

Govt. of Punjab
Forest and Wildlife Preservation Deptt.
Office of Divisional Forest Officer,
Ferozpur Road, Ludhiana
Tel. No. 0161-2550089, E-mail. ID – ludhianadfo@gmail.com

To

The Register General,
National Green Tribunal,
Principal Bench, New Delhi.

No.: 7722

Dated: 09.10.2023

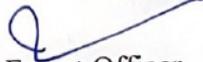
**Subject:- Original Application no. 257/2023 Balbir Dass Vs State of Punjab
(For taking action against Sarpanch Parminder Singh of Village
Kaddon, Tehsil Payal, Distt. Ludhiana, Punjab for cutting trees
illegally and without permission from Panchayati Land of Village
Kaddon, Tehsil Payal, Distt. Ludhiana.**

On the above mentioned subject, the Hon'ble National Green Tribunal, New Delhi in OA No. 257/2023 vide order dated 28.04.2023 has directed the Divisional Forest Officer, Ludhiana to look into the matter, take remedial action and file an action report to the Hon'ble National Green Tribunal within two months.

As per the orders of the Hon'ble National Green Tribunal, a Joint Committee of District Development and Panchayat Officer Ludhiana, Divisional Forest Officer, Ludhiana and Sub Divisional Magistrate, Payal submitted its report to the Hon'ble Deputy Commissioner, Ludhiana (M.A. Branch) vide his letter no.255/S.S. dated 27.06.2023.

Report is enclosed herewith in the form of PDF/OCR format.

Encl: Report.


Divisional Forest Officer,
Ludhiana Forest Division,
Ludhiana.

Report regarding Original Application no. 257/2023 Balbir Dass Vs State of Punjab (For taking action against Sarpanch Parminder Singh of Village Kaddon, Tehsil Payal, Distt. Ludhiana, Punjab for cutting trees illegally and without permission from Panchayati Land of Village Kaddon, Tehsil Payal, Distt. Ludhiana.

1. That the Hon'ble National Green Tribunal in its order passed dated 25.04.2023 the operative part is reported as

"We constitute a joint committee comprising District Forest Officer, Ludhiana and District Magistrate, Ludhiana who shall look into the matter, visit the site, collect relevant information and if it finds violation, would take appropriate remedial action including, preventive and punitive action (including assessment of environmental compensation) within two months.

The nodal agency will be District Forest officer, Ludhiana for coordination and compliance."

2. That the Sub Divisional Magistrate, Payal, Distt. Ludhiana vide his office letter no. 114-117 dated 13.06.2023 in (response of the letter of Hon'ble Deputy Commissioner, Ludhiana no. 8155-58/M.A. dated 13.06.2023) sought field report from the concerned officers after visiting the site on ground.
3. That the Joint Committee of DDPO, Ludhiana, DFO Ludhiana and SDM Payal submitted its report to the Hon'ble Deputy Commissioner, Ludhiana (M.A. Branch) vide his letter no.255/S.S. dated 27.06.2023 as (Annexure-1).

"Regarding the above mentioned subject, it is submitted that as per the orders of National Green Tribunal Principal Bench, New Delhi, a committee comprising of Sub-Divisional Magistrate Payal, District Development and Panchayat Officer Ludhiana and District Forest Officer Ludhiana was constituted. The committee inquired into the complaint.

The applicant Mr. Balbir Das S/o Mall Das, resident of village Kaddon submitted a written request on 06/07/2022 to D.D.P.O. office that inquiry of his application should be conducted by an officer outside the Payal Constituency. District Development and Panchayat Officer, Ludhiana sent the complaint to the

Block Development and Panchayat Officer Khanna, "On the basis of the statements given by the Sarpanch Gram Panchayat, Kaddon, Gram Sabha Member President, Sports Club etc., the responsibility of cutting trees has been taken by the officials of the Sports Club. The allegation made by the complainant is not correct. In this regard, the Panchayat Secretary has reported that according to the records, no trees have been cut or sold by the Gram Panchayat Kaddon. Neither has any fraud been committed. The complainant could not present any sufficient evidence that the said trees were cut 2 years ago by Mr. Parminder Singh Sarpanch, Gram Panchayat Kaddon. If the complainant had filed a complaint at the time of cutting the tree, action could have been taken as per the rules. But 2 years have already passed and no evidence could be found. The said passage is paved with interlocking tiles".

After this, District Development and Panchayat Officer Ludhiana vide letter number 20031 dated 30.11.2022 sent a report to the Director Rural Development and Panchayat Department that, "Parminder Singh Sarpanch Gram Panchayat Kaddon Block Doraha trees has violated directions of Hon'ble National Green Tribunal. Despite the complete ban on the cutting of trees, he has made himself guilty after cutting the trees without permission. Therefore, it is not in the public interest for the Sarpanch to remain in his post. Therefore, it is recommended to take action against Mr. Parminder Singh Sarpanch, Gram Panchayat Kaddon, Block Doraha under Section 20 of the Punjab Panchayati Raj Act, 1994."

On the basis of the above report, Director Rural Development and Panchayat Department vide order number 6/27/22-Ludhi-S/2513-16 dated 31.03.2023 suspended Shri Parminder Singh Sarpanch Gram Panchayat Kaddon from the post of Sarpanch. His regular inquiry has been marked to the Additional Deputy Commissioner (Rural Development) Ludhiana which is under process. Apart from this, Parminder Singh Sarpanch (under suspension) has appealed against his suspension orders in court of Financial Commissioner, Rural Development and Panchayat Department.

As per the District Forest Officer the place where tree have been cut falls under jurisdiction of Gram Panchayat Village Kaddon. At this moment, there are no trees /stumps available on the spot due to which assessment in not possible.

Apart from this, there are no instructions regarding imposing Environment Compensation Clause at this spot.

Conclusion:- The Committee has come to the conclusion that after preliminary investigation of the complaint, Director Rural Development and Panchayat Department has already suspended Mr. Parminder Singh Sarpanch Gram Panchayat Kaddon vide order dated 31.03.2023 and his regular inquiry is being conducted by the Additional Deputy Commissioner (Rural Development). As far as Assessment of Environment Compensation is concerned, there are no trees on the spot/any other evidence from which the assessment could be done. Apart from this, there are no instructions regarding imposition of Environment Compensation at this spot.

The report is submitted for kind perusal please. ”

4. That on the said area and near by areas on which 40 Eucalyptus trees were cut down, 112 sapling of different species have been planted to compensate the Environment loss photographs attached and report of Range officer, Doraha (Annexure-2R).
5. That in view of the report of committee the order of the Hon'ble National Green Tribunal gets compliance with.


Divisional Forest Officer,
Ludhiana Forest Division,
Ludhiana.

Annexure-1

Office Sub Divisional Magistrate Payal (District Ludhiana)

(email :sdmpayal@gmail.com, phone: 01628-276892)

To,

Hon'ble Deputy Commissioner,
Ludhiana (MA Branch).

No. 255/म.म. Date: 27/06/2023

Subject:- OA No. "Regarding 257/2023.

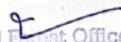
Reference:- Regarding letter No. 8155-58/MA dated 13.06.2023 of Office Deputy
Commissioner Ludhiana (MA Branch).

Regarding the above mentioned subject, it is submitted that as per the orders of National Green Tribunal Principal Bench, New Delhi, a committee comprising of Sub-Divisional Magistrate Payal, District Development and Panchayat Officer Ludhiana and District Forest Officer Ludhiana was constituted. The committee inquired into the complaint.

The applicant Mr. Balbir Das S/o Mall Das, resident of village Kaddon submitted a written request on 06/07/2022 to D.D.P.O. office that inquiry of his application should be conducted by an officer outside the Payal constituency. District Development and Panchayat Officer, Ludhiana sent the complaint to the Block Development and Panchayat Officer Khanna for investigation vide letter No. 5600 dated 13-10-2022. As per report of BDPO Khanna, "On the basis of the statements given by the Sarpanch Gram Panchayat, Kaddon, Gram Sabha Member President, Sports Club etc., the responsibility of cutting trees has been taken by the officials of the Sports Club. The allegation made by the complainant is not correct. In this regard, the Panchayat Secretary has reported that according to the records, no trees have been cut or sold by the Gram Panchayat Kaddon. Neither has any fraud been committed. The complainant could not present any sufficient evidence that the said trees were cut 2 years ago by Mr. Parminder Singh Sarpanch, Gram Panchayat Kaddon. If the complainant had filed a complaint at the time of cutting the tree, action could have been taken as per the rules. But 2 years have already passed and no evidence could be found. The said passage is paved with interlocking tiles".

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Attested


Divisional Forest Officer,
Ludhiana Forest Division
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— Sd —
District Development and
District Panchayat Officer
Ludhiana

— Sd —
Forest Officer
Ludhiana

— Sd —
Sub Divisional Magistrate
Payal

Attested


Divisional Forest Officer,
Ludhiana Forest Division
LUDHIANA.

Annexure - 2R




Divisional Forest Officer,
Ludhiana Forest Division
LUDHIANA.

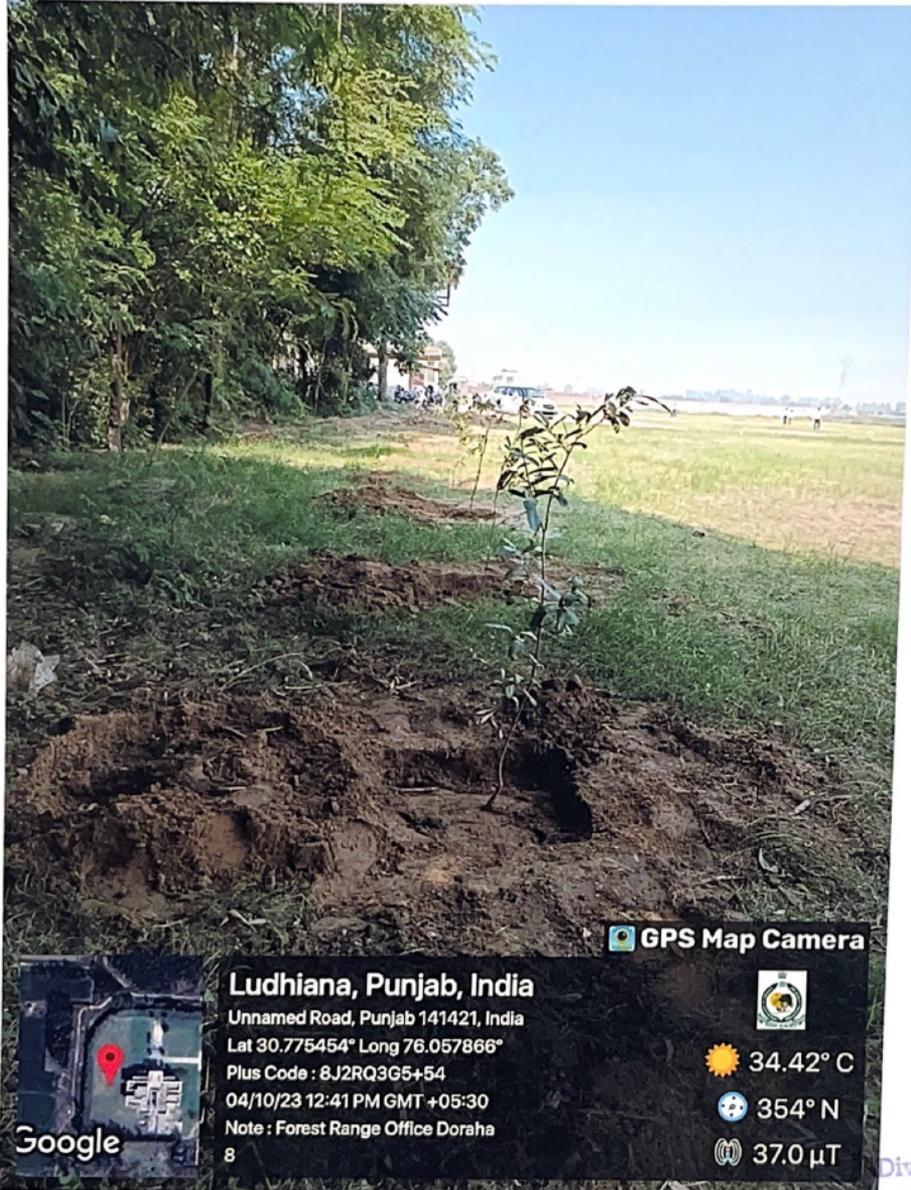


Oct 4, 2023, 13:07



Divisional Forest Officer
Ludhiana Forest Division
LUDHIANA.

04/10/2023 13:21



[Signature]
Divisional Forest Officer,
Ludhiana Forest Division
LUDHIANA.