 kilometers, which has further caused unavoidable delay in finalizing the reply.
- (v) That it is pertinent to mention that the Hon'ble Supreme Court of India, in I.A. No. 269552 of 2025 filed against Respondent No. 6 (Ex- Sarpach) on the very same issue, has been pleased to issue notice and direct the Central Empowered Committee (CEC) to file a detailed report.
- (vi) That the CEC in its report categorically recorded that neither the Revenue Authorities nor the Chief Secretary of Haryana responded to its request to attend a joint survey in the matter.
- (vii) That, relying solely on the said CEC report, which was prepared on the basis of media publications and news reports, the Deputy Commissioner, Nuh, vide order dated 13.05.2024, suspended Respondent No. 6 (Ex-Sarpanch) without granting him any opportunity of hearing.
- (viii) That the appeal against the said suspension order is presently pending adjudication before the Commissioner, Faridabad Division.
- (ix) That subsequent to the suspension, an FIR dated 01.06.2025 was registered against Respondent No. 6 (Ex-Sarpanch) in relation to the same set of allegations.
- (x) That thereafter, on the basis of the said FIR, a removal order dated 01.07.2025 was passed against Respondent No. 6 (Ex-Sarpanch).

- (xi) That the applications challenging the aforesaid removal order have already been filed and are presently pending consideration before the Adjudicating Authority.
- (xii) In view of the above facts and circumstances, it is respectfully submitted that the delay in filing the reply is neither will ful nor deliberate, but occasioned due to reasons beyond the control of Respondent No. 6, as detailed hereinabove.
- (xiii) It is further submitted that the balance of convenience lies in favour of Respondent No. 6 (Ex- Sarpanch) and that the interest of justice would be served if the delay in filing the appeal is condoned.
3. That no prejudice, harm, or irreparable loss will be caused to the Applicant if the present application is allowed, whereas refusal to condone the delay would result in grave injustice to Respondent No.

PRAYER

In view of the aforesaid, it is most respectfully prayed that this Hon'ble Tribunal may graciously be pleased to: -

- A. Condone the delay 90 days in filing the reply in O.A. No. 1249 of 2024; and
- B. Pass any order or further order(s) as this Hon'ble Tribunal deems fit and just in the facts and circumstances of this case.



Vikas Kumar, Arun Kumar and Kedar R.S,
Advocates



Corporate Legal Partners

Office-First Floor, Block-I, Building No. 16 &
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Date: 11.08.2025

Place: New Delhi

Ph: -011-44709831, 011-36800977

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI
ORIGINAL APPLICATION NO. 1249 OF 2024

IN THE MATTER OF:

Yasin & Anr.

...Applicants

VERSUS

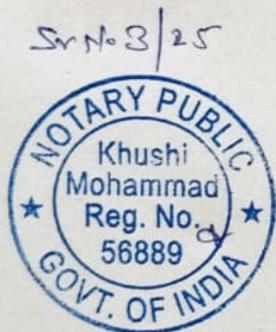
State of Haryana & Ors.

... Respondents

AFFIDAVIT

I, Mohd Haneef, aged about 40 years, son of Rustam, resident of Basai Meo, Tehsil- Firozpur, Jhirka, District- Nuh, Haryana- 122107, do hereby solemnly affirm and states as under: -

1. That I am the Respondent No. 6 in the aforesaid matter and as such I am well conversant with the facts and circumstances of the present case. Hence, I am competent to swear the present affidavit.
2. That there has been a delay in filing the present Application before this Hon'ble Tribunal, which is neither intentional nor deliberate but has occurred due to the reasons stated hereinbelow.
3. That the delay is bona fide, and no prejudice will be caused if the delay is condoned, whereas grave hardship would be caused to me if the delay is not condoned.



DEPONENT

VERIFICATION

[Handwritten Signature]

I, Mohd Haneef, the deponent above named do hereby state that the contents of the affidavit are true to the best of my knowledge & belief, no part of it is false and nothing material has been concealed there from.

ATTESTED BY

Khushi Mohammad
Khushi Mohammad
Notary Public Govt. of India
Civil Court, F.P. Jhirka (Nuh)

[Handwritten Signature]

DEPONENT

BEFORE THE NATIONAL GREEN TRIBUNAL**PRINCIPAL BENCH AT NEW DELHI****ORIGINAL APPLICATION NO. 1249 OF 2024****IN THE MATTER OF:**

Yasin & Anr.

... Applicants

VERSUS

State of Haryana & Ors.

... Respondents

**APPLICATION FOR SUBMISSION OF FILING OFFICIAL
TRANSLATION**

TO

THE HON'BLE NATIONAL GREEN TRIBUNAL

NEW DELHI

The humble application of the

Respondent No. 6

MOST RESPECTFULLY SHOWETH:

1. The above-mentioned reply was filed by the Respondent No. 6 and the same is pending before this Hon'ble Tribunal.
2. That the Respondent No. 6 is filing Annexures R-2, R-5, R-6 & R-7 which are in vernacular language and the same has been translated by

an advocate, who is well-versed with both the languages. The translation of aforesaid Annexures is true and correct.

PRAYER

It is, therefore, most respectfully prayed that this Hon'ble Tribunal may graciously be pleased to:

- a) a) Allow the Respondent No. 6 to file official translation of Annexures R-2, R-5, R-6 & R-7 and
- b) Pass any other or further order/s as this Hon'ble Tribunal may deem fit and proper in the interest of justice.



Corporate Legal Partners, Advocates

Office-First Floor, Block-I, Building No. 16 &
17, Lajpat Nagar-1, New Delhi-110024,

Date: 11.08.2025

Place: New Delhi

Ph:-011-44709831, 011-36800977

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 1249 OF 2024**

IN THE MATTER OF:

Yasin & Another

...Applicants

Versus

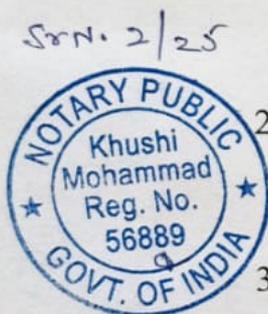
State of Haryana & Others

...Respondents

AFFIDAVIT FOR FILING OFFICIAL TRANSLATIONS

I, Mohd. Haneef, aged about 40 years, son of Sh. Rustam, resident of Village Basai Meo, Tehsil Firozpur Jhirka, District Nuh, Haryana – 122107, presently Respondent No. 6 in the above-captioned matter, do hereby solemnly affirm and state as under:

1. That I am the Respondent No. 6 in the present matter and am fully conversant with the facts and circumstances of the case. I am competent to swear this affidavit.
2. That I am filing herewith the official English translations of the said documents, duly certified, as part of the record in compliance with the rules and directions of this Hon'ble Tribunal.
3. That the translations annexed herewith are true and correct translations of the corresponding original vernacular documents already on record.
4. That this affidavit is being filed to bring on record the certified English translations for the ready reference and proper appreciation of this Hon'ble Tribunal.



DEPONENT

Mohd. Haneef

VERIFICATION

I, the above-named deponent, do hereby verify that the contents of this affidavit are true and correct to the best of my knowledge and belief. No part of it is false and nothing material has been concealed.

DEPONENT

Mohd. Haneef

ATTESTED BY
Khushi Mohammad
Khushi Mohammad
Notary Public Govt. of India
Civil Court, F.P. Jhirka (Nuh)

537

322



Corporate Legal Partners <office@corporatelegalpartners.com>

Reply in OA No. 1249 of 2025, Title Yasin & Anr. vs. State of Haryanas & Ors.

Corporate Legal Partners <office@corporatelegalpartners.com>

Mon, Aug 11, 2025 at 1:37 PM

To: Tarun kamra <cummra3@gmail.com>, kaushalsanjeev@hry.nic.in, "hspcbronuh@gmail.com"

<hspcbronuh@gmail.com>, secy-moef@nic.in, hqhspcb@hspcb.org.in, dcnuh@hry.nic.in

Dear Sir/Madam

Please find herewith Reply in OA No. 1249 of 2025, title Yasin & Anr. vs. State of Haryana & Ors. on behalf of Respondent no. 6 (Ex- Sarpanch)

 Reply-Yasin vs State of Haryana in OA no. 1249-...

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Thanks & Regards,

Arun Kumar, Associate Advocate

Corporate Legal Partners, Advocates

Office: First Floor, Block-I, Building No. 16 & 17,

Lajpat Nagar-I, New Delhi-110024,

Ph:-011-44709831, 011-36800977, Mob: 8882993384

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