

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

OA No. 119/2024

IN THE MATTER OF:

Satish Kumar

... Applicants

Versus

MOEF & CC & Ors.

... Respondents

**REPLY OF SH. NAVEEN GULIA, REGIONAL OFFICER, HSPCB,
BAHADURGARH REGION RESPONDENT NO. 6 AND ON
BEHALF OF RESPONDENT NO. 3 & 4 IN COMPLIANCE OF
HON'BLE NGT ORDER DATED 07.02.2024.**

Most Respectfully Showeth:

1. That the present Original Application is pending for adjudication on dated 12.04.2024.
2. The above mentioned Original Application has been filed by the applicant named Sh. Satish Kumar S/o Sh. Chander Singh resident of village Jhanswa, Tehsil Matanhail & District Jhajjar complaining that more than 100 trees have been illegally cut from gouchar land situated within the revenue State of village Jhanswa. Complaints were made to the Deputy Commissioner, Jhajjar, DDPO, Jhajjar and on CM window but no action has been taken on the same.
3. That District Magistrate, Jhajjar directed District Forest Officer, Jhajjar to carry out a detailed inspection alongwith Block Development & Panchayat Officer, Matanhail for the assessment of number of trees which were cut as alleged by the complainant. After joint inspection of site, it was found that approximately 188 number of trees were cut. The abstract of the trees fallen at site in question prepared by Range Forest Officer, Matanhail (enclosed herewith as **Annexure-R1**). Photographs with Longitude & Latitude of the site in question is also enclosed herewith as **Annexure R-2**.



4. That vide letter dated 09.04.2024 the District Forest Officer, Jhajjar has estimated the price of trees Rs. 2,35,429/-. Copy of letter dated 09.04.2024 is enclosed herewith as **Annexure-R3**.
5. That after considering the cost assessment of the trees as mentioned above Block Development & Panchayat Officer, Matanhail, District Jhajjar vide letter dated 10.04.2024 directed the Sarpanch, Gram Panchayat Jhanswa, Tehsil Matanhail, District Jhajjar to deposit Rs. 2,35,429/- in Gram Panchayat Fund within seven days. It has been further directed that 564 plants (i.e. three times the number of trees cut) be planted in the Gram Panchayat area and report be submitted with Geo tagged photographs & videography in the office of BDPO Matanhail, District Jhajjar, Copy of letter dated 10.04.2024 is enclosed herewith as **Annexure-R4**.
6. That It is pertinent to mention here that Block Development & Panchayat Officer, Matanhail has conducted a thorough enquiry along with the complainant and as per findings of the report the Sarpanch, Gram Panchayat Jhanswa is found to be *prima facie* guilty of not discharging his duties in his official capacity as per the policy framework laid down by Haryana Panchayati Raj Act, 1994. So in view of this disciplinary action will be initiated against the Sarpanch, Gram Panchayat Jhanswa under section 51 of Haryana Panchayati Raj Act, 1994. Copy of this report is enclosed herewith as **Annexure-R5**.
7. That It is further submitted that there is no lapse on the part of answering respondent. As the matter came in the notice of authorities the responsible officers initiated Action. Therefore present reply of answering respondent may taken into consideration.

Sh. Naveen Gulia,

Regional Officer, HSPCB Bahadurgarh
Jhajjar, Respondent No. 06 and on
behalf of Respondent No. 03 & 04.

Dated:10.04.2024

Place: Jhajjar

VERIFICATION

Verified that the contents of para nos. 1 to 7 of my above reply are true and correct to my knowledge and on the basis of information derived from the Official record which I believe to be true and no material fact has been concealed therein.



Sh. Naveen Gulia,

Regional Officer, HSPCB Bahadurgarh
Jhajjar, Respondent No. 06 and on
behalf of Respondent No. 03 & 04.

Dated:10.04.2024

Place: Jhajjar

वन राजिक अधिकारी (क्षेत्रीय), मातनहेल

E-mail:- romatanhall@gmail.com

o/c

कमांक:- 565

दिनांक:- 01/04/2024

सेवा में

उप वन संरक्षक,
झाज्जर।

विषय:-

Original Application No. 119/2024 Satish Kumar Vs. MoEF & CCI
Ors.

सन्दर्भ:-

आपके कार्यालय का पत्र कमांक सेल/178/2003 दिनांक 29.03.2024.

—00—

उपरोक्त विषय के सम्बन्ध में आपको अवगत करवाया जाता है कि झांसवा पट्टा
भूमि से भवेध रूप से कटे वृक्षों बाबत खंड विकाश एवं पंचायत अधिकारी, मातनहेल तथा
टीम के साथ संयुक्त रूप से मिलकर कटे हुए वृक्षों की मौके अनुसार मार्किंग सूची तैयार की
है उक्त वृक्षों पर वन विभाग का स्वामित्व नहीं है। उक्त केस में IFA 1927 तथा PLPA 1997
प्रावधान लागू नहीं होते हैं। रिपोर्ट आपकी सेवा में आवश्यक कार्यवाही हेतु प्रेषित है।

संलग्न/मार्किंग सूची


वन राजिक अधिकारी,
मातनहेल।

Marking List/Felling Register

63

Name of Strip :-

Jhanswa Panchayat Land

Beat :-

Salhawas

Block :-

Khanpur

Range :-

Matanhail

Authority for Marking

1	2	3	4	5	6	7	8	9	10
Compartment /Couple/RD/KM no.	Left or Right	Marking No.	Enumeration No.	Species	Girth	Class	Volume	Condition of Tree Green/Dry/Sound/ Unsound	Remarks
		1	---	Maskat	95	III	0.57	कटे हुए	
		2	---	Maskat	64	IV	0.14	-do-	
		3	---	Maskat	60	IV	0.14	-do-	
		4	---	Maskat	56	V	0.06	-do-	
		5	---	Maskat	44	V	0.06	-do-	
		6	---	Maskat	28	U/S	U/S	-do-	
		7	---	Maskat	70	IV	0.14	-do-	
		8	---	Maskat	35	V	0.06	-do-	
		9	---	Maskat	82	IV	0.14	-do-	
		10	---	Maskat	73	IV	0.14	-do-	
		11	---	Maskat	51	V	0.06	-do-	
		12	---	Maskat	37	V	0.06	-do-	
		13	---	Maskat	57	V	0.06	-do-	
		14	---	Maskat	54	V	0.06	-do-	
		15	---	Maskat	80	IV	0.14	-do-	
		16	---	Maskat	58	V	0.06	-do-	
		17	---	Maskat	90	III	0.57	-do-	
		18	---	Maskat	90	III	0.57	-do-	
		19	---	Maskat	60	IV	0.14	-do-	
		20	---	Maskat	116	III	0.57	-do-	
		21	---	Maskat	64	IV	0.14	-do-	
		22	---	Maskat	80	IV	0.14	-do-	
		23	---	Maskat	64	IV	0.14	-do-	
		24	---	Maskat	64	IV	0.14	-do-	
		25	---	Maskat	72	IV	0.14	-do-	
		26	---	Maskat	72	IV	0.14	-do-	
		27	---	A/T	104	III	0.57	-do-	
		28	---	Maskat	76	IV	0.14	-do-	
		29	---	Maskat	72	IV	0.14	-do-	
		30	---	Maskat	80	IV	0.14	-do-	
		31	---	Maskat	68	IV	0.14	-do-	
		32	---	Maskat	60	IV	0.14	-do-	
		33	---	Maskat	64	IV	0.14	-do-	
		34	---	Maskat	70	IV	0.14	-do-	
		35	---	Maskat	46	V	0.06	-do-	
		36	---	Maskat	46	V	0.06	-do-	
		37	---	Maskat	57	V	0.06	-do-	
		38	---	Maskat	70	IV	0.14	-do-	
		39	---	Maskat	102	III	0.57	-do-	
		40	---	Maskat	76	IV	0.14	-do-	
		41	---	Maskat	89	IV	0.14	-do-	
		42	---	Kikar	59	V	0.06	-do-	
		43	---	Maskat	52	V	0.06	-do-	
		44	---	Maskat	72	IV	0.14	-do-	

		45	---	Maskat	49	V	0.06	-do-
		46	---	Maskat	46	V	0.06	-do-
		47	---	Maskat	43	V	0.06	-do-
		48	---	Maskat	59	V	0.06	-do-
		49	---	Maskat	52	V	0.06	-do-
		50	---	Maskat	40	V	0.06	-do-
		51	---	Maskat	40	V	0.06	-do-
		52	---	Maskat	48	V	0.06	-do-
		53	---	Maskat	41	V	0.06	-do-
		54	---	Maskat	76	IV	0.14	-do-
		55	---	Maskat	44	V	0.06	-do-
		56	---	Maskat	38	V	0.06	-do-
		57	---	Maskat	38	V	0.06	-do-
		58	---	Maskat	38	V	0.06	-do-
		59	---	Maskat	64	IV	0.14	-do-
		60	---	Maskat	49	V	0.06	-do-
		61	---	Maskat	72	IV	0.14	-do-
		62	---	Maskat	78	IV	0.14	-do-
		63	---	Maskat	89	IV	0.14	-do-
		64	---	Maskat	65	IV	0.14	-do-
		65	---	Maskat	40	V	0.06	-do-
		66	---	Maskat	42	V	0.06	-do-
		67	---	Maskat	49	V	0.06	-do-
		68	---	Maskat	86	IV	0.14	-do-
		69	---	Maskat	66	IV	0.14	-do-
		70	---	Maskat	46	V	0.06	-do-
		71	---	Maskat	54	V	0.06	-do-
		72	---	Maskat	40	V	0.06	-do-
		73	---	Maskat	46	V	0.06	-do-
		74	---	Maskat	65	IV	0.14	-do-
		75	---	Maskat	74	IV	0.14	-do-
		76	---	Maskat	70	IV	0.14	-do-
		77	---	Maskat	74	IV	0.14	-do-
		78	---	Maskat	45	V	0.06	-do-
		79	---	Maskat	51	V	0.06	-do-
		80	---	Maskat	65	IV	0.14	-do-
		81	---	Maskat	41	V	0.06	-do-
		82	---	Maskat	57	V	0.06	-do-
		83	---	Maskat	50	V	0.06	-do-
		84	---	Maskat	41	V	0.06	-do-
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		86	---	Maskat	40	V	0.06	-do-
		87	---	Maskat	56	V	0.06	-do-
		88	---	Maskat	38	V	0.06	-do-
		89	---	Maskat	62	IV	0.14	-do-
		90	---	Maskat	80	IV	0.14	-do-
		91	---	Maskat	85	IV	0.14	-do-
		92	---	Maskat	36	V	0.06	-do-
		93	---	Maskat	34	V	0.06	-do-
		94	---	Maskat	42	V	0.06	-do-
		95	---	Maskat	46	V	0.06	-do-
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	111	---	Maskat	70	IV	0.14	-do-
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	113	---	A/T	86	IV	0.14	-do-
	114	---	Maskat	80	IV	0.14	-do-
	115	---	A/T	89	IV	0.14	-do-
	116	---	Maskat	102	III	0.57	-do-
	117	---	Maskat	96	III	0.57	-do-
	118	---	A/T	102	III	0.57	-do-
	119	---	Maskat	66	IV	0.14	-do-
	120	---	Maskat	68	IV	0.14	-do-
	121	---	Maskat	48	V	0.06	-do-
	122	---	A/T	93	III	0.57	-do-
	123	---	A/T	86	IV	0.14	-do-
	124	---	Maskat	78	IV	0.14	-do-
	125	---	Maskat	64	IV	0.14	-do-
	126	---	A/T	89	IV	0.14	-do-
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170	---	Maskat	68	IV	0.14	-do-
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184	---	Maskat	86	IV	0.14	-do-
185	---	Maskat	77	IV	0.14	-do-
186	---	Maskat	50	V	0.06	-do-
187	---	Maskat	40	V	0.06	-do-
188	---	Maskat	58	V	0.06	-do-

ABSTRACT

Spp.	U/S	V	IV	III	IIA	IIB	IA	IB	Total	Vol
Kikar	0	4	0	0	1	1	0	0	6	3
Euc	0	0	0	0	0	0	0	0	0	0
Shisham	0	0	0	0	0	0	0	0	0	0
Misc.	1	80	72	19	10	0	0	0	182	37
Total	1	84	72	19	11	1	0	0	188	40

3.35
0
0
37.0
40.3

श्रीमान जी

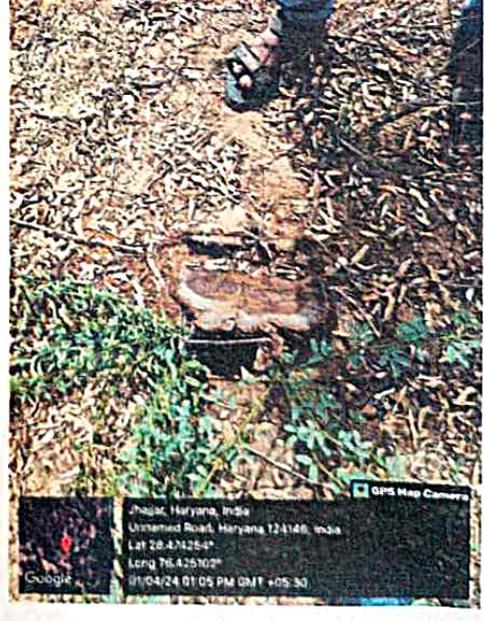
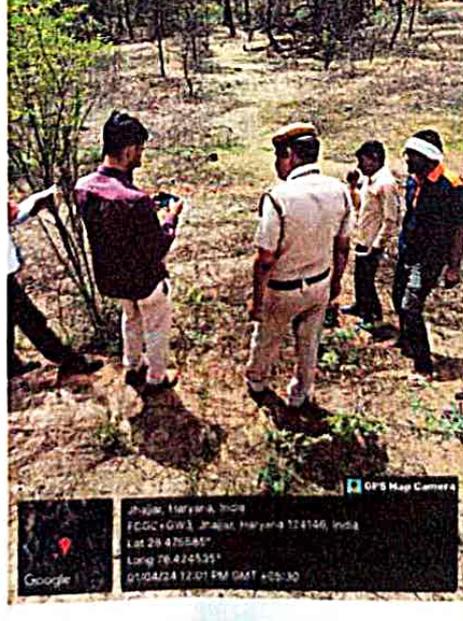
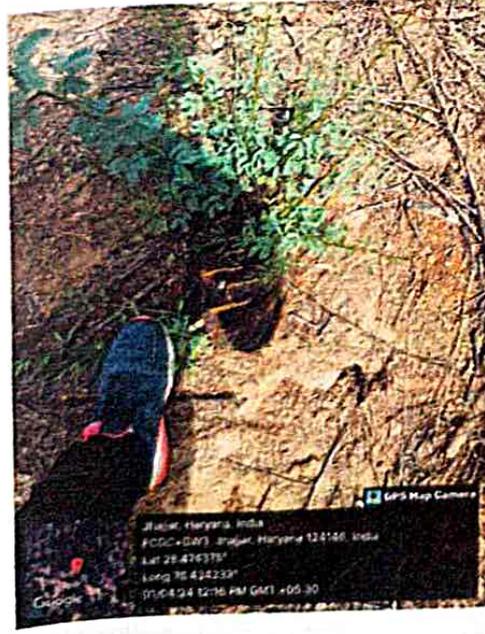
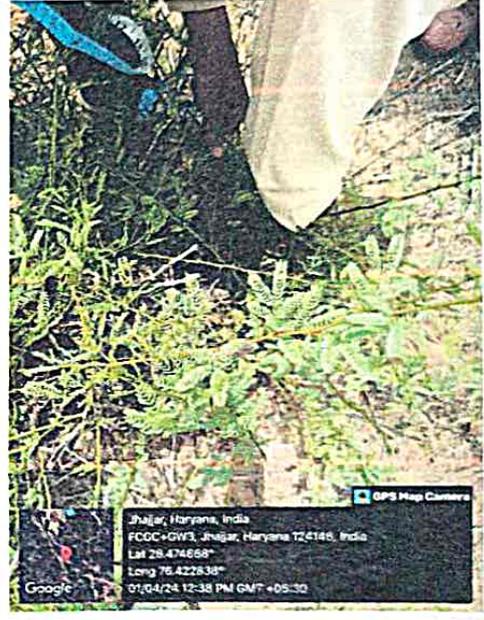
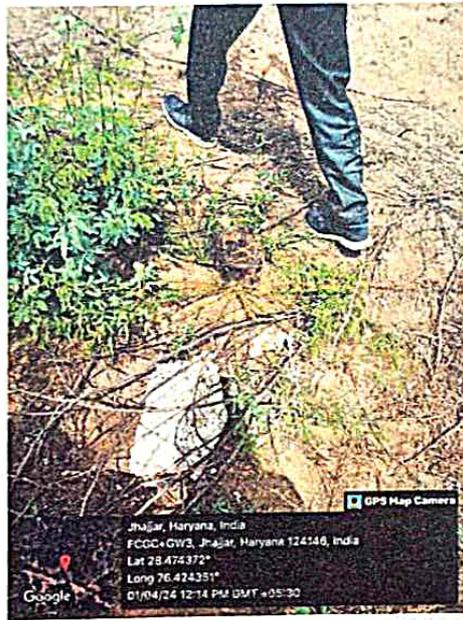
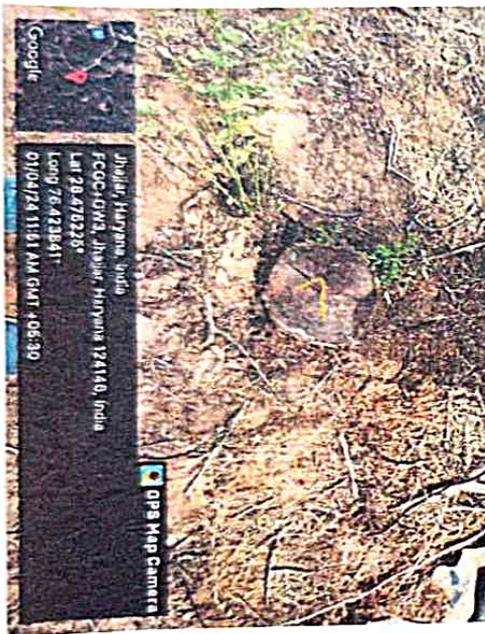
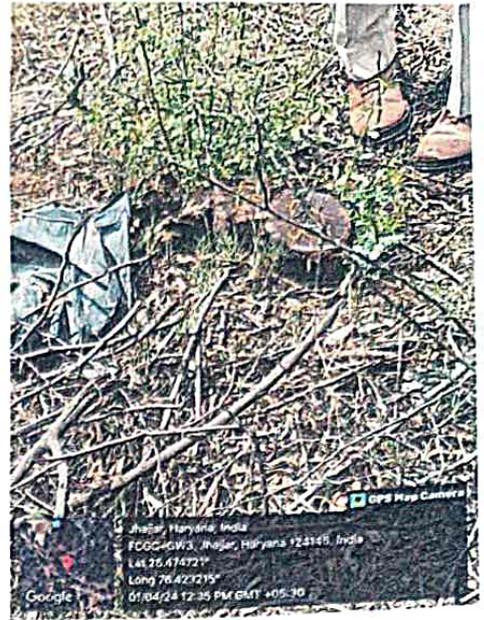
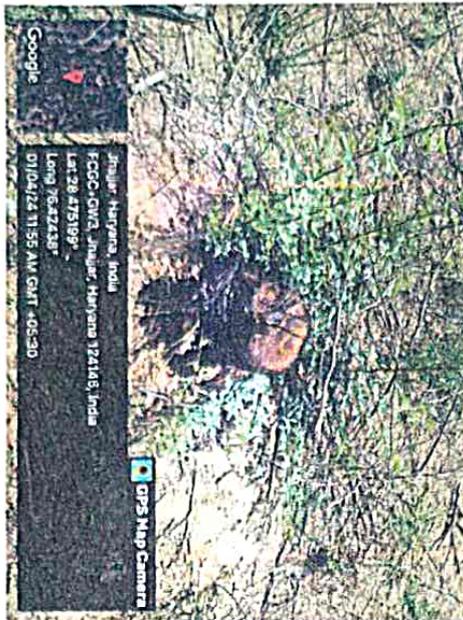
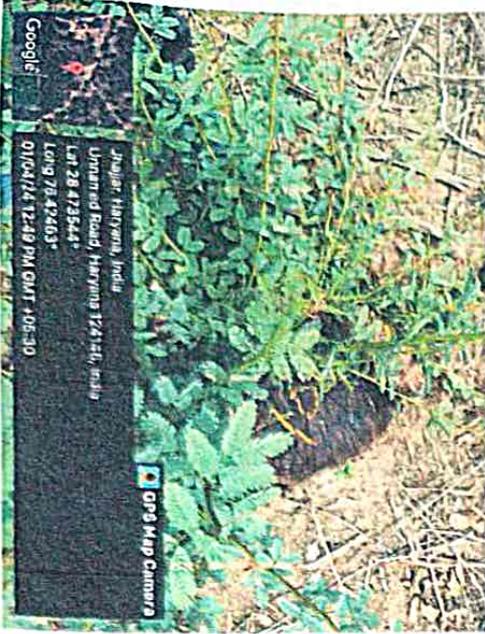
तसदीक की जाती है कि यह मार्किंग सूचि बी0डी0पी0ओ0 मातनहेल व उनकी टीम के साथ मिलकर मौके अनुसार बनाई है जिसकी किस्म/ग्रथ मौके अनुसार सही है तथा उक्त सभी वृक्ष कटे हुए है जो मौके पर नहीं है। किस्म मुढियों की ली गई है।

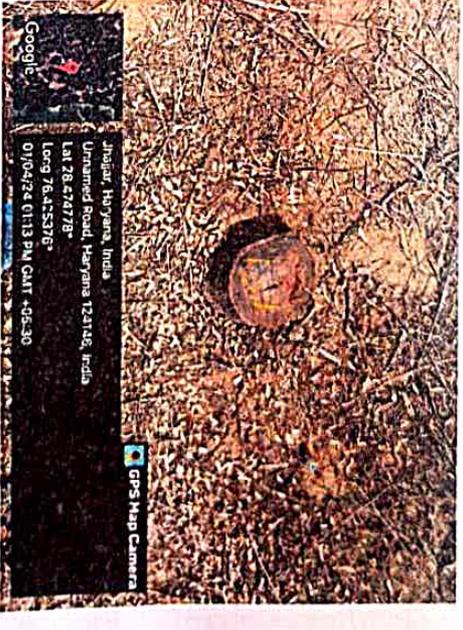
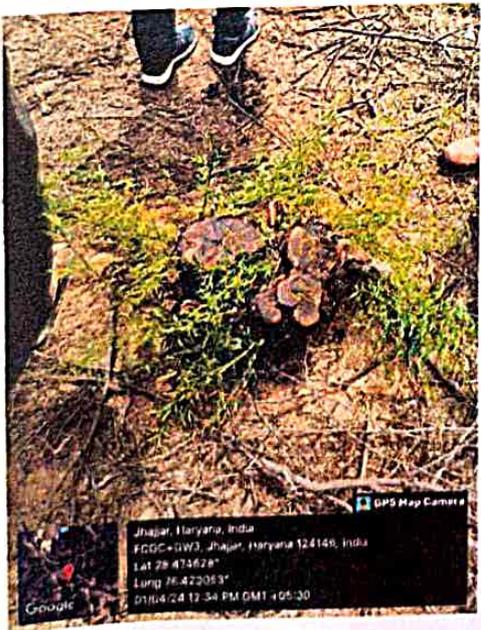
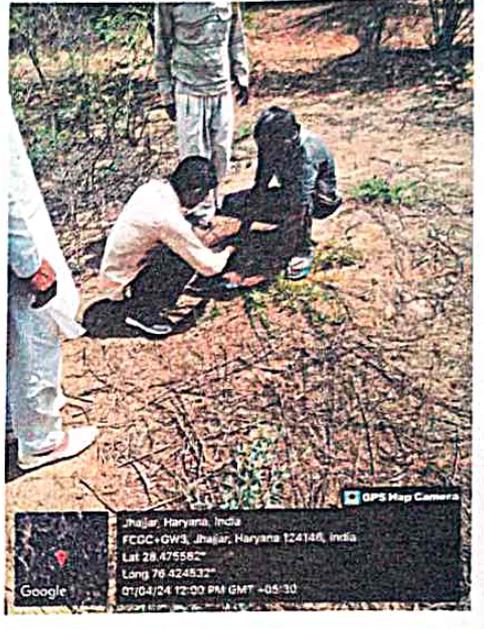
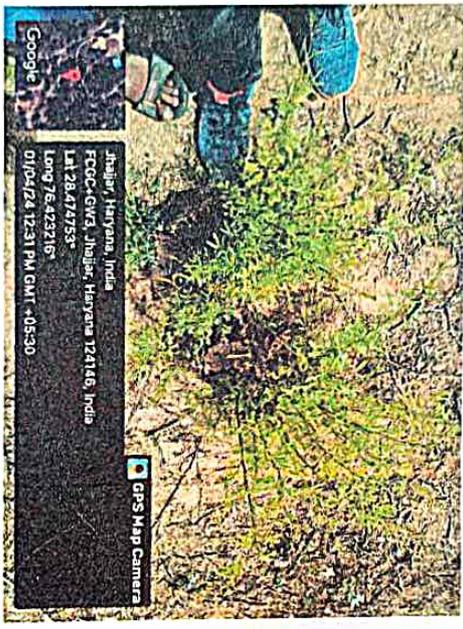
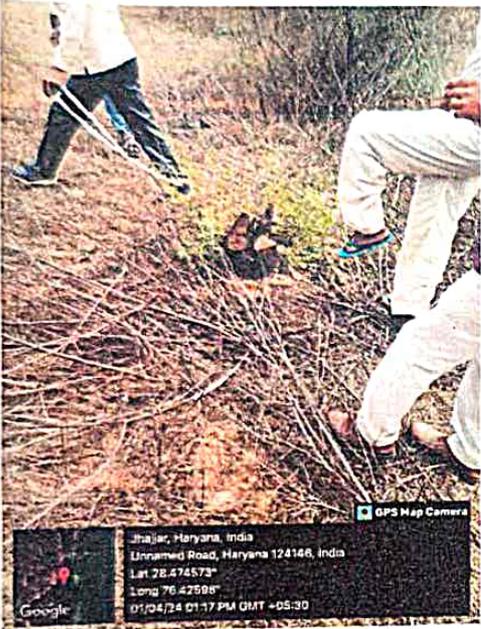
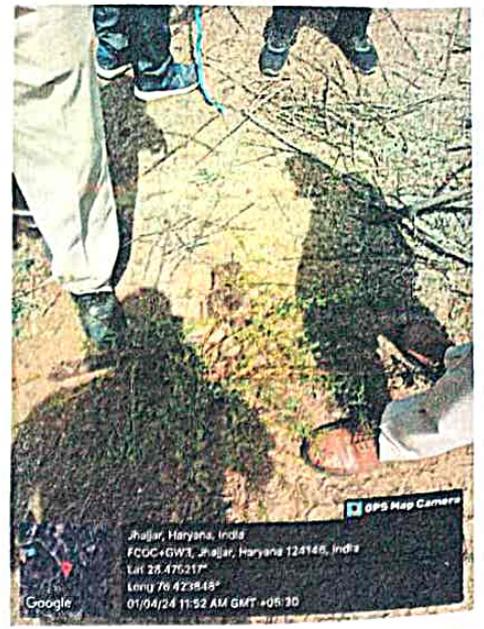
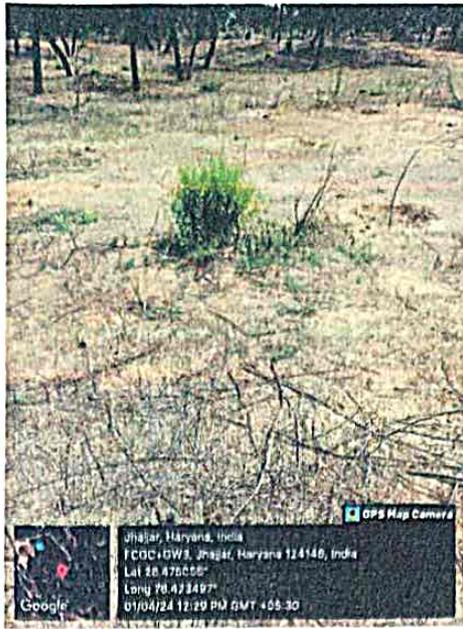
Handwritten signatures and initials

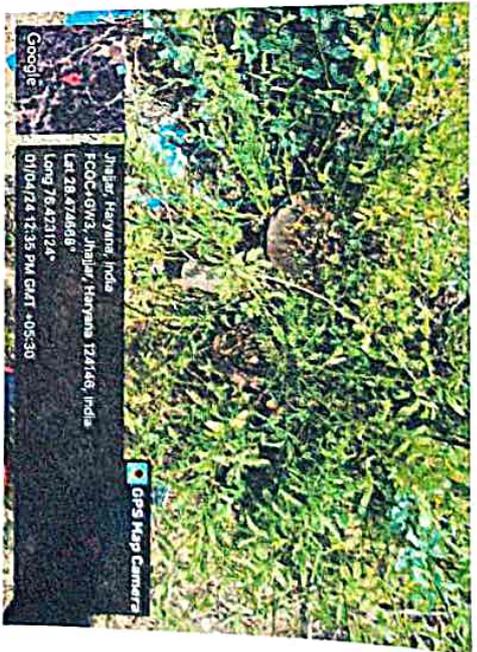
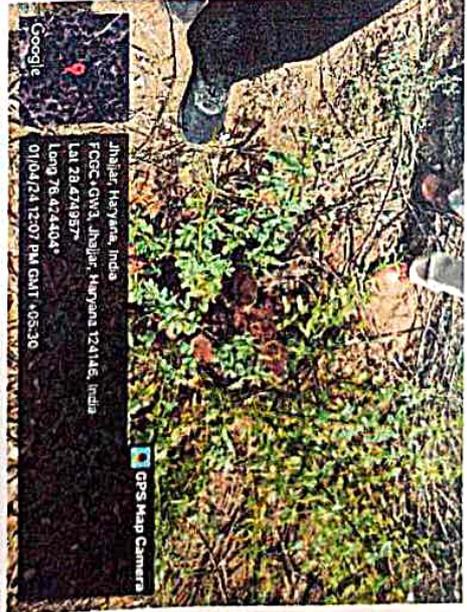
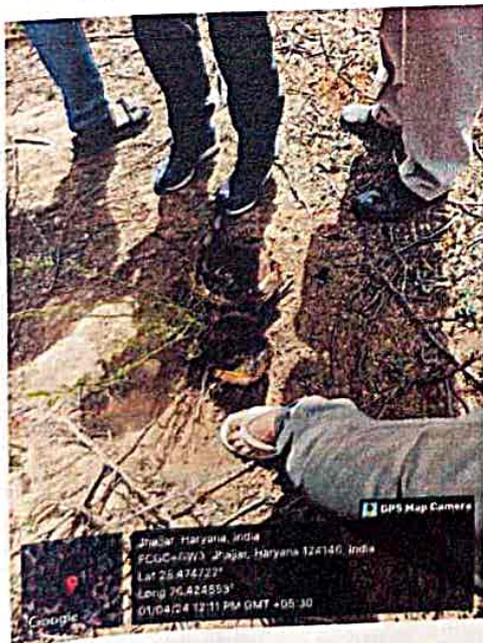
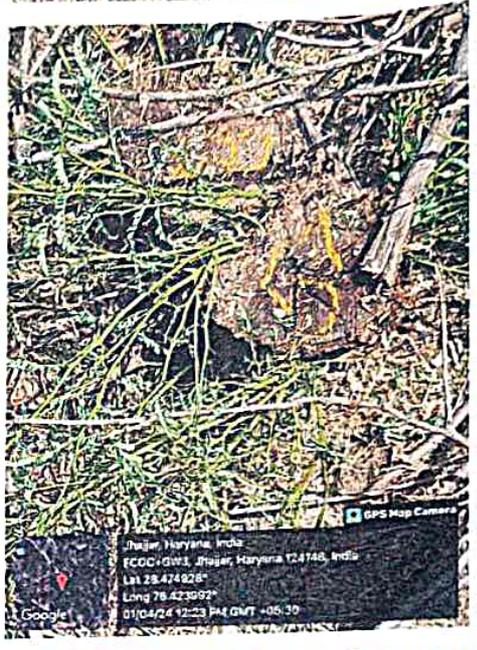
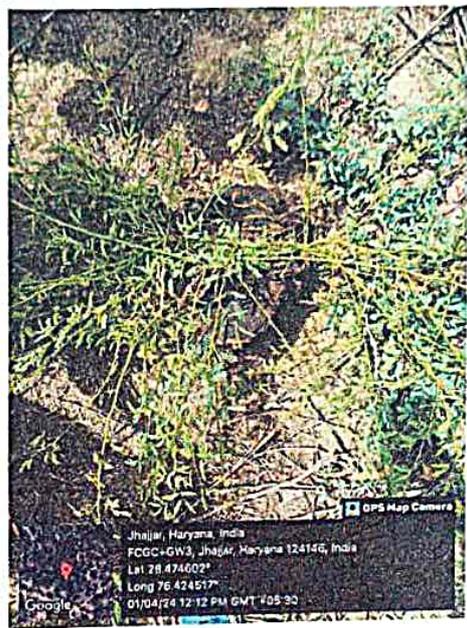
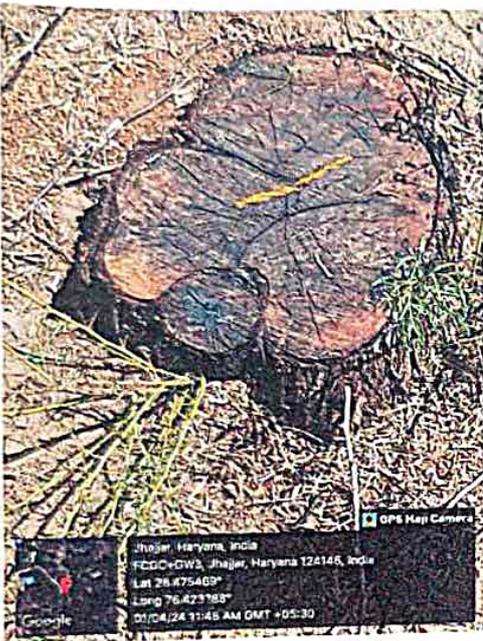
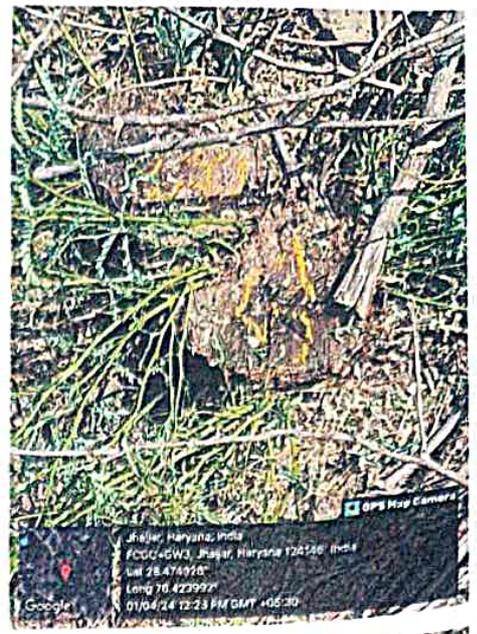
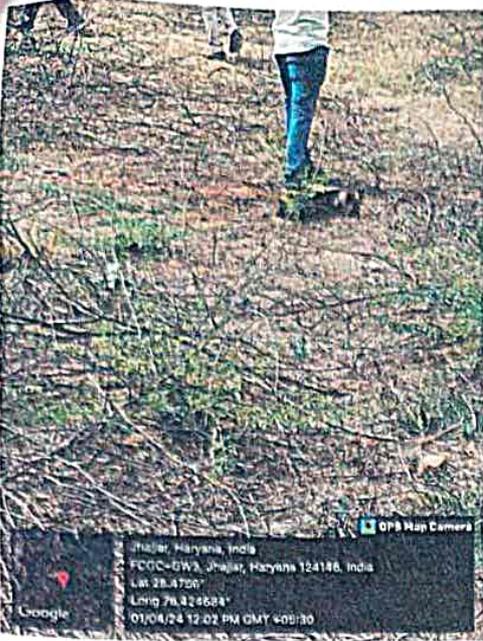
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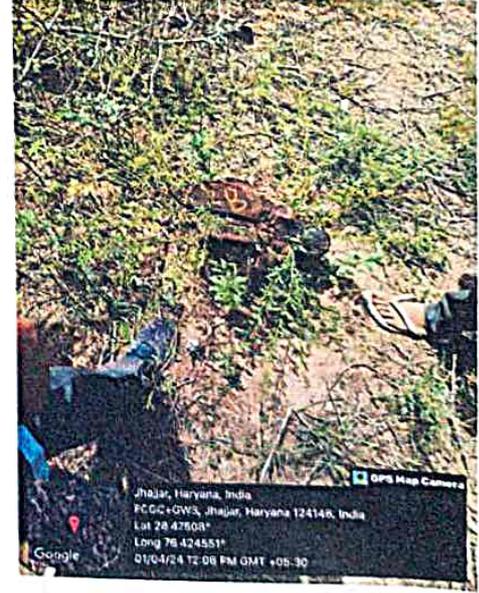
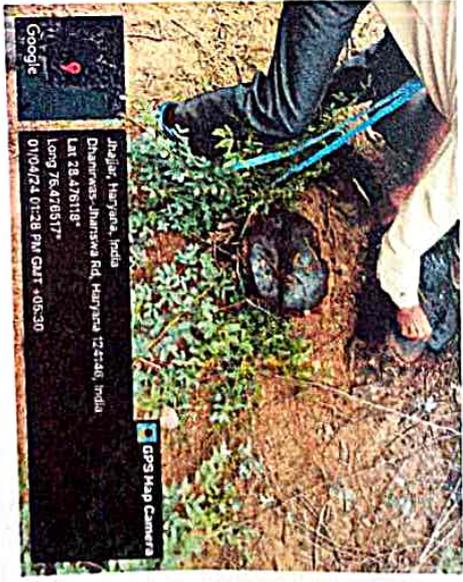
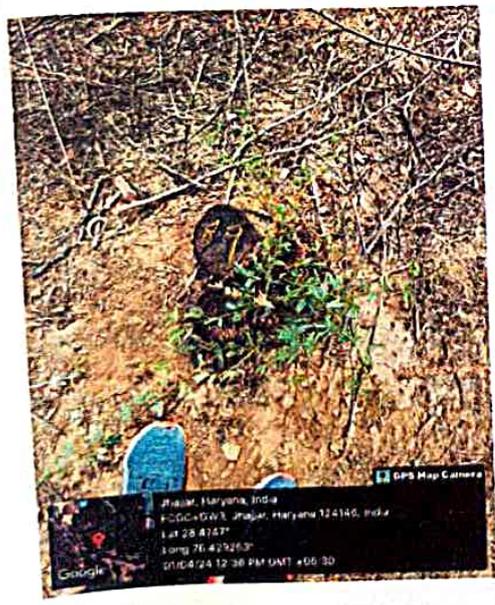
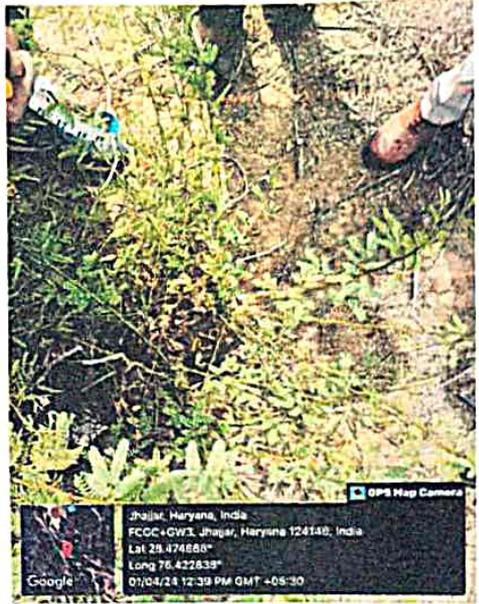
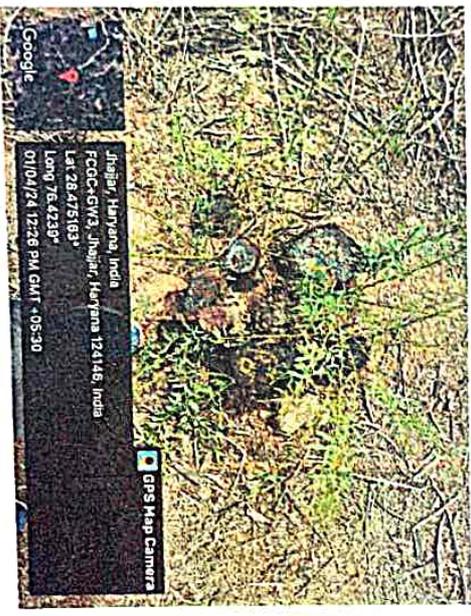
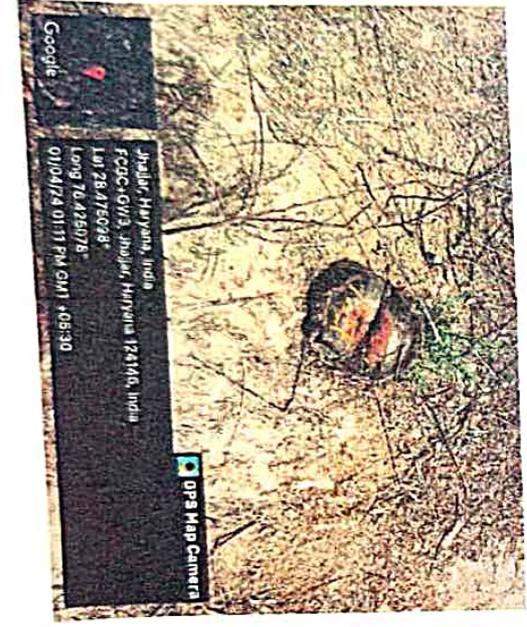
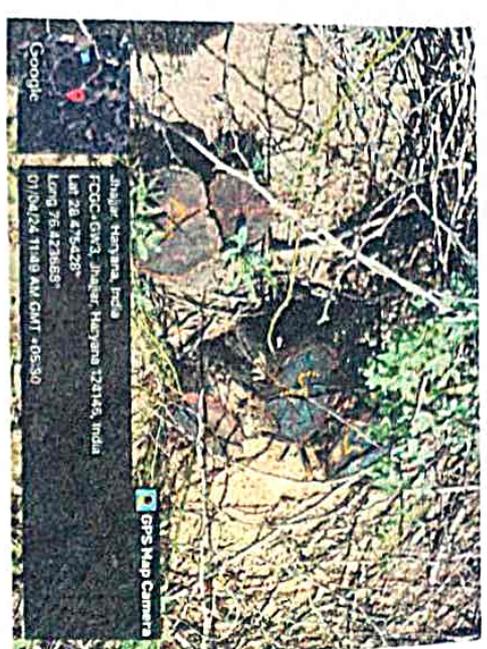
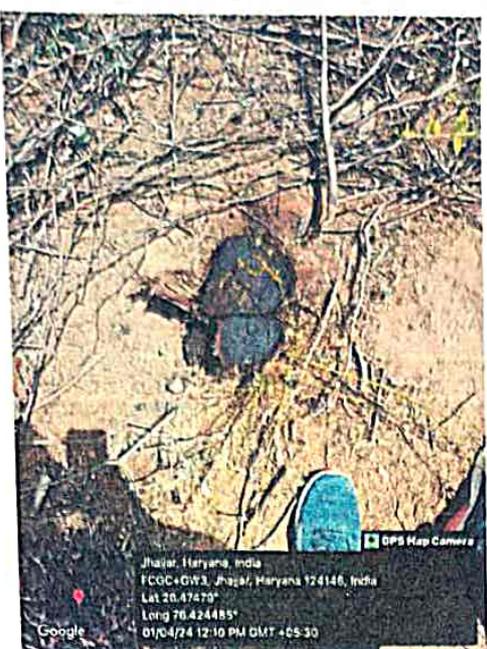
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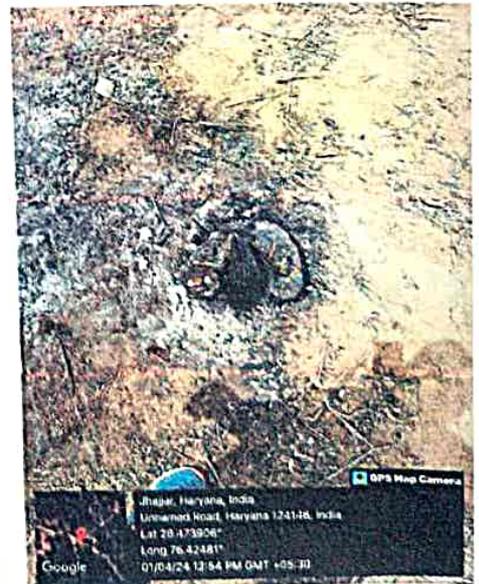
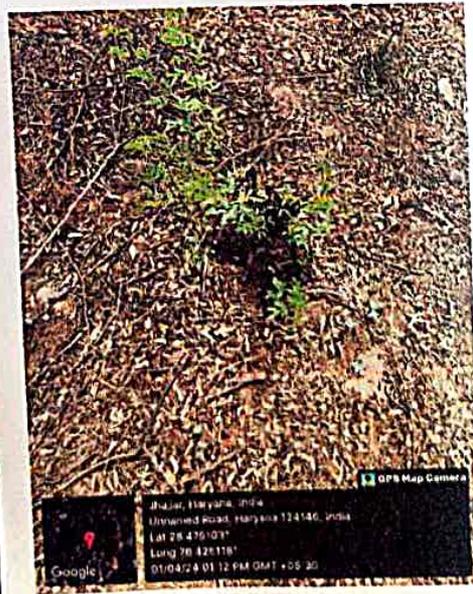
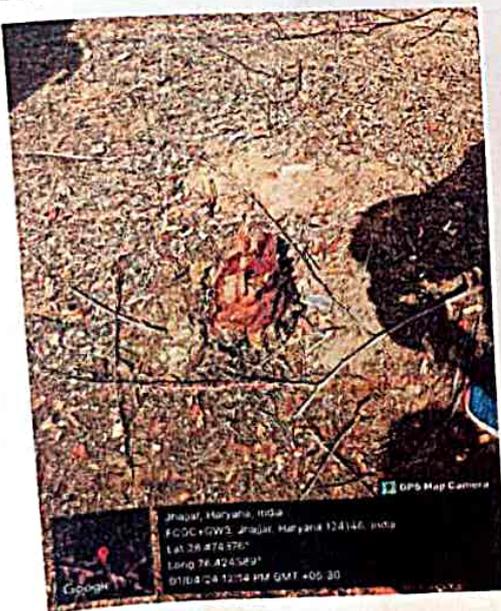
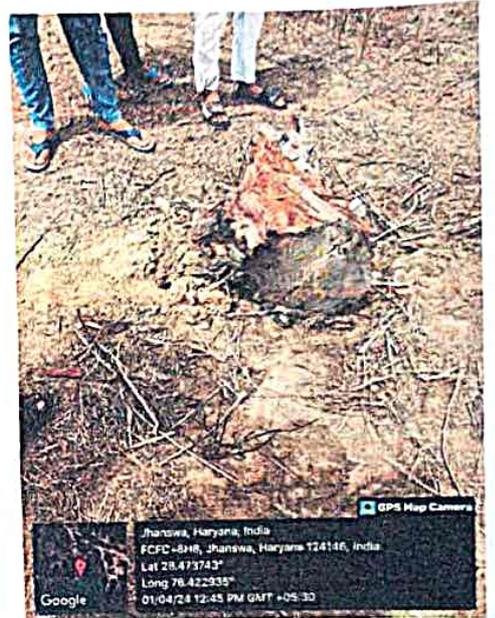
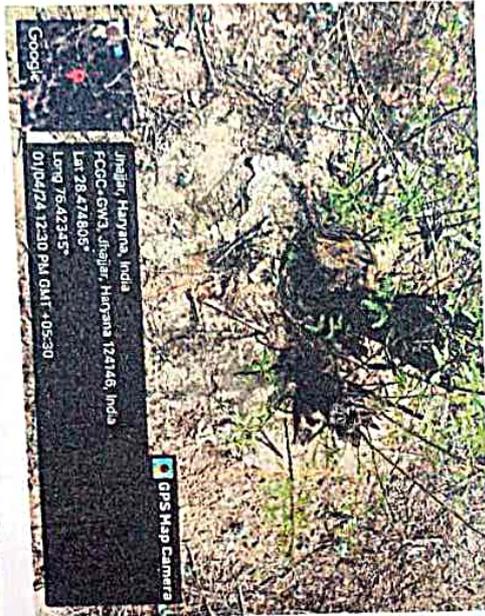
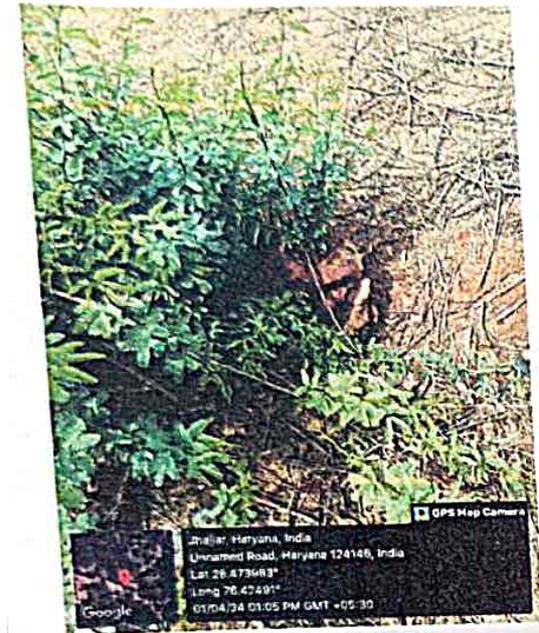
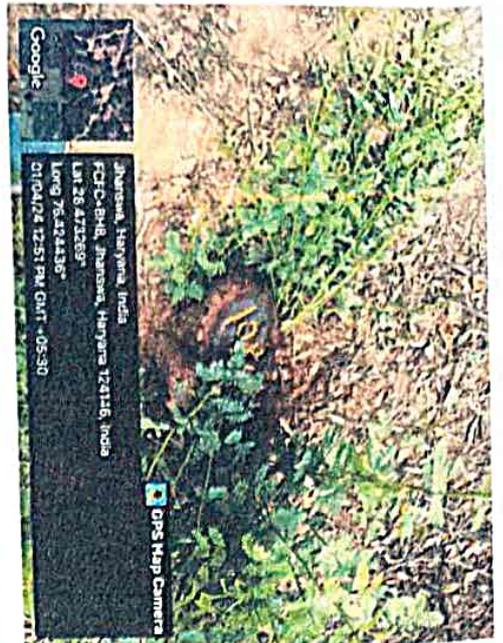
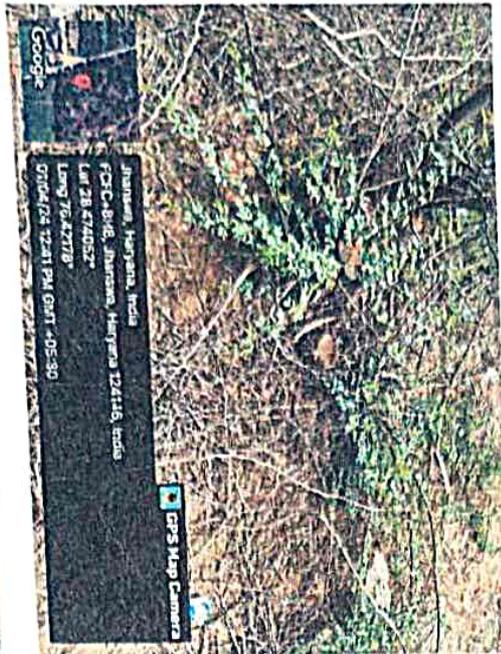
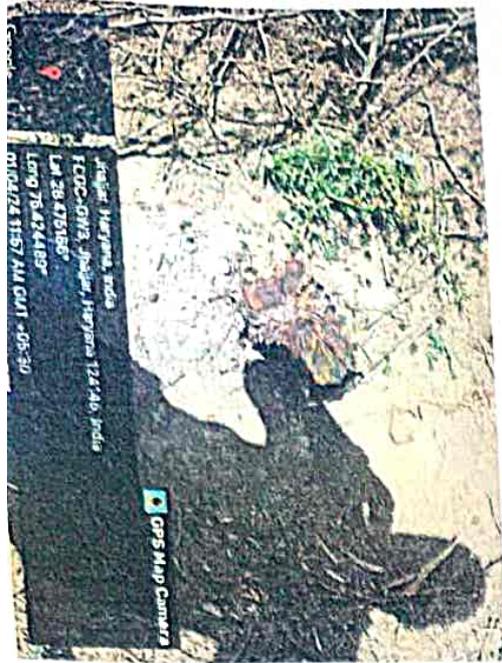
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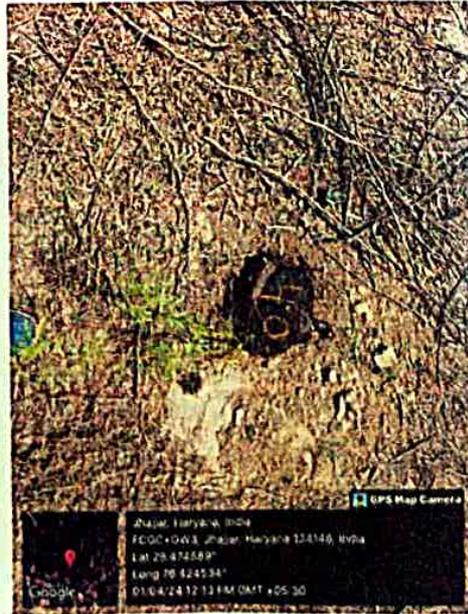
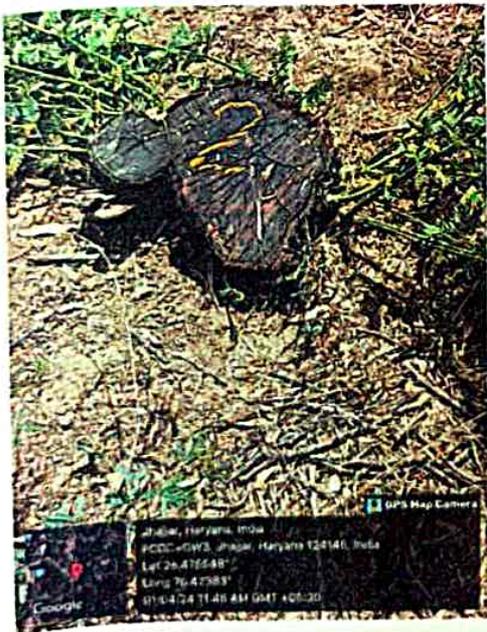
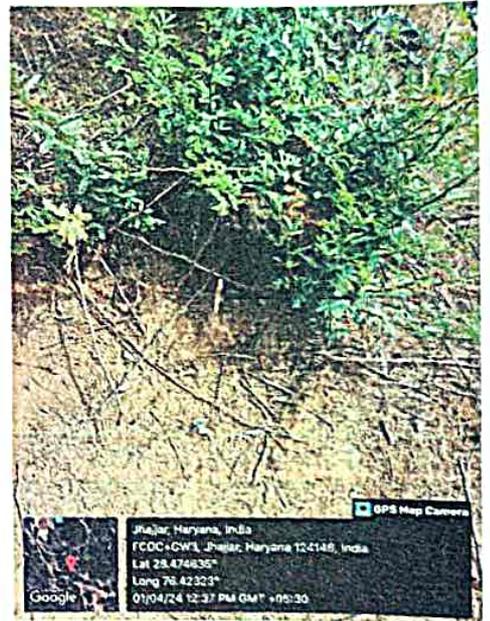
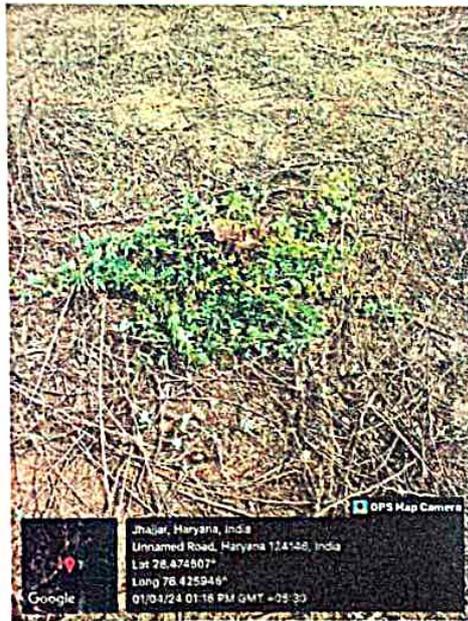
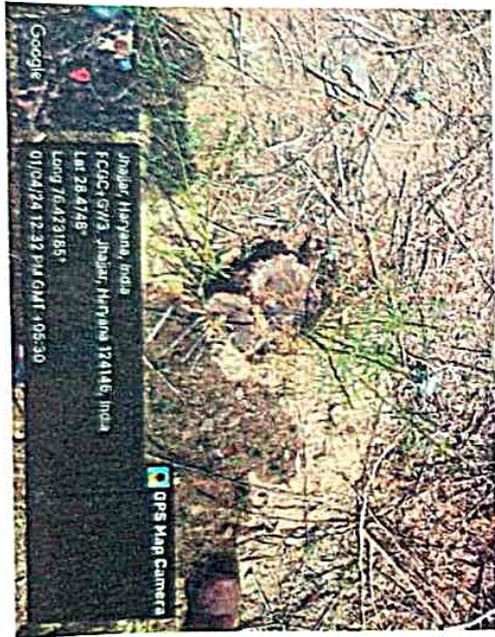
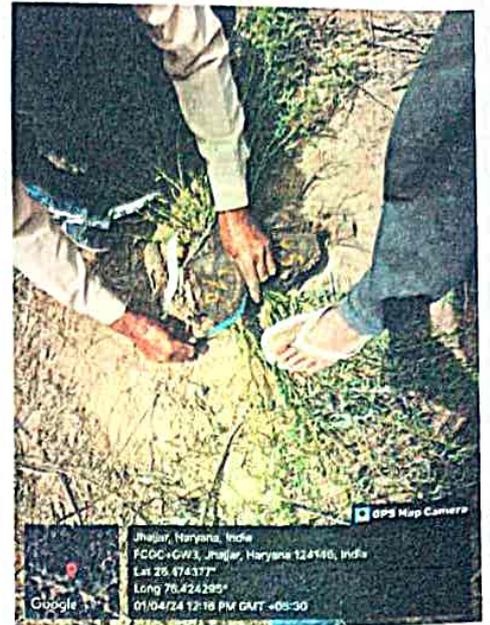
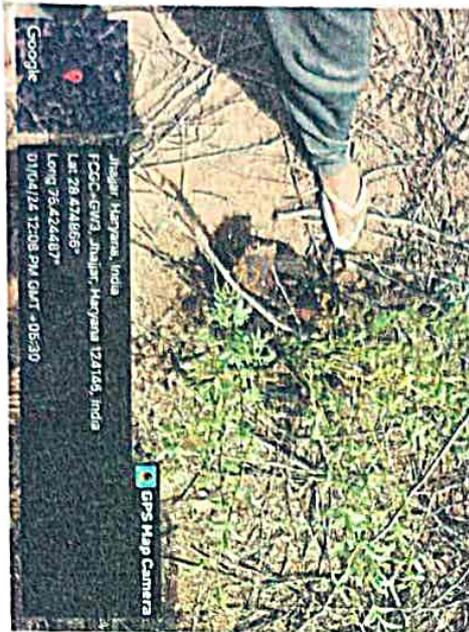
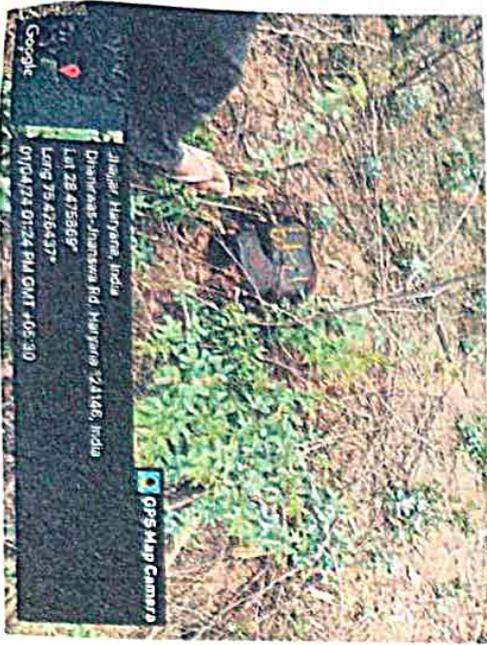


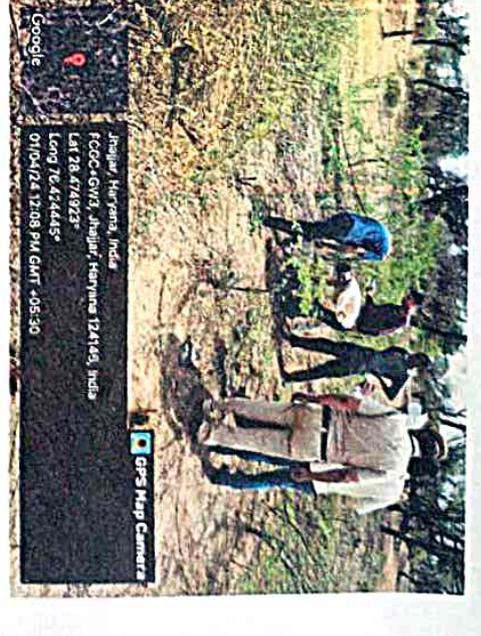
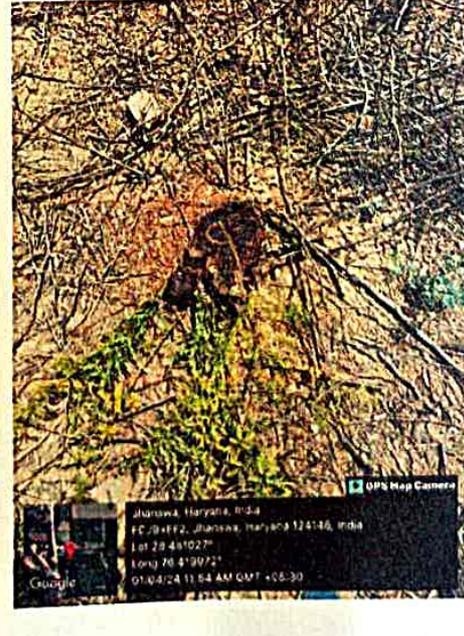
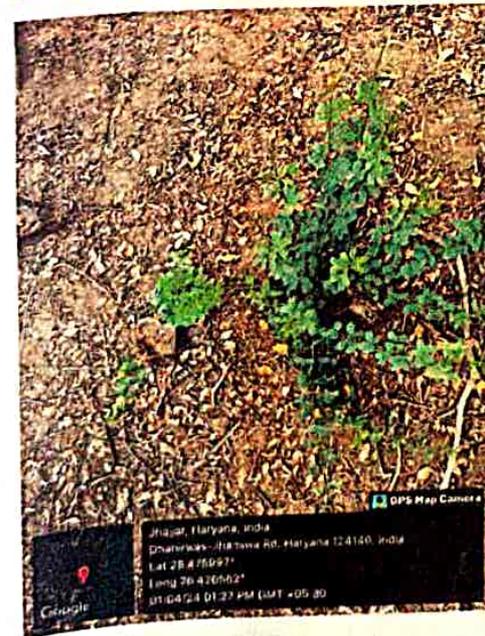
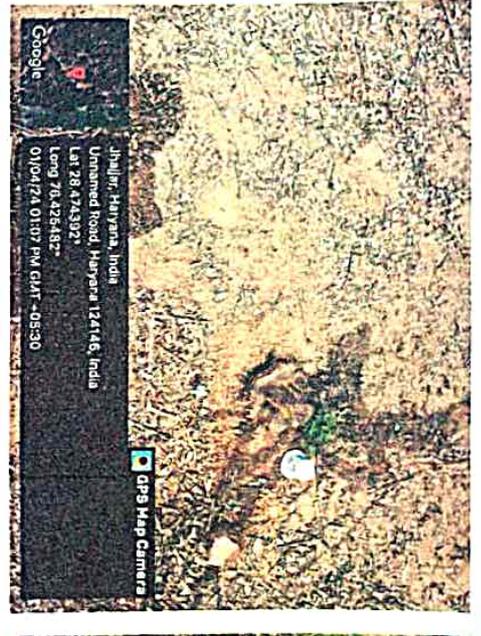
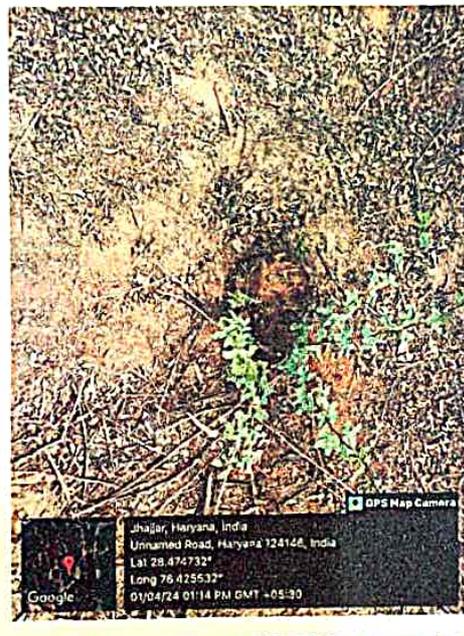
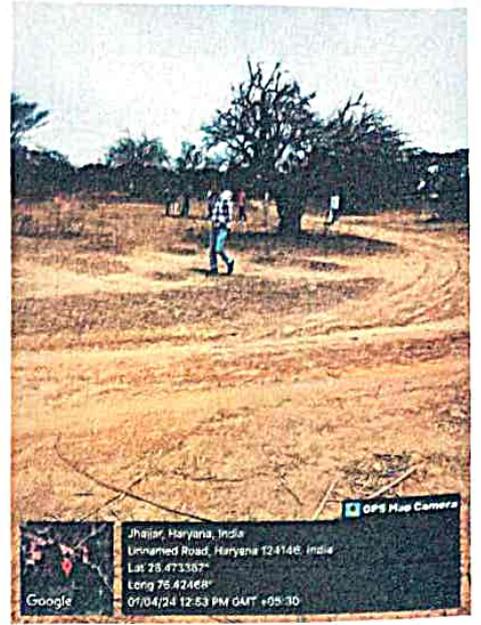
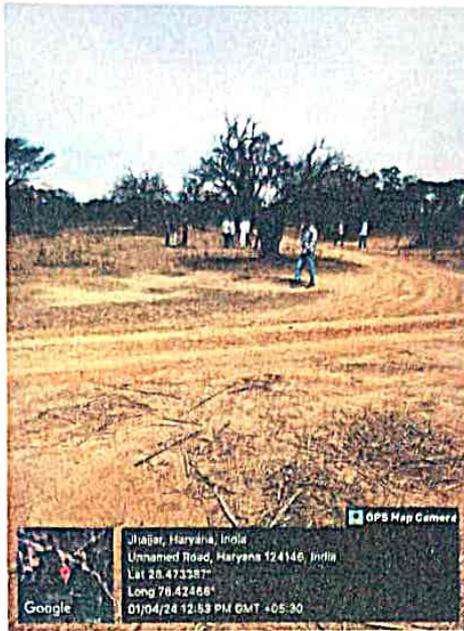
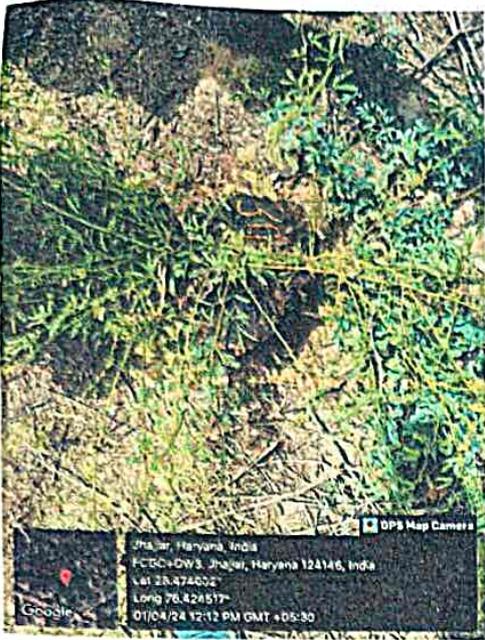


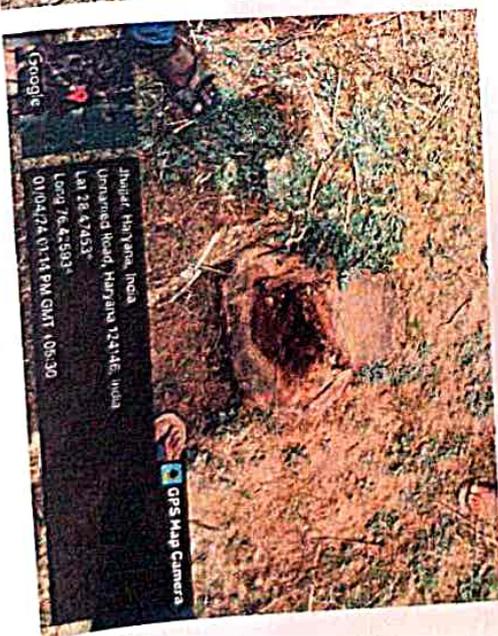
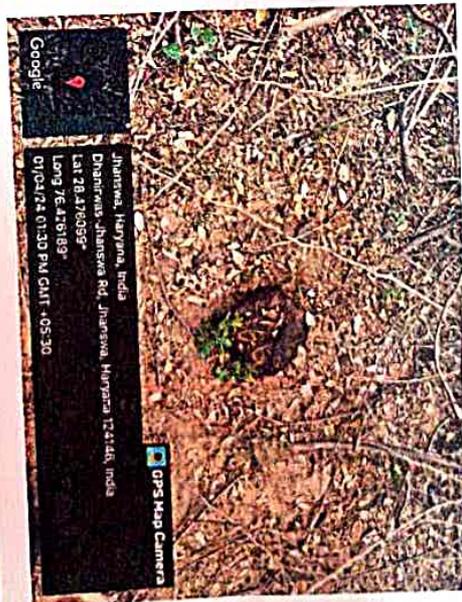
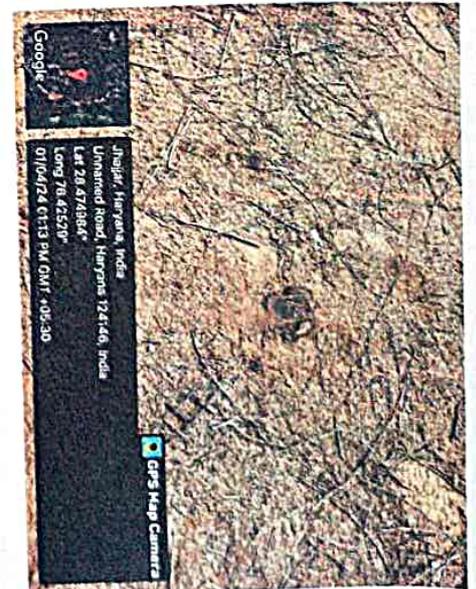
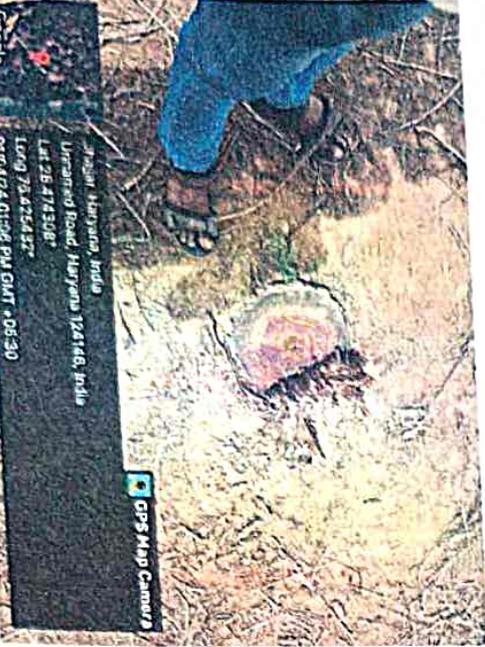
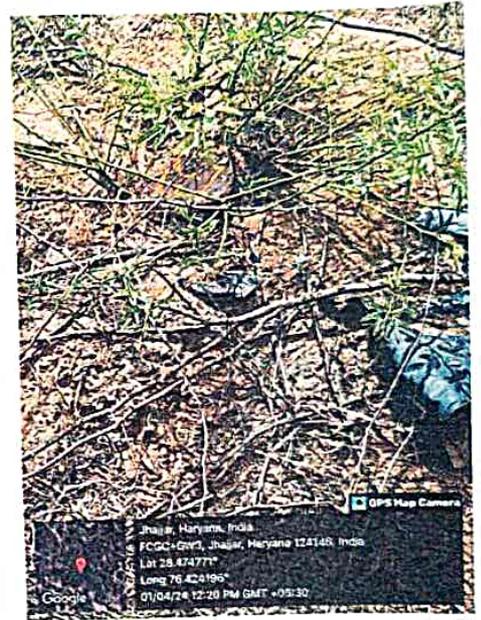
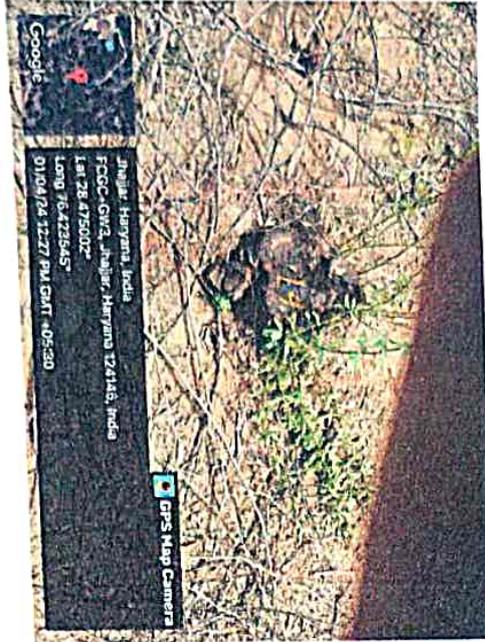


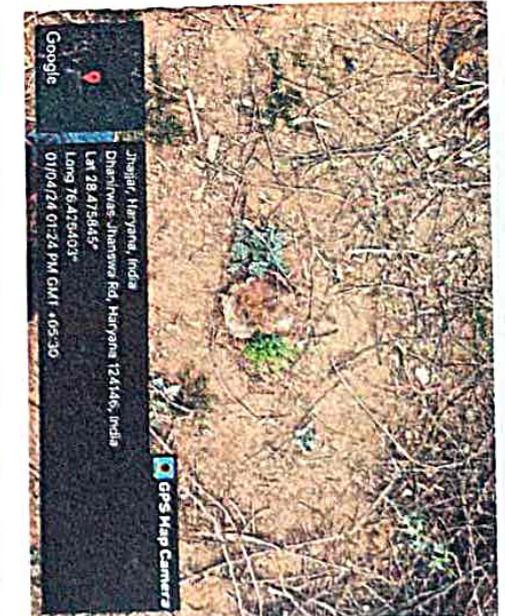
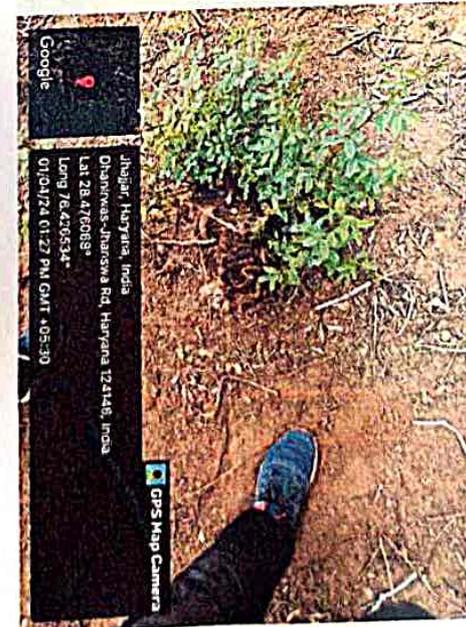
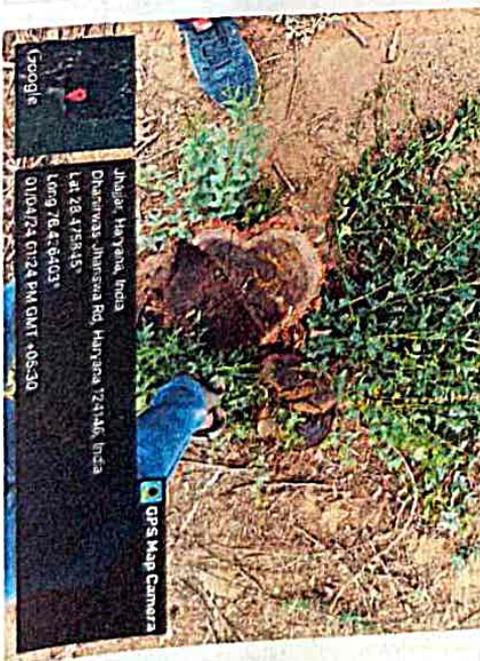
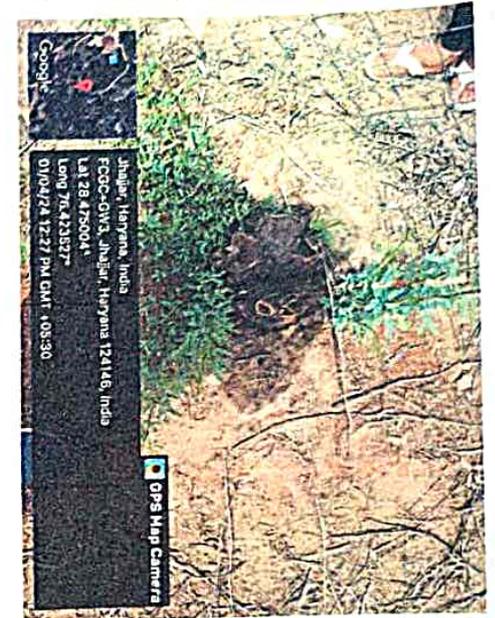
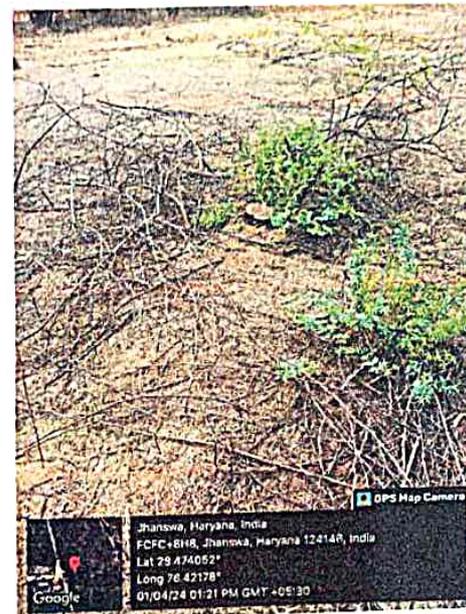
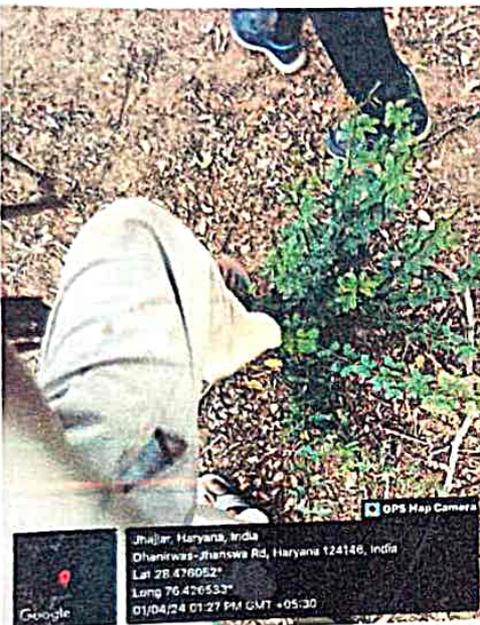
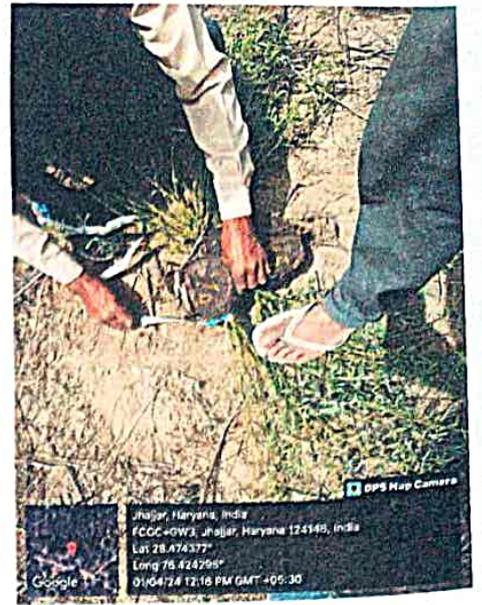
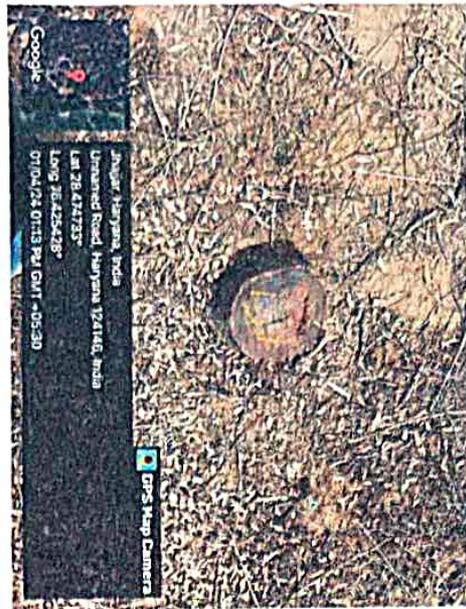


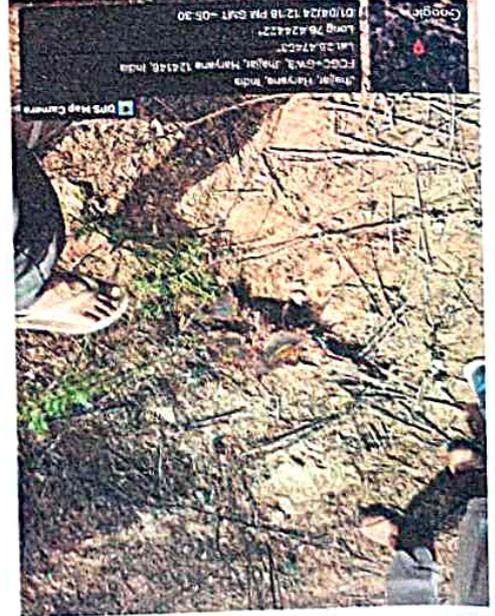
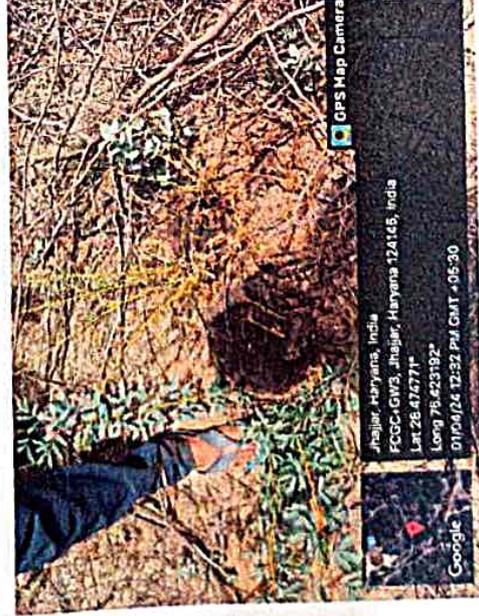
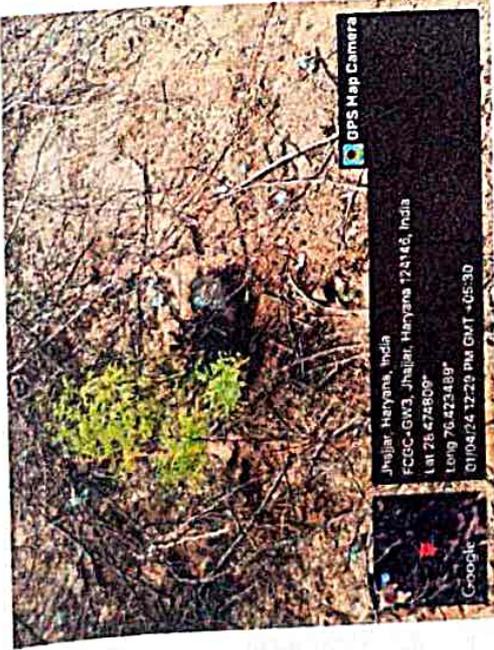
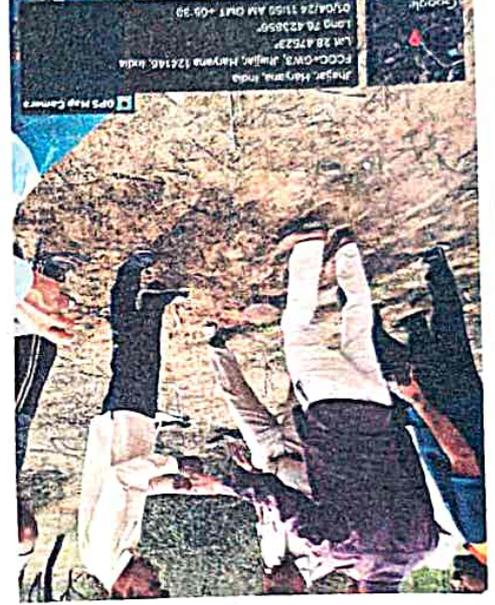
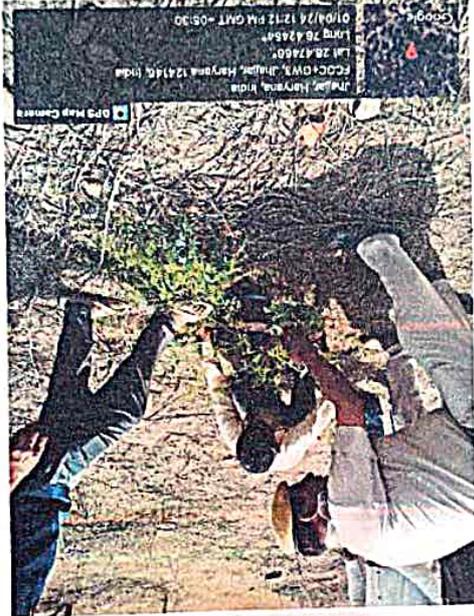
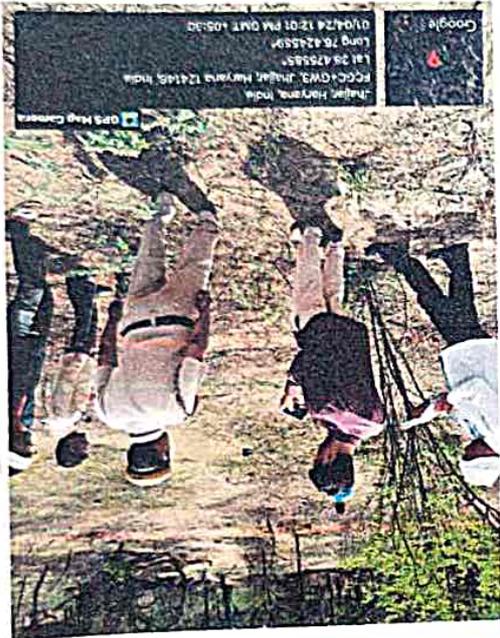
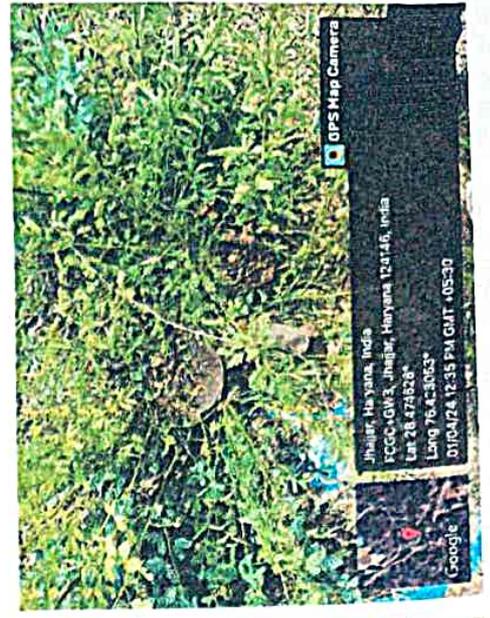
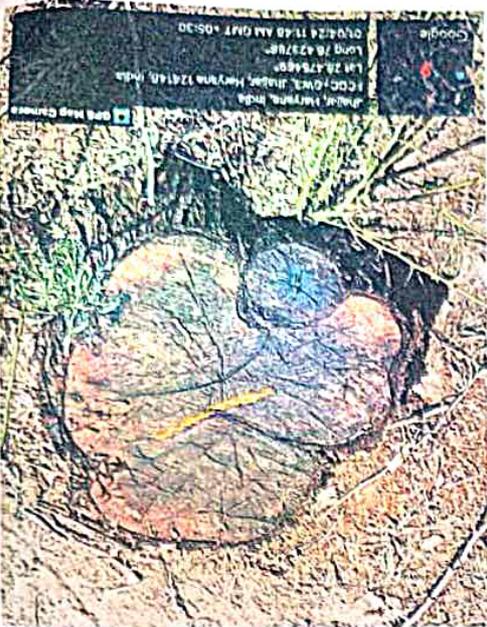


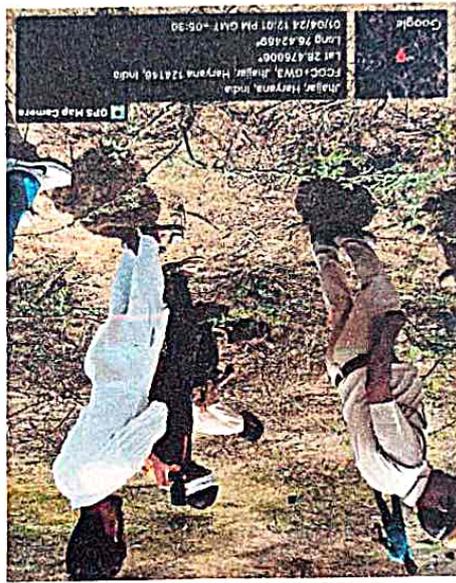
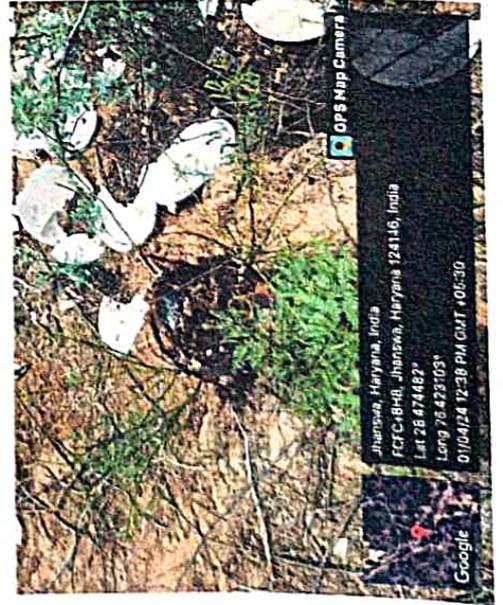
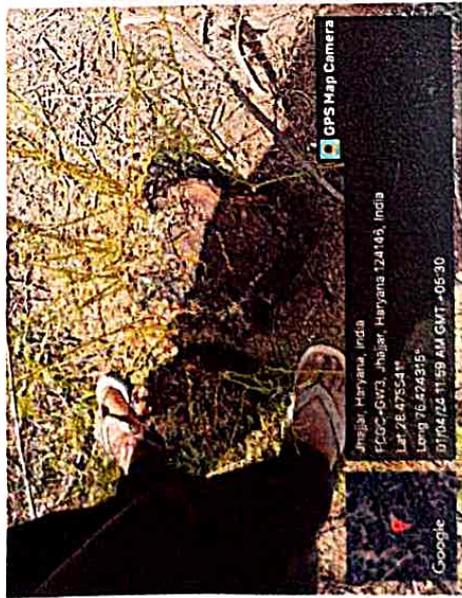
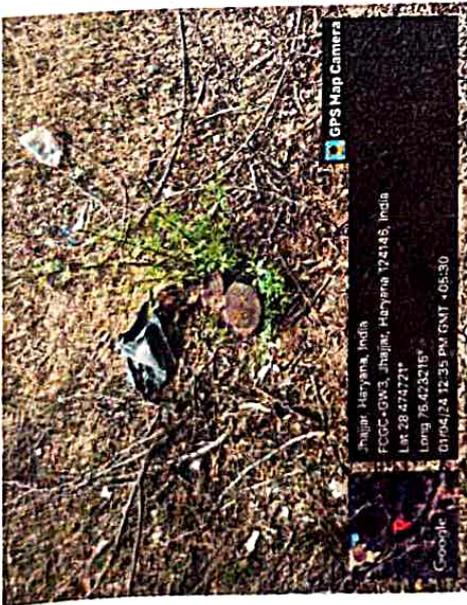


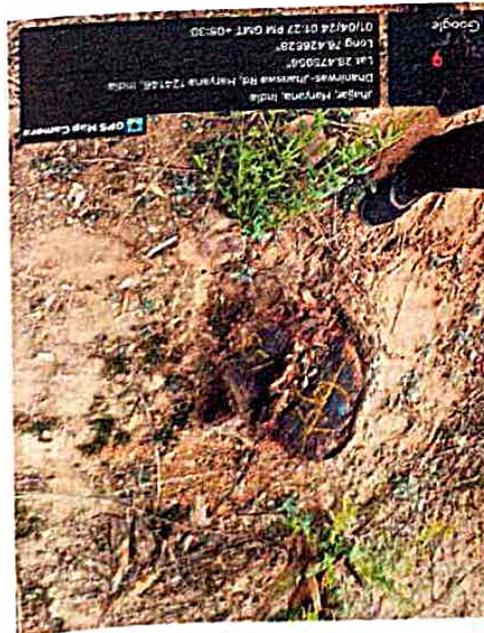
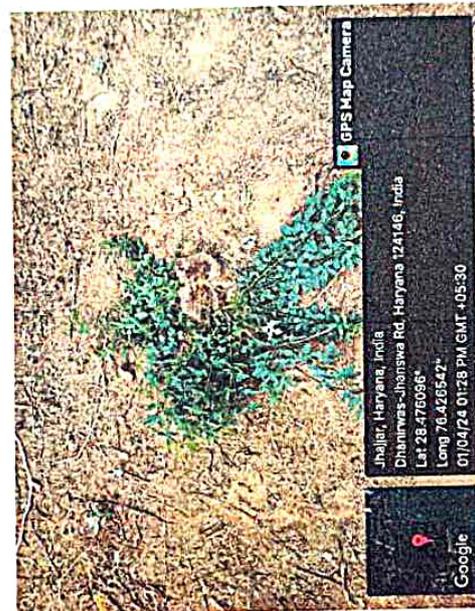
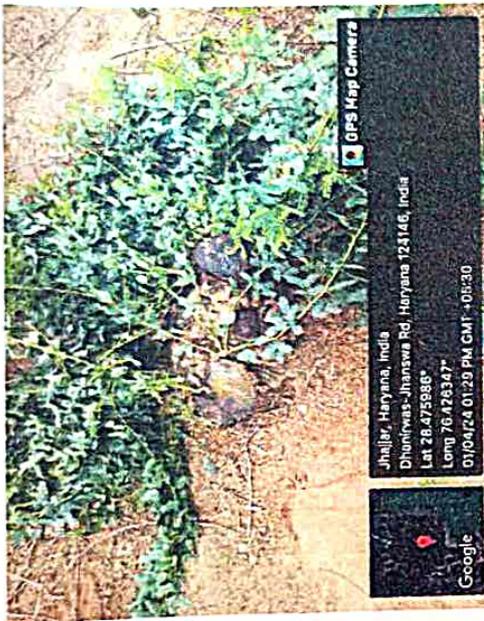
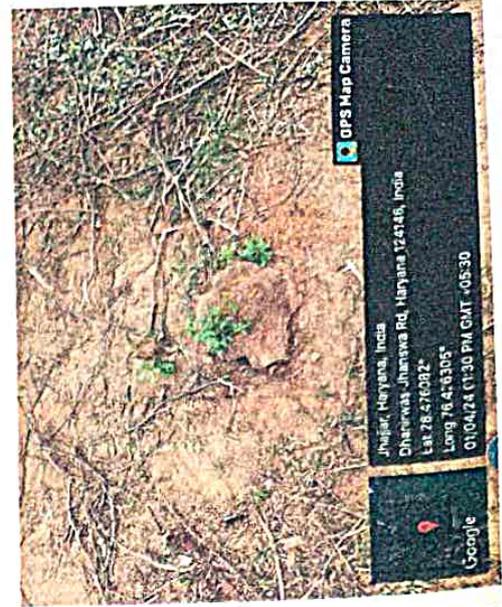
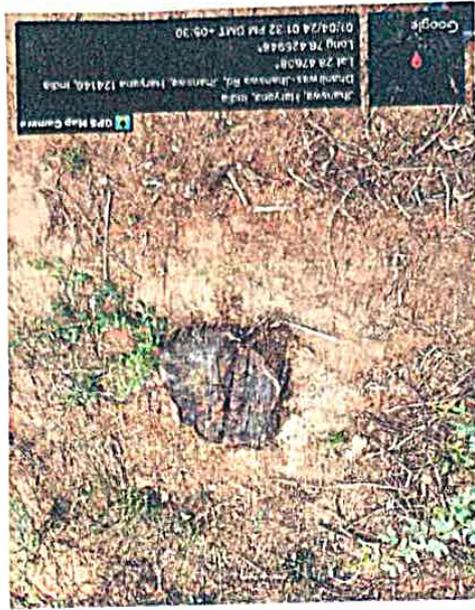
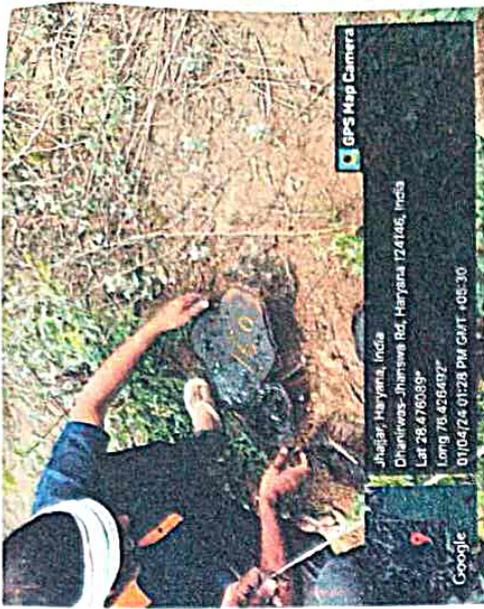


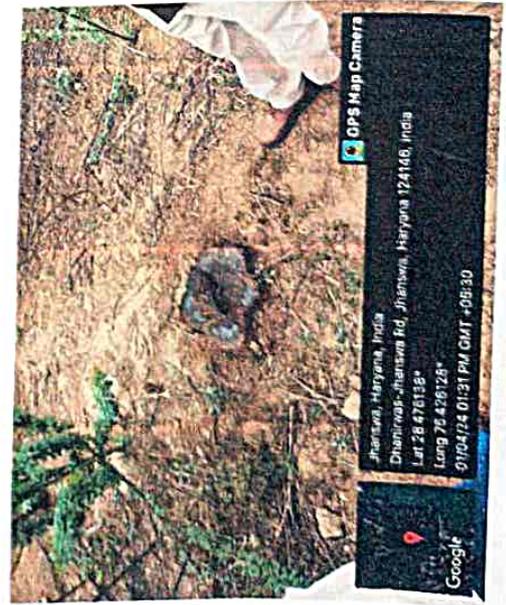
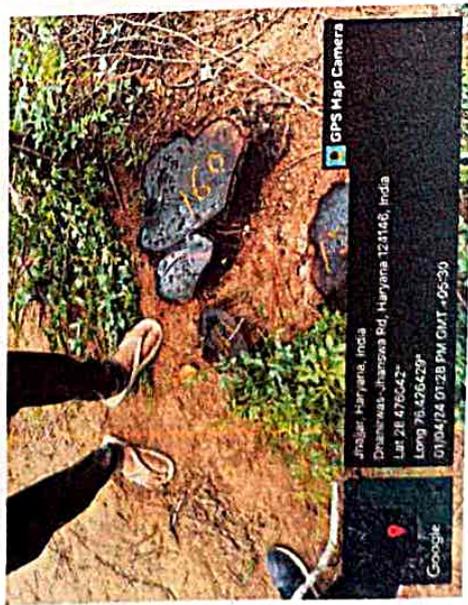
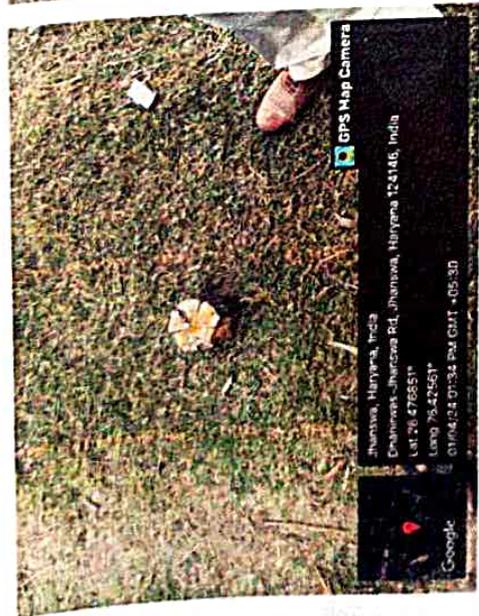
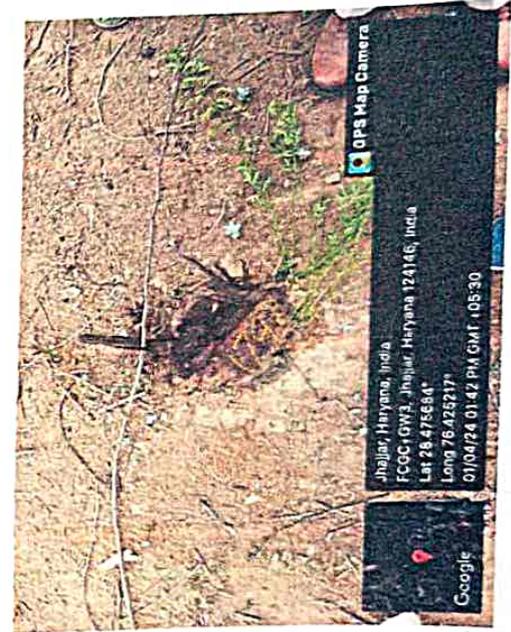
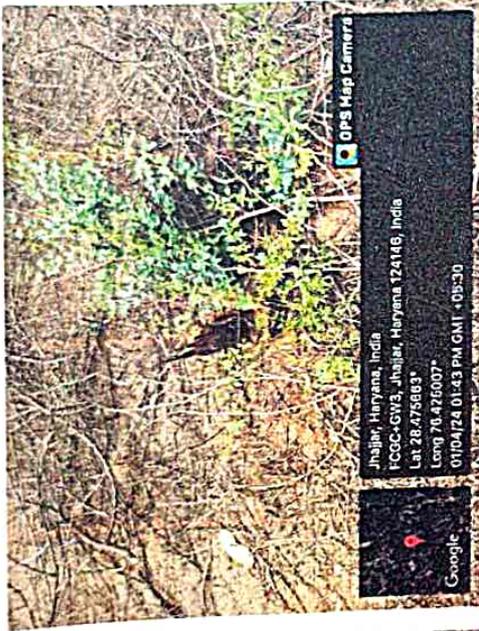
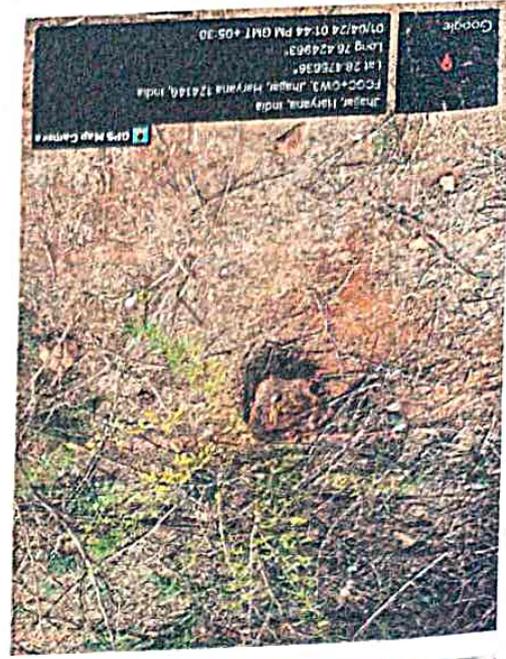
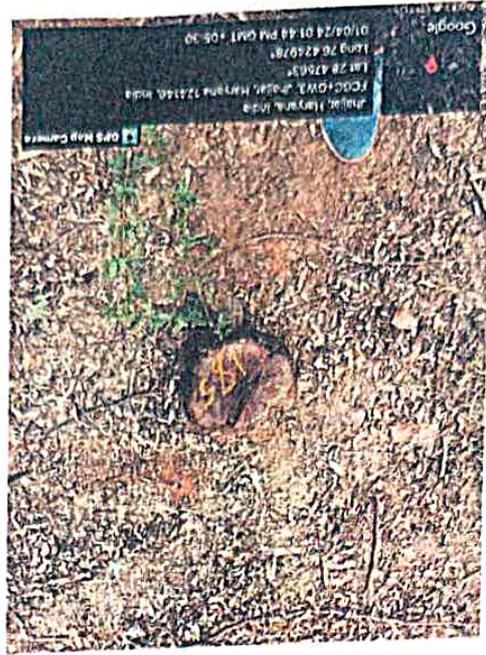
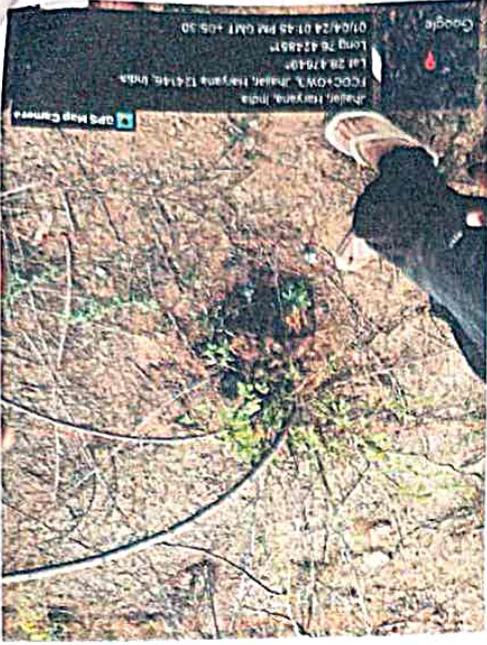


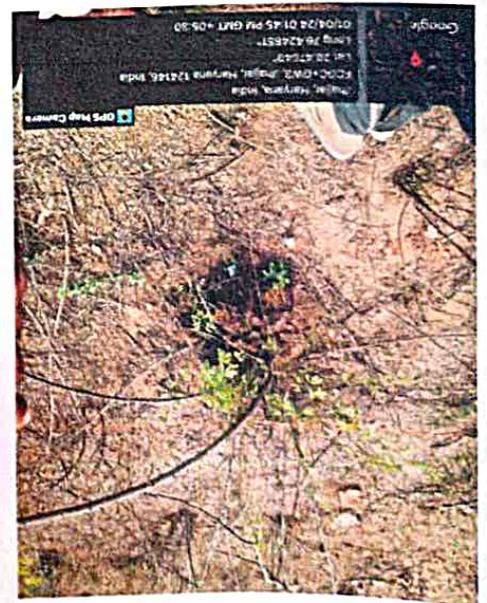
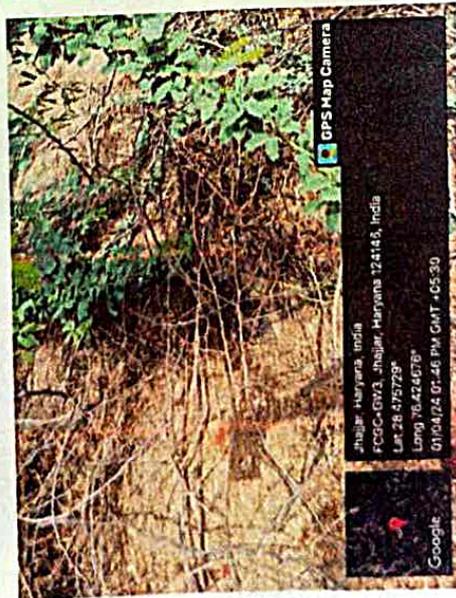
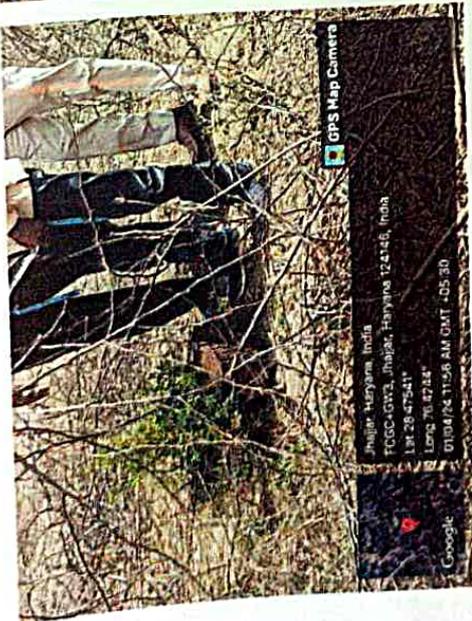
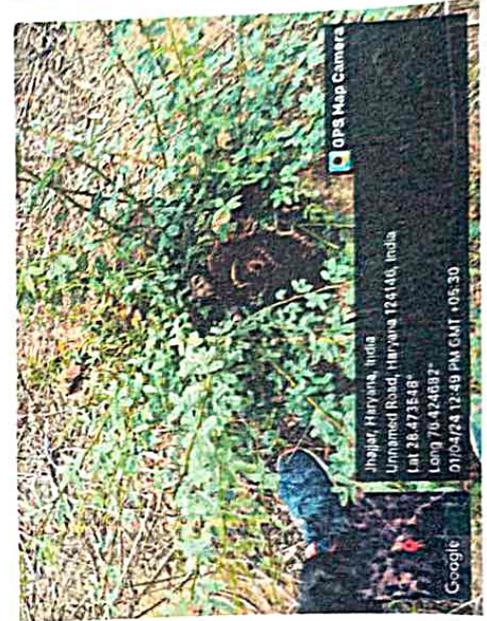
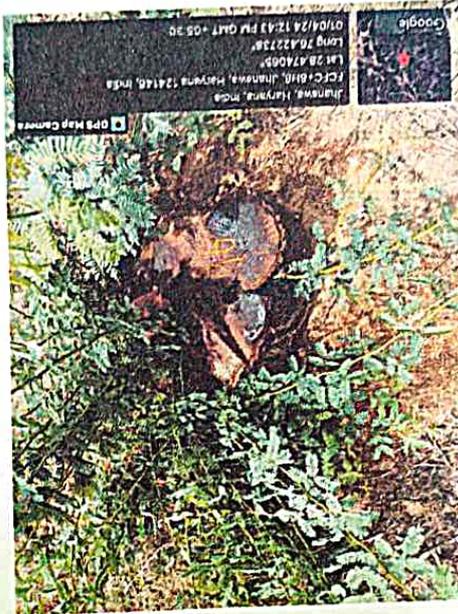
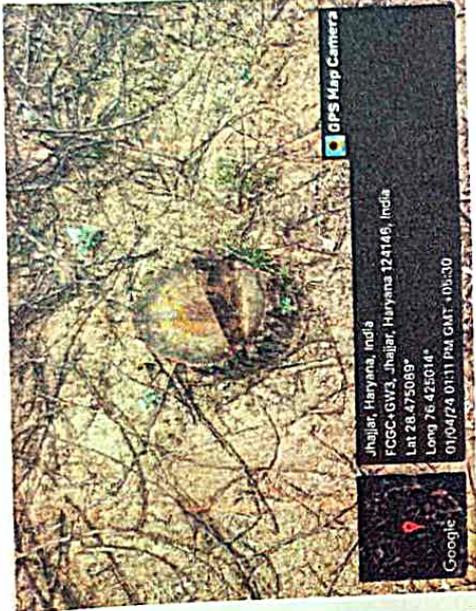
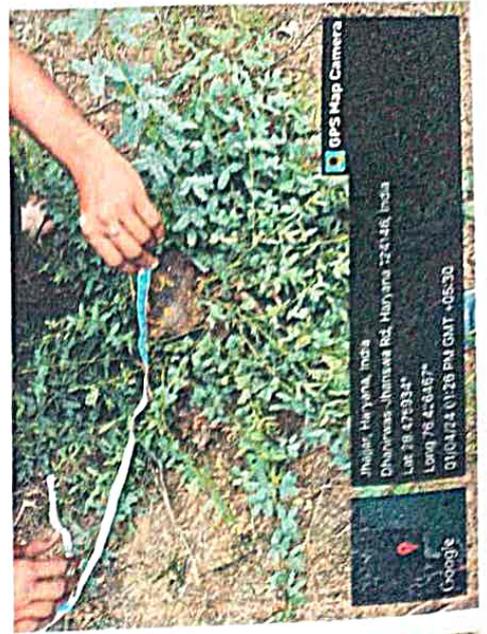
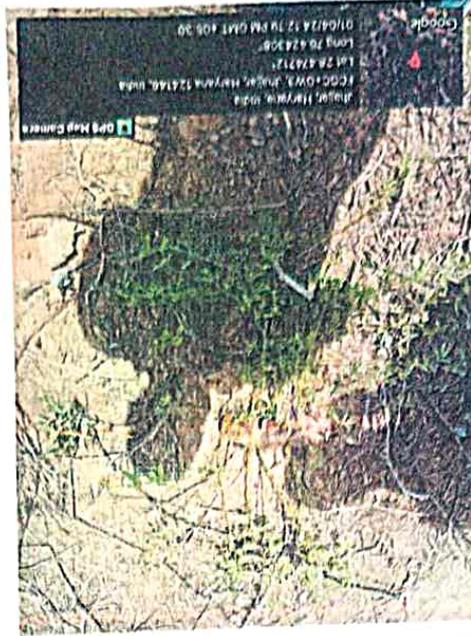


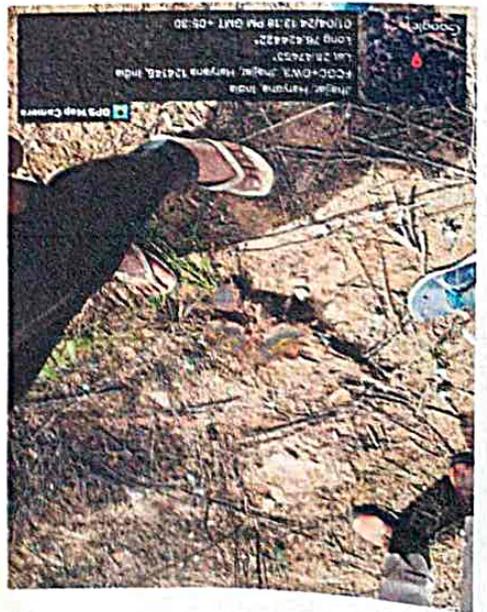
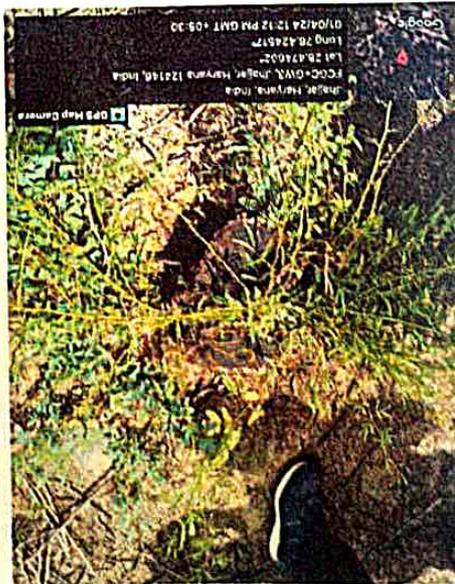
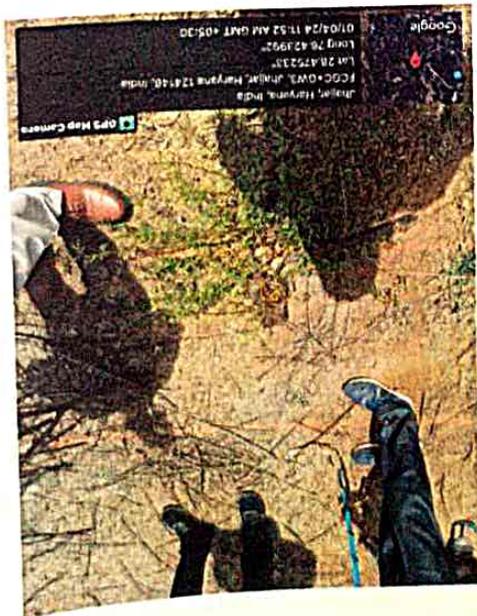
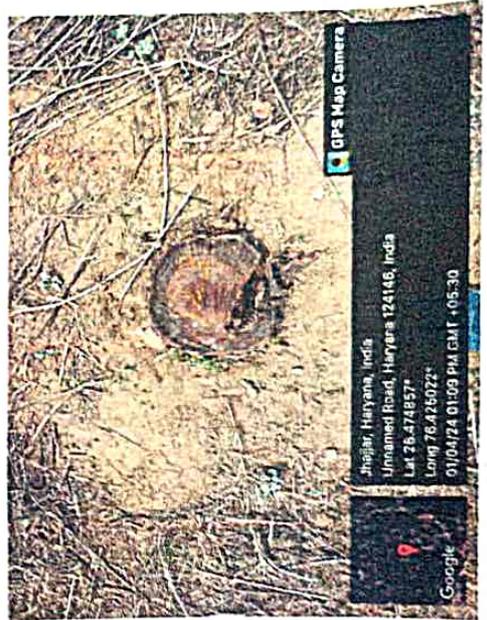
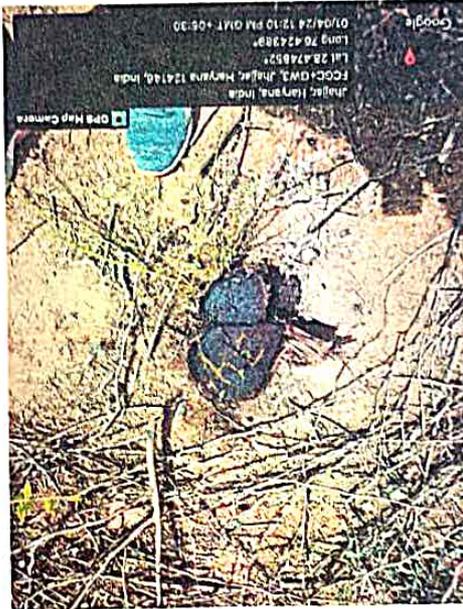
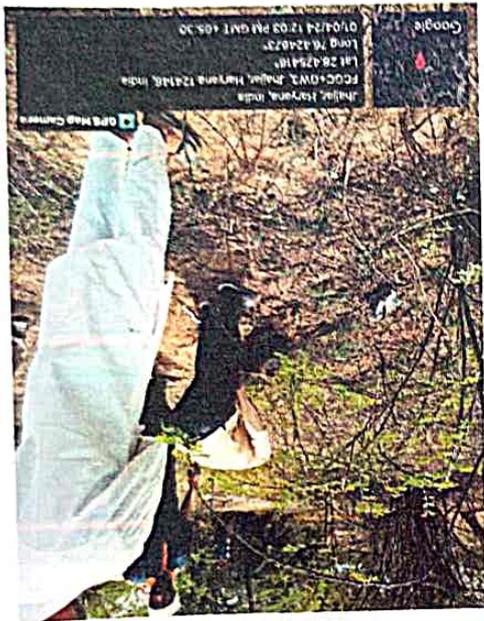
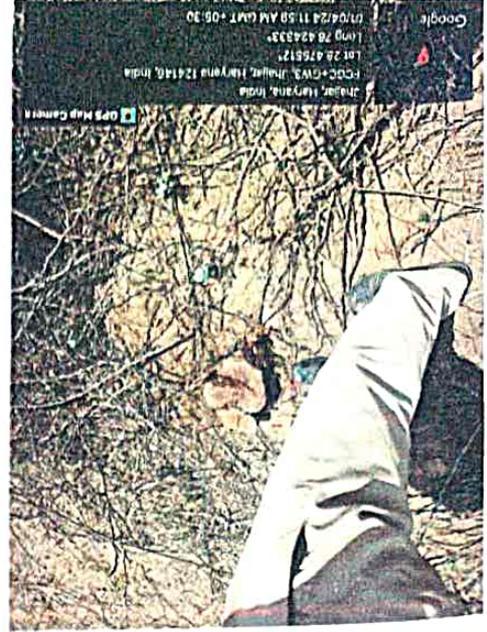
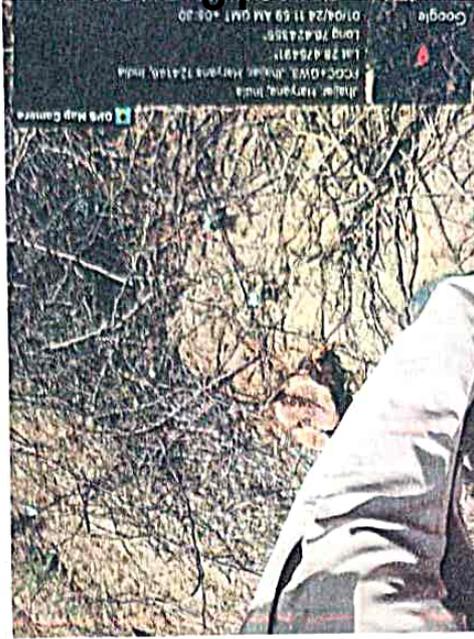
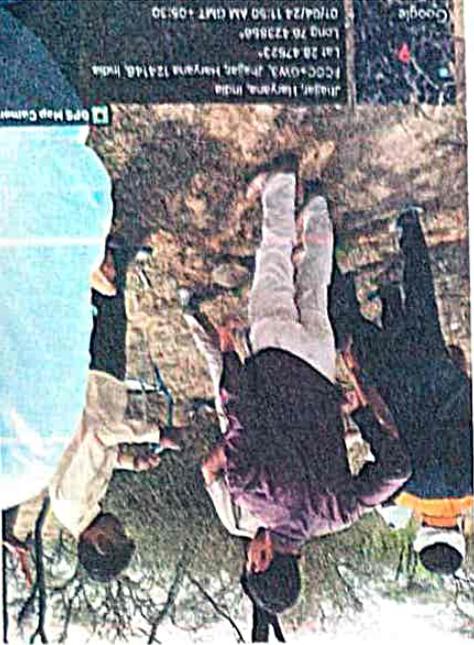


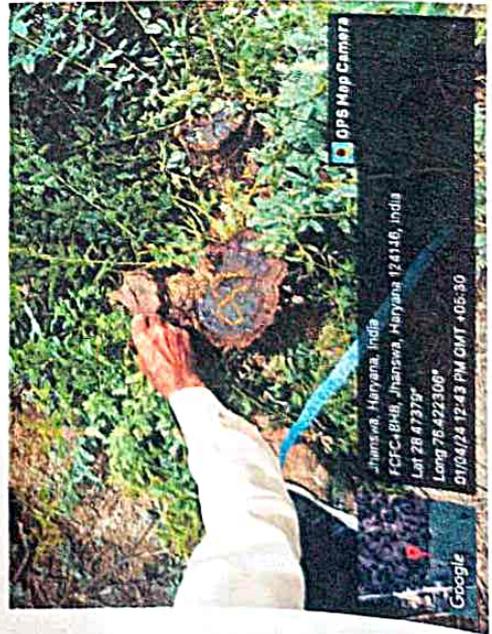
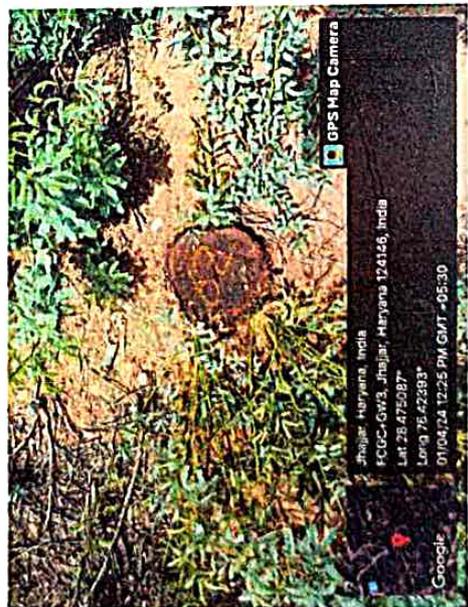
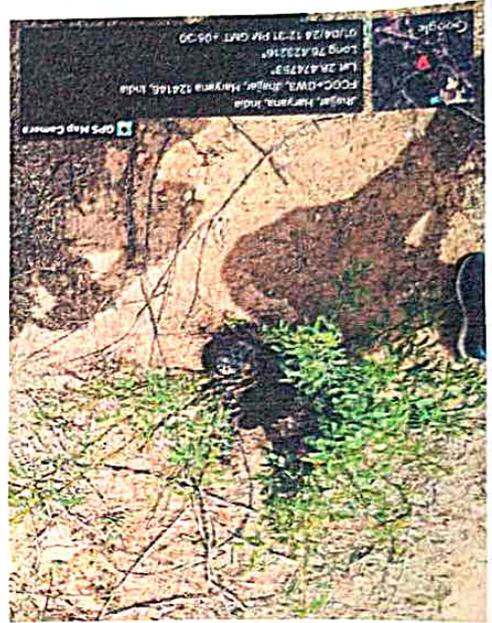
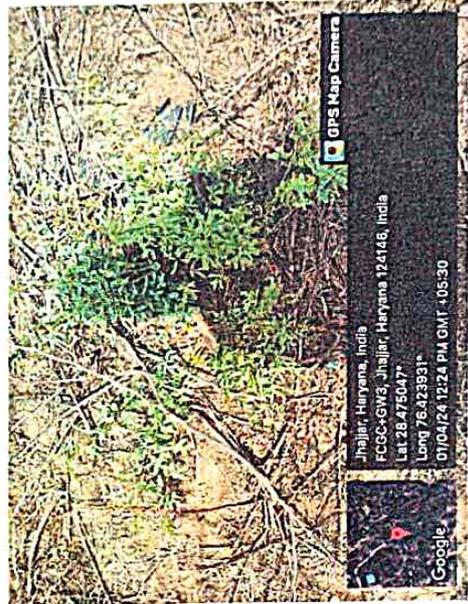
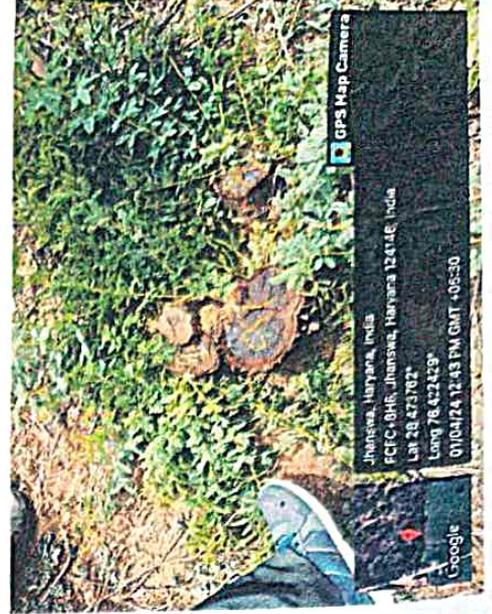
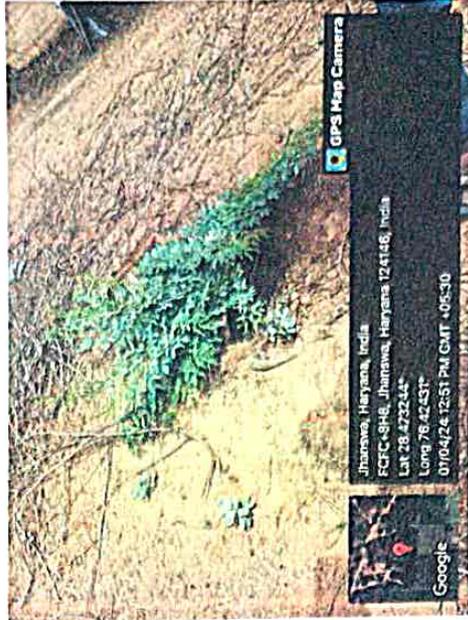
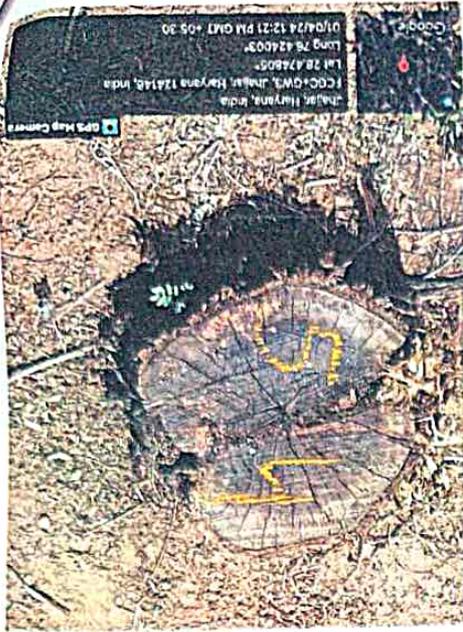


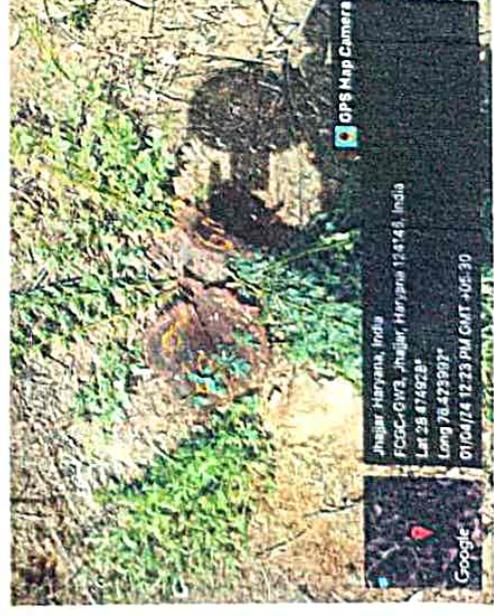
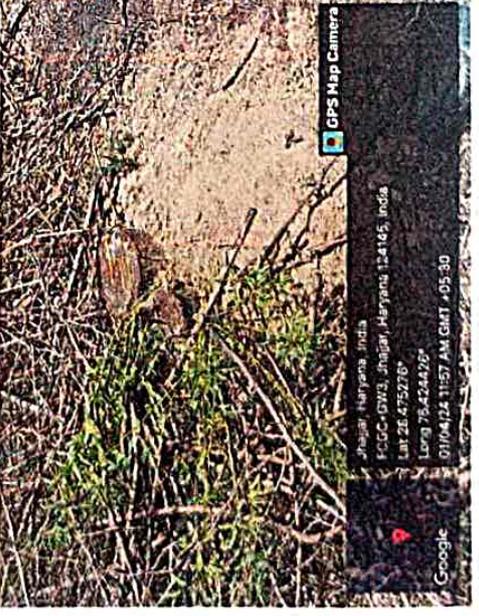
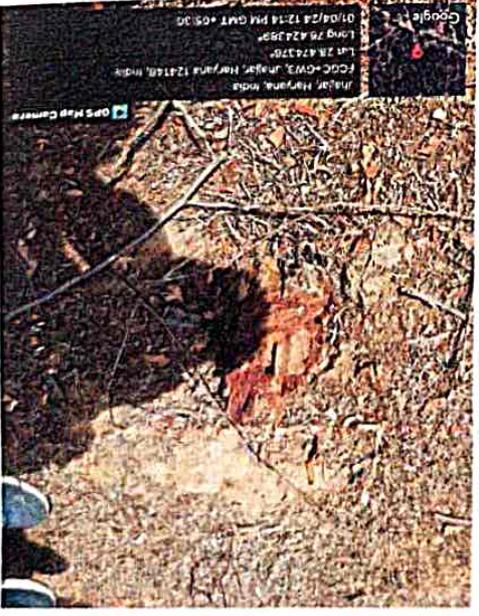
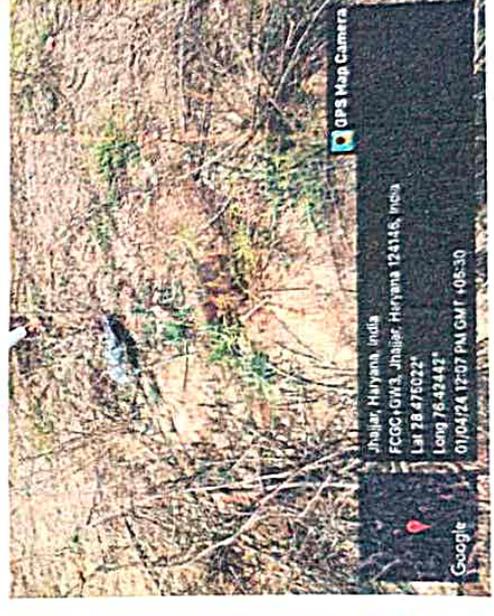
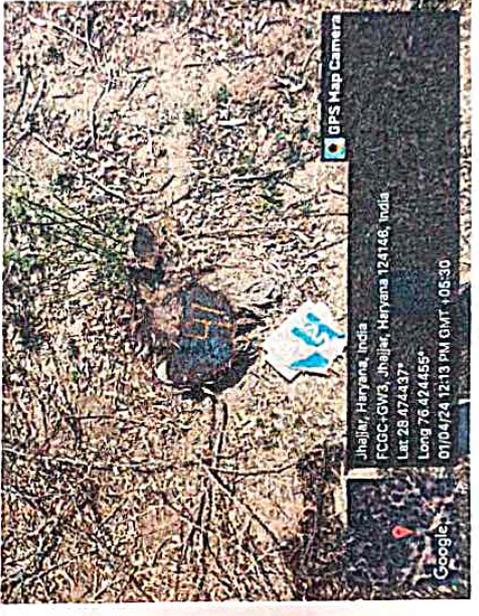
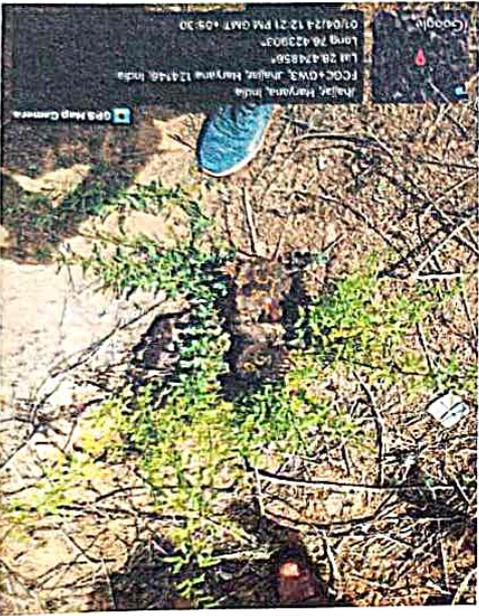
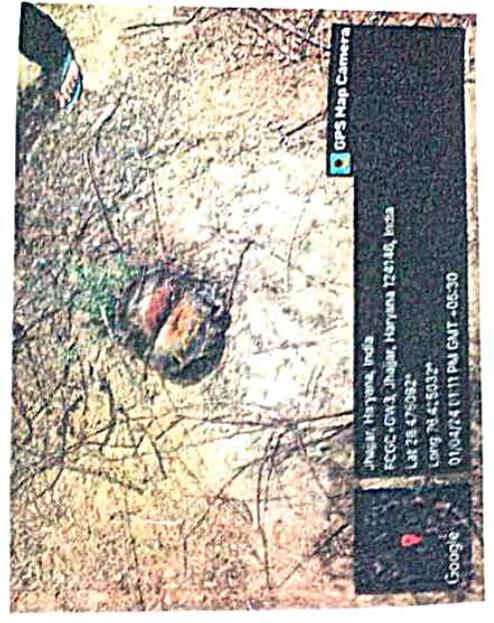
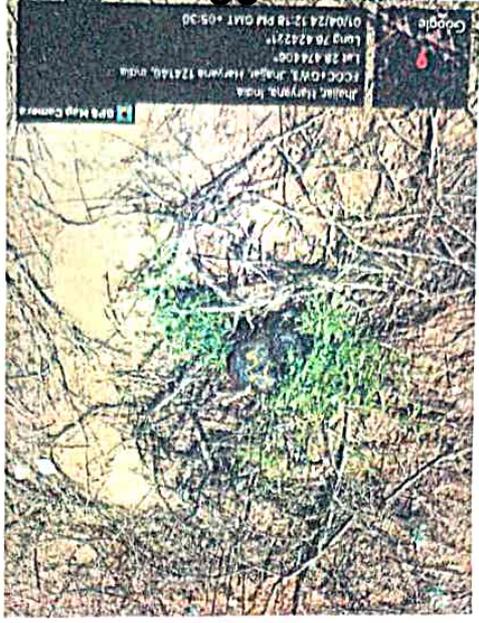
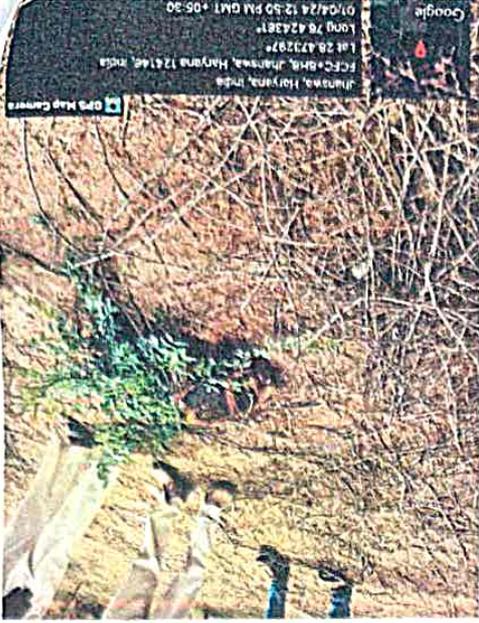












उप वन संरक्षक (क्षेत्रीय), झज्जर

नजदीक बाग जॉहआरा स्टेडियम, वन परिसर, झज्जर

दूरभाष 01251-257258 e-mail:-dfojajjar@gmail.com, dfojajjar@rediffmail.com

कमांक:- 70

दिनांक:- 9/4/24

सेवा में,

उपायुक्त,
झज्जर।

विषय:- Original application no. 119/2024 Satish Kumar Vs. MoEF and CC and Ors.

संदर्भ:- आपका पत्रांक 1333/पंचायत दिनांक 27.03.2024.

उपरोक्त विषय के संबंध में संदर्भित पत्र द्वारा मांगी गई वृक्षों की अनुमानित कीमत लगाते हुए आपको आगामी आवश्यक कार्यवाही हेतु भेजी जाती है। विवरण निम्नप्रकार से है:-

Sr.No	Species	U/S Poll Size	Class V	Class IV	Class III	Class IIA	Class IIB	Class IA	Total Trees	Volume
1	Kikar	0	4x665	0	0	1x6235	1x10550	0	6	3.35m ³
2	Misc.	1x238	80x476	72x1053	19x2750	10x4960	0	0	182	37.01m ³
	Approximate Price	238	40740	75816	52250	55835	10550	0	188	40.36m ³
Total Price = 235429										

संलग्न/वृक्षों की मार्किंग सूची

V. K. Singh
उप वन संरक्षक,
झज्जर।

राष्ट्रीय हरित प्राधिकरण मामला / अतिआवश्यक

प्रेषक

खण्ड विकास एवं पंचायत अधिकारी,
मातनहेल।

प्रेषित,

श्रीमति सरोज देवी,
सरपंच, ग्राम पंचायत झांसवा,
खंड मातनहेल।

क्रमांक 1245

दिनांक 10.04.2024

विषय:

Original Application NO. 119/2024 Satish Kumar Vs. MoEF & CC & Ors के तहत निकाली गई रिकवरी राशि जमा करवाने बारे व ग्राम पंचायत झांसवा की भूमि से काटे गए वृक्षों से तीन गुणा वृक्ष लगवाने बारे।

उपरोक्त विषय बारे उपायुक्त महोदय, झज्जर द्वारा अपने कार्यालय के पत्र क्रमांक 1713/पंचायत दिनांक 10.04.2024 द्वारा उक्त मामलें में उप वन संरक्षक(क्षेत्रीय), झज्जर के पत्र क्रमांक 70 दिनांक 09.04.2024 द्वारा ग्राम पंचायत झांसवा में अवैध रूप से काटे गए 188 वृक्षों की अनुमानित कीमत 2,35,429/-रु० की भरपाई श्रीमति सरोज देवी, सरपंच ग्राम पंचायत झांसवा से करने व अवैध कटाई से हुए पर्यावरण नुकसान की पूर्ति के लिए श्रीमति सरोज देवी, सरपंच ग्राम पंचायत झांसवा से अपने निजी खर्च से ग्राम पंचायत झांसवा से अवैध रूप से काटे गए 188 वृक्षों के तीन गुणा पेड़ ग्राम पंचायत की भूमि पर लगवाने के निर्देश दिए गए हैं, जिसकी पालना में आपको लिखा जाता है कि आप एक सप्ताह के अन्दर-2 दिनांक 17.04.2024 तक रिकवरी की मु० 2,35,429/-रु० की राशि ग्राम पंचायत के बचत खाता में जमा करवाकर रसीद व बैंक खाता की फोटो प्रति इस कार्यालय में जमा करवाना सुनिश्चित करें तथा पर्यावरण को हुए नुकसान की भरपाई के लिए ग्राम पंचायत झांसवा से अवैध रूप से काटे गए 188 वृक्षों के तीन गुणा पेड़(564 पेड़) अपने निजी खर्च से ग्राम पंचायत झांसवा की शामिल भूमि में लगवाकर Gio tagged Photographs व Videography इस कार्यालय में जमा करवाना सुनिश्चित करें।

खण्ड विकास एवं पंचायत अधिकारी,
मातनहेल।

पृ०क्रमांक: 1246-47

दिनांक 10.04.2024

इसकी एक-2 प्रति निम्नलिखित की सेवा मे सुचनार्थ प्रेषित है।

1. उपायुक्त महोदय, झज्जर।
2. जिला विकास एवं पंचायत अधिकारी, झज्जर।

खण्ड विकास एवं पंचायत अधिकारी,
मातनहेल।

प्रेषक

उपायुक्त झज्जर।

प्रेषित

श्रीमति सरोज देवी, सरपंच
ग्राम पंचायत झांसवा
खंड मातनहेल, जिला झज्जर।

क्रमांक: 1716

/पंचायत

दिनांक: 10/04/24

विषय:-

कारण बताओ नोटिस – Original Application NO. 119/2024 Satish Kumar Vs. MoEF & CC & Ors

उपरोक्त विषय बारे खंड विकास एवं पंचायत अधिकारी, मातनहेल द्वारा अपने कार्यालय के पत्र क्रमांक 1241 दिनांक 10.04.2024 द्वारा ग्राम पंचायत झांसवा की शामलात भूमि से वृक्षों की अवैध कटाई के संबंध में जांच करते हुए आपके विरुद्ध हरियाणा पंचायती राज अधिनियम 1994 की धारा 51 के तहत कार्यवाही अमल में लाने की सिफारिश की गई है, जिसकी प्रति साथ संलग्न है।

अतः आपको हरियाणा पंचायती राज अधिनियम 1994 की धारा 51 के तहत कारण बताओ नोटिस जारी करते हुए आदेश दिए जाते हैं कि आप अपना जवाब एक सप्ताह के अन्दर-2 इस कार्यालय में भिजवाना सुनिश्चित करें अन्यथा आपके विरुद्ध हरियाणा पंचायती राज अधिनियम 1994 की धारा 51 के तहत एकतरफा कार्यवाही अमल में लाई जाए।

पृ० क्रमांक: 1713

/पंचायत

a/c कृते: उपायुक्त झज्जर।

दिनांक: 10/04/24

इसकी एक प्रति अतिरिक्त प्रति सहित खंड विकास एवं पंचायत अधिकारी, मातनहेल को भेजकर निर्देश दिए जाते हैं कि पत्र की एक प्रति अपने कार्यालय के विशेषवाहक के माध्यम से श्रीमति सरोज देवी, सरपंच ग्राम पंचायत झांसवा को वितरित करवाकर उसकी पावती रसीद इस कार्यालय को भिजवाना सुनिश्चित करें।

a/c कृते: उपायुक्त झज्जर।

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