

**Report regarding Removal of Encroachment of Banni Grassland  
in compliance of the order dated 03/07/2019 of Hon'ble National  
Green Tribunal, Principal Bench, New Delhi**

**in**

**Original Application No. 366/2018**

**(M.A. No. 1780/2018)**

**Banni Pashu Uchherak Maldhari Sangathan**

**vs**

**Union of India & Others**

**Dt.17/05/2021**

**Report regarding Removal of Encroachment of Banni Grassland in compliance of the order dated 03/07/2019 of Hon'ble National Green Tribunal, Principal Bench, New Delhi, in Original Application No. 366/2018 (M.A. No. 1780/2018) in the matter of Banni Pashu Uchherak Maldhari Sangathan vs Union of India & Others**

Subject: Regarding Removal of encroachment in Banni area

- Reference: (1) Assistant Collector & Sub Divisional Magistrate, Bhuj letter no. MAG/NGT/BANNI/REMARKS/11/2020 Dated 04.11.2020  
 (2) Assistant Collector & Sub Divisional Magistrate, Bhuj letter no. MAG/NGT/BANNI/ENCROACHMENT/09/2020 Dated 11.09.2020  
 (3) Mamlatdar Bhuj (Rural) letter no. ENCROACHMENT/NOTICE/03/2021 Dated 08.03.2021  
 (4) Mamlatdar Bhuj (Rural) letter no. Land/Banni/Encro./03/2021 Dated 30.03.2021

Sir,

It is to inform you that the Banni Protected Forest is under the administrative control of the Revenue Department. For the purpose of removal of encroachment in the above said area the following arrangements are in place.

A team has been constituted comprising of Deputy Conservator of Forests, Banni Grassland Division, Bhuj, Mamlatdar, Bhuj (Rural), D.I.L.R., Bhuj, Taluka Development Officer, Bhuj for taking appropriate action regarding removal of encroachment in Banni as mentioned in reference letter no.1. (Annexed as '1')

It is pertinent to mention that as per reference letter no.2, the team had cleared approximately 70 acre land in Daddhar village of Banni from encroachment. (Annexed as '2')

Further, as per reference letter no.3, joint team has issued notice to encroachers to clear the land in Mishriyado, Bhirandiyara and Reladi village of Banni (Annexed as '3') and as per reference letter no.4, the team had cleared 150 ha. land in Mishriyado, Bhirandiyara and Reldi village in Banni. (Annexed as '4')

This is for your kind information and necessary action.

Date : 17/05/2021  
Place : Bhuj

  
Deputy Conservator of Forests,  
Banni Grassland Division, Bhuj

Copy Respectfully to:-

1. Chief Conservator of Forest Kachchh-Bhuj for information with request.
2. Collector Sir Bhuj Kachchh for information with request.

Office of the Assistant Collector and Sub-  
divisional Magistrate,

Bhuj-Kutch,

Jilla Seva Sadan, First Floor, C-Wing, Bhuj-  
Kutch,

Telephone / Fax No.02832-251007 E-mail :

pobhuj@gmail.com

No.Magi/ NGT/ Banni/ Remarks/ 11/ 2020

Date : 04/11/2020.

With reference to the matter filed before the  
National Green Tribunal.

To,

The Collector,

Revenue Branch, Jilla Sewa Sadan,

Bhuj-Kutch.

Sub: Regarding sending remarks in connection  
with the Affidavit dated 25/02/2020 filed  
by the Petitioner in the O.A.No.366/2018  
filed in the National Green Tribunal, New  
Delhi.

Ref: Your Office Letter No.JMN-4/ Vashi/ 615/  
2020, dated 11/08/2020 of Your Office.

With reference to the subject noted above,  
it is respectfully stated that in connection  
with the petition filed before the National

Green Tribunal, Principal Bench, New Delhi, in pursuance of the order dated 03/09/2019 of the National Green Tribunal, regarding affidavit dated 25/02/2020 of the Affidavit of procedure conducted by the Petitioner, the requisite remarks came to be called for from the Government Pleader and looking to the details of above Affidavit, as there are points regarding survey of Banni area and other points, it is instructed to prepare the remarks and to send. In connection with the same, vide this office letters dated 20/08/2020, 30/09/2020, on convening meeting of Deputy Conservator of forest, Banni Grassland Division, Bhuj, Mamalatdar, Bhuj (Rural), DILR, Bhuj and Taluka Development Officer, Bhuj, at this office and it was instructed to send the remarks. In connection with the remarks produced in that regard, the same with reference to the details of your office letter are as under:

1. No permission has been granted by this office regarding any non-forest activities on the land in Banni Area. Further, if there appears any encroachments in the land as per the demarcation, on forming the joint team of Deputy Conservator of

Forest, Banni Grassland Division, Bhuj and Mamalatdar, Bhuj (Rural), DILR, Bhuj and Taluka Development Officer, Bhuj, the action is taken against encroachments done in Banni Area and the vigilance is also kept that non-forest activities may not take place the area.

2. The office of DILR, Bhuj-Kutch, in pursuance of the order of National Green Tribunal, done demarcation of periphery boundary of Banni area in presence of representatives of Forest Department. Therefore, if the activities of farming or encroachment i.e. non-forest activities, the same are to be removed by the competent authority. Accordingly, in the land as per demarcation, if there appears any encroachments in the land as per the demarcation, on forming the joint team of Deputy Conservator of Forest, Banni Grassland Division, Bhuj and Mamalatdar, Bhuj (Rural), DILR, Bhuj and Taluka Development Officer, Bhuj, the action is taken against encroachments done in Banni Area and the vigilance is also kept that non-forest activities may not take place the area. Accordingly, the compliance

thereof is done by the joint team.

3. Pursuant to the Notification of the year 1955, the demarcation of entire Banni area has not been done by office of DILR, Bhuj-Kutch. But, the demarcation of boundaries of villages falling in four boundaries mentioned in the notification has been done in the year 1972. Total area of said 55 villages (including Vandh) has been at He.Are. 195566.38.00. Presently, on demarcation of village through DGPS method, on making calculation of area, total area happens to be He.Are.197633.63.13. Therefore, as per the demarcation of DGPS, there is more area of He.Are.2067.25.13. The same is within the limit of five percentage (5%). Therefore, the area of Banni villages is not reduced. The demarcation has been done earlier through Minor Triangulation method with conical chain. Whereas, present demarcation is done through DGPS Method, which is accurate.

4. Pursuant to the Notification of the year 1955, on confirming the demarcation of village boundaries done in the year 1972, the demarcation has been done. The maps

thereof are available at the office of DILR, Bhuj.

Earlier pursuant to Notification, the office of DILR, Bhuj has not done demarcation of arid desert falling in the middle. Presently on demarcation of the same, its area is He.Are.48873.51.15. Therefore, total area of Banni as per present demarcation happens to be He.Are.246507.14.28. In southern side of villages of Banni and Northern direction of villages of Tal.Bhuj-Nakhatrana-Anjar-Bhachau i.e. in the middle of both of them, there is arid desert. Accordingly, the demarcation of arid desert has been done. Maldhari Sangathan in their letter dated 10/08/2020, states the land admeasuring 3167 Hectare has been deducted. But, it is to inform that no land has been deducted. As per the earlier map, on making demarcation at the place concerned, the calculation of the area has been done in the computer. The land admeasuring 3167 Hectare is also within the limit of 5%. The same is, as per the Conical chain method, within the limit of Gharchhod.

5. Pursuant to the Notification of the year 1955, the demarcation of entire area has not been done earlier. Further, regarding so called map of the year 1955, there does not appear any calculation happened through any accurate method. Presently, on considering 55 villages of Banni (Including Vandh) and the boundaries of villages belonging to talukas of Bhuj-Anjar-Nakhatrana-Lakhpat-Bhachau, as per the records of DSO, on making accurate demarcation by the DGPS, the map has been prepared. The map under the Notification of the year 1955 has not been prepared. Therefore, the said map and the present map cannot be super imposed. But, presently the area of Banni as per DGPS demarcation happens to be more than that of demarcation done in the year 1955.

6. Office of the DILR, Bhuj has, in pursuance of the map as per demarcation done in Banni Villages in the year 1972, and the maps of the village boundaries of villages in Southern direction, the demarcation has been referred to the representatives of Forest Department. Therefore, permanent demarcation (R.C.C.) has to be done by the

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Forest Department.

7. As per the present demarcation, total area including Banni villages and Sukaran is admeasuring He.Are.246507.14.28. Its map has been prepared by the office of DILR, Bhuj. Sukaran is also the part of Banni area. As earlier demarcation of villages has been done, on mentioning the details of area in the map, total area has been mentioned. Sukaran has not been considered separate from Banni. Further, total area, as per present demarcation, of banni is more than that of the year 1955.
8. Demarcation of Banni villages has been done as per the earlier map of the year 1972. As per the demarcation map prepared by DILR, Bhuj regarding Banni area, there appears no land has been allotted to the Company from this area. Though at the time of settlement, if the order of modification in the boundary is passed, new map may be prepared and produced by the office of DILR, Bhuj.
9. If there appears any encroachments in the land as per the demarcation, on forming the joint team of Deputy Conservator of Forest, Banni Grassland Division, Bhuj and

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Mamalatdar, Bhuj (Rural), DILR, Bhuj and Taluka Development Officer, Bhuj, the action is taken against encroachments done in Banni Area and the vigilance is also kept that non-forest activities may not take place the area.

10. No remarks are to be given by this office.

Thus, in connection with above details of revenue and survey department have been prepared and enclosed. Further, it is requested to give necessary direction regarding procedure to be conducted by the Forest Department and remarks-affidavit.

Sd/-

(Manish Gurwani, IAS)

Assistant Collector,

Bhuj.

Copy forwarded to :-

1. Deputy Conservator of Forest, Banni Grassland Division, Arihant Nagar Road, Bhuj.

2/- With the direction to do the needful as per the above details and in connection with the points applicable to your department and to make effective representation before the Tribunal.

2. DILR, Bhuj ... for doing the needful.

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3. Mamalatdar, Bhuj' (Rural) ... for doing the needful.
4. Taluka Development Officer, Bhuj ... for doing the needful.

CA-2)  
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Office of the Assistant Collector and  
Divisional Magistrate,  
Bhuj-Kutch,  
JillaSevaSadan, First Floor, C-Wing, Bhuj-  
Kutch.

Telephone / Fax No.02832-251007.

E-mail : [pobhuj@gmail.com](mailto:pobhuj@gmail.com)

No.Mag/ NGT/ Banni/ Encroachment/ 09/ 2020

Date : 11/09/2020.

To,  
The Collector,  
Revenue Branch, JillaSewaSadan, Bhuj-Kutch.

Sub: In pursuance of the order of the Hon'ble  
National Green Tribunal, regarding  
removing encroachments of farming from  
Banni area.

Ref: Letter No.CNMKE-Daddhar-20, dated  
10/09/2020 of Senior Deputy Mamalatdar,  
Khavada.

With reference to the subject and the  
letter as above, it is to inform that as  
illegal agricultural encroachments are being  
done by certain head strong persons of village  
Bhirandiyara in sim areas of villages Vagura  
and Dedhiya of Shri NaniDaddharJuth Gram  
Panchayat, the representation had been made by  
Sarpanch, NaniDaddharJuth Gram Panchayat  
regarding violation of orders of Hon'ble  
National Green Tribunal and illegal farming is  
done in it.

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In connection with said representation, on instructing Range Forest Officer, Bhirandiyara by the Deputy Conservator of Forest, Banni Grassland Division, Bhuj-Kutch, in response thereto, on 10/09/2020, the Senior Deputy Mamalatdar, Khavada, Range Forest Officer, Bhirandiyara and their staff, Extension Officer, Panchayat-1, Talati Cum Mantri, Daddhar remained present at the place concerned. Further, on verifying from the local sources, already the encroachers had left the place concerned. 2(Two) sacks of Guvar seeds were found at the place concerned. The same were handed over to the Range Forest Officer, Bhirandiyara. It appeared that the encroachers did encroachment over the area admeasuring 70 Acre (He.Are.25 to 30), the same has been removed. Further, Range Forest Officer, Bhirandiyara was instructed so that no encroachment takes place again. Rojkam of said procedure and copy of the letter of reference have been enclosed and sent. It is requested to make note of the same.

Sd/-

(Manish Gurwani, IAS)

Assistant Collector, Bhuj.

Copy forwarded to :

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Deputy Conservator of Forest, Banni Grassland  
Division, Bhuj-Kutch.

2/- It is to inform to do the needful with the  
above reference that no agricultural or other  
encroachments take place on the said land and  
Banni area, under intimation to this office.

No.SNMK.Encroachment.Daddhar.20

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Senior Deputy Mamalatdar,  
Khavada, Ta.Bhuj, Kutch.  
Date : 10/09/2020.

To,  
The Assistant Collector,  
BhujPrant Division,  
JillaSewaSadana,  
Bhuj, Kutch.

Sub: In pursuance of the order of the Hon'ble  
National Green Tribunal, regarding  
removing encroachments of farming from  
Banni area.

Ref: Letter No.CNMKE-Daddhar-20, dated  
10/09/2020 of the Deputy Conservator of  
forest, Banni Grassland Division, Bhuj.

With reference to the subject and the  
letter as above, it is to inform that vide the  
letter of reference of Deputy Conservator of  
Forest, Banni Grassland Division, Bhuj, the  
representation dated 09/09/2020 came to be  
forwarded vide the letter of Sarpanch,  
NaniDaddhar that illegal agricultural  
encroachments are being done by certain head  
strong persons of village Bhirandiyara in sim  
areas of villages Vagura and Dedhiya of Shri  
NaniDaddharJuth Gram Panchayat. The  
representation had been made by Sarpanch,  
NaniDaddharJuth Gram Panchayat regarding  
violation of orders of Hon'ble National Green

Tribunal and illegal farming being done by them.

In connection with said representation, on instructing Range Forest Officer, Bhirandiyara by the Deputy Conservator of Forest, Banni Grassland Division, Bhuj-Kutch, to do the needful in the matter and to remove said encroachments. Further, I was also informed to remain present during said procedure. Accordingly, today on 10/09/2020, at 10:30 Hrs. in the morning, the Range Forest Officer, Bhirandiyara and their staff, Extension Officer, Panchayat-1, Talati Cum Mantri, Daddharand myself remained present at the place concerned.

Further, on verifying from the local sources, there were no encroachers or other persons concerned present. The encroachers had already left the place concerned before our team reaches there. 2(Two) sacks of Guvar seeds were found at the place concerned. The same were seized and handed over to the Range Forest Officer, Bhirandiyara. It appeared that the encroachers did encroachment over the area admeasuring 70 Acre (He.Are.25 to 30), the same has been removed. Further, Range Forest Officer, Bhirandiyara was instructed so that no

encroachment takes place again.

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It is further stated that the representation in this regard had been done by Mr. Amin Mamad Hingoraja, Sarpanch, Daddhar. On contacting him through telephone, it was informed that he had gone to hospital in Bhuj. Sarpanch has not remained present. Thus, as per the above details, farming encroachment done in Banni region admeasuring around 70 Acres has been removed. The Rojkam thereof is enclosed. The same may be noted down by your honour.

Sd/-

Senior Deputy Mamalatdar,

Khavada, Ta. Bhuj.

Copy Forwarded respectfully to :

...

Camp : Sim area of Daddhar.

Date : 10/09/2020.

Rojkam

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The representation came to be received from Mr. AminMamadHingoraja, Sarpanch, DaddharNaniJuth Gram Panchayat that certain head strong persons of village Bhirandiyara are doing the activities, of illegal farming and encroachment in sim area of villages Vagura and Dedhiya in Banni region of Tal.Bhuj. With reference to the said representation, as it came to be instructed through letter dated 09/09/2020 by the Deputy Conservator of Forest, Banni Grassland Division to make inquiry in the matter and to remove encroachment, myself the Range Forest Officer, Bhirandiyara Range and Staff, Senior Deputy Mamalatdar-Khavada, Extension Officer, Panchayat and Talati Cum Mantri, DaddharNaniJuth Gram Panchayat with our team, it appeared that the farming has been done in sim area of village Daddhar - away from the village towards Southern direction in the area admeasuring 70 acre (25 to 30 acre). The encroachers are not present at the place concerned. Before the Team reaches the place concerned, neither the names of encroachers nor their details could be known. Total 2(two)

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sacks of guvar seeds have been found from the place concerned. On seizing the same, they have been handed over to the Range Forest Officer.

On inquiring at the place concerned regarding name of encroachers, no one has informed of the same. Further, on contacting Sarpanch on telephone, he replied he has gone to the hospital in Bhuj. As he has not remained present at the place concerned, no further details have been found. Total land admeasuring around 70 acres has been evacuated in Banni area.

(1) Sd/-

(V.V.Vihola)

I/c RFO, Bhirandiyar

(2) Sd/-

(G.P.Rana)

Extension Officer, Panchayat.

(3) Sd/-

(N.G.Gurjar)

SDM, Khavada.

(4) Sd/-

(J.V.Nayak)

Office of Mamalatdar and Taluka Executive  
Magistrate, Bhuj-Kutch,  
TalukaSevaSadan, Mundra Road, Bhuj-Kutch-  
370001.

Email : [mamalatdar.bhuj@gmail.com](mailto:mamalatdar.bhuj@gmail.com) / Tel.02832-  
230832/ Fax : 02832-230832.

No.Encroachment/ Notice/ 03/ 2021.

Date : 08/03/2021.

Notice

To,

1. JangiyaBhuraDatta, Resident of Madan  
(Misaryado), Ta.Bhuj.
2. Ismail JumaRayashi, Resident of  
Bhirandiyara, Ta.Bhuj.
3. Misari Ibrahim Rayashi, Resident of  
Bhirandiyara, Ta.Bhuj.
4. Gulmamad Man Rayashi, Resident of  
Bhirandiyara, Ta.Bhuj.
5. LalmamadMithuHalepotra, Resident of  
Raladi, Ta.Bhuj.

Sub : Regarding removing unauthorised  
encroachment from the land out of  
Banniunsurveyed Area.

This notice is hereby served to you  
informing that you have carried out  
unauthorised agricultural encroachment in the  
Government land out of Banniunsurveyed Area.

You are hereby informed to hand over  
vacant and active possession of above mentioned  
lands to the Government by removing  
encroachments / constructions done on them, by  
14/03/2021 after receipt of this notice.

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You are informed to voluntarily transfer or remove your household articles or valuable articles from the place under encroachment. In default of the same, the said land will be seized alongwith articles thereon and at your cost and risk, will be removed from your custody and taken over by the Government. Therefore, you are informed to remove encroachment by 14/03/2021 upon receipt of this notice. Though if the said encroachments are not removed, the procedure will be conducted by the undersigned to remove said encroachments. You are informed to make note of the same.

Sd/-

Range Forest Officer, Bhirandiyara

Sd/-

Taluka Development Officer, Bhuj

Sd/-

Mamalatdar, Bhuj (Rural)

Copy forwarded for compliance :

- (1) Senior Deputy Mamalatdar, Khavada.
- (2) Deputy Mamalatdar, Encroachment.
- (3) Circle Officer, Baladiya.
- (4) Talati Cum Mantri, Misariyado / Bhirandiyara.

The notices to be served to encroachers are enclosed. You are informed to serve the same and to send its report to this office.

Copy forwarded respectfully to :

- (1) The Collector, Office of the Collector, Bhuj-Kutch.
- (2) The Assistant Collector, Bhuj-Kutch.

(A.4)  
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OFFICE OF THE MAMLATDAR AND EXECUTIVE MAGISTRATE,  
BHUI(RURAL)

Taluka Seva Sadan, Mundra Road – Bhuj.

Phone: 02832-230832

E-mail: [mamlatdar-bhuj@gmail.com](mailto:mamlatdar-bhuj@gmail.com)

No. JMN/Banni/Daban/03/2021.

Date: 30/03/2021.

To,

Deputy Collector Shree,

Bhuj – Kachchh.

Subject: Regarding Encroachment by the defiant person of  
Bhirandiyara village of Misariyada Group Panchayat Sim.

Reference: Your Office Letter No. JMN/Vashi/102/2021 Dt  
.15/01/2021.

It is most respectfully informed that from the representation Dt. 02/12/2020 by Misariyado Group Village Panchayat, submission made to remove the Encroachment by defiant persons of Bhirandiyara village in Banni unserved Area sim of Bhirandiyara- Pisariyada area. In respect to that notice is issued to voluntary removed the Encroachment to the persons who has grabbed the land. Still however they have not removed the Encroachment removed the 150 (One Fifty) Hector land Encroachment is removed by us on Dt. 26/03/2021 by keeping Range Forest Officer, Bhirandiyara, representative of Taluka Development officer, Representative of D.I.L.R., Dy. Mamlatdar (Land Encroachment) of this office, S. O. Baladiya, S.N.M. Khavda and Talati Bhirandiyara-Misariyado with us. Rojkam of the same is sent including with this.

Moreover at the time of going to remove the Encroachment around 50 acre by Mishri Ibrahim Rayshi, he has given the statement that he will remove the said Encroachment himself within 10 days including barbed wire fence. Same is annexed herewith. Which is known to you sir.

Attachment: As Above

SD/- illegible

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Mamlatdar Bhuj (Rural)

Copy forwarded with Respect:

1. Hon'ble Collector Sir, Kachchh – Bhuj.
2. Dy. Conservator of Forest, Gras Land Division, Forest Department,  
Bhuj – Kachchh.

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Place: Misariyado,  
Bhirandiyara,  
Reldi Banni Area  
Sim,

Dt. 26/03/2021

### ROJKAM

Today the Encroachment done by the local persons of Misariyado, Reldi, Bhirandiyara Banni area's unserved land, that encroachment is not removed even after the notice issued to the said persons to remove the encroachment today by the administrative system has removed the encroachment of 150 (One Hundred Fifty) Acre Unserved Land with 3 JCB and one Loader in presence of Encroachment Mamlatdar Bhuj(Rural), Range Forest Officer Bhirandiyara & Sarado, Representative of Taluka Development Officer, Representative of D.I.L.R., Senior Dy. Mamlatdar-Khavda, DY. Mam. encroachment (BHUI), Talati shri Panchayat Misariyado and Bhirandiyara.

Name	Signature	
1. Bambha Buva Hajikhamisha	SD/-	
2. Latif Badarkhan Pathan	SD/-	
3. Bambha Chantra Shakur	SD/-	
4. Halepotra Majna Soyab	SD/-	
SD/-	SD/-	SD/-
RFO Bhirandiyara	RFO Sarado	V.A. Panchayat
SD/-	SD/-	SD/-
DILR Bhuj	T.P.	DY. Mam. Encroachment
SD/-	SD/-	SD/-
S.O. Baladiya Sen.	DY. Mamlatdar Khavda	Mamlatdar Bhuj (Rural)

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Bhirandiyara

Banni unsurvey Ara,

Dt. 26/03/2021.

STATEMENT IN PRESENCE

My Name: Mishri

Father's Name : Ibrahim

Cast : Rayshi

Occupation: Animal Husbandary,

Age: 45 Years

R/o. Bhirandiyara

Today in the Banni unserved area, On the unsurvey land situated at southern side of Bhirandiyara, Misarayada Road, around 40-to-50-acre agriculture land encroached by me. To open the said Land three notices are issued to me. And the same is received by me. Although encroachment is not removed by me, today you sir, with Forest officer and Police staff came to remove the encroachment. On this encroached land I have sowed the castor, sorghum, and forage. We have already taken the crop of castor and sorghum from the encroached land. Currently feed of my cattle and Dunda of Castor is standing. Which will be removed by me personally from this land and also open the fence surrounded to this encroached land withing 10 days. For that I am giving assurance for informing in writing. Although if any encroachment is not removed by me that any legal procedure followed by you sir, will be binding to me. I am giving the assurance for that.

I have written the above-mentioned statement myself, after reading, understanding, thinking, and in conscious state signed the same.

In Presence of

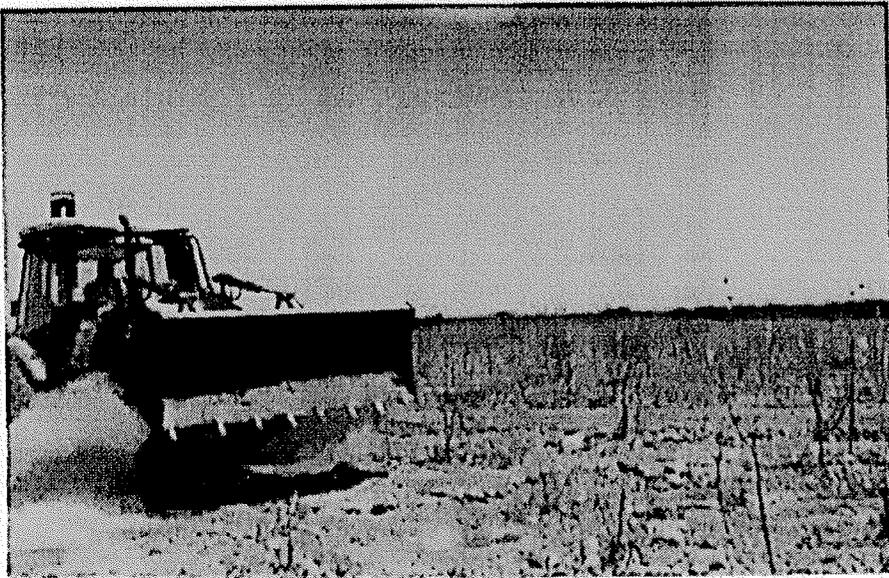
SD/-

SD/-

SD/-

Range Forest Officer

Mamlatdar Bhuj- Rural Misri Ibrahim Rayshi



Photographs of Operation of Banni Grass Land Encroachment as Per the Order of  
Hon'ble National Green Tribunal, Principal Bench, New Delhi

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