

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 1014/2024

(Revived vide Order dated 08.10.2025)

Satbir Kichhana

...Applicant

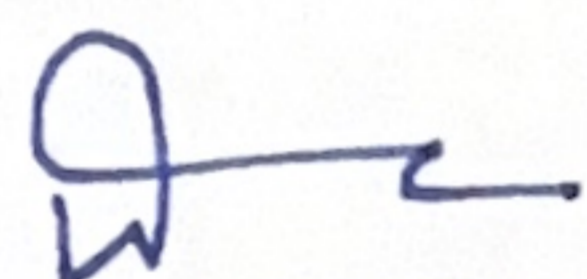
Versus

State of Haryana & Ors.

...Respondents

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**ESTATE OFFICER
HSVP, KAITHAL**

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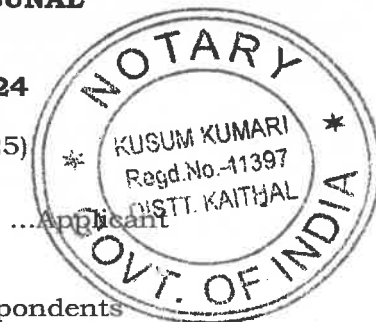
(Revived vide Order dated 08.10.2025)

Satbir Kichhana

Versus

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...Respondents



REPLY AFFIDAVIT ON BEHALF OF THE RESPONDENT NO. 3, HARYANA SHEHARI VIKAS PRADHIKARAN (HSVP)

I, **Wakeel Ahmed**, son of Sh. Ali Mohammed, aged about 40 years, resident of Sector-9, Kaithal, presently working as Estate Officer, Haryana Shehari Vikas Pradhikaran (HSVP), Kaithal, do hereby solemnly affirm and state as under:

1. That I am the authorized representative of Respondent No. 3, i.e., Haryana Shehari Vikas Pradhikaran (HSVP), Kaithal, and am duly competent and authorized to swear this affidavit, to sign, verify and file pleadings in the present Original Application. I am well conversant with the facts of the case based on official records.
2. That I have perused the Original Application and state that the same has been drafted under my instructions. The contents thereof, insofar as they relate to Respondent No. 3, are replied to herein based on official records. Nothing material has been concealed therefrom.
3. That the annexures relied upon by Respondent No. 3 are true copies of their respective originals. That the present Affidavit is being filed in compliance with the order dated 08.10.2025 passed by this Hon'ble Tribunal, whereby the present Original Application was revived and specific responses were sought from the answering Respondent.
4. That the present Original Application has been filed alleging illegal cutting of trees and encroachment upon a green belt area in Sector-18, Kaithal. The answering Respondent categorically denies any involvement in or facilitation of any such alleged illegal activity and submits that it has acted strictly in accordance with law.

ATTESTED

KUSUM KUMARI
NOTARY, KATHAL

A. PRELIMINARY SUBMISSIONS

1. The present application has been filed alleging illegal cutting of trees and encroachment upon the green belt in Sector 18, Kaithal. Respondent No. 3 denies any involvement in or facilitation of any illegal activity within the green belt and submits that it has, at all times, acted in accordance with the law.


 ESTATE OFFICER
 HSVP, KATHAL

19 MAR 2026

2. It is most respectfully submitted that the present reply is being filed in response to the Revived Original Application No. 1014/2024 and in compliance with the directions passed by this Hon'ble Tribunal vide Order dated 08.10.2025.
3. It is humbly submitted that the Reply is being filed in response to the specific queries raised by this Hon'ble Tribunal in its Order dated 08.10.2025 regarding: (a) encroachments on the green belt; (b) The present status of the green belt; (c) plantation carried out in the green belt; and (d) the agency maintaining the green belt.

The relevant part of the order dated 08.10.2025 passed by this Hon'ble Tribunal is produced herein,

"2. The applicant raised grievances against illegal cutting of trees from green belt and also encroachment on the green belt in question.

3. The above said O.A. was disposed of vide order dated 19.11.2024 by constituting a Joint Committee comprising of Divisional Forest Officer, Kaithal; District Magistrate, Kaithal; and, Haryana State Pollution Control Board with direction to collect relevant information and if it found any violation of environmental laws, to take appropriate preventive, prohibitive, punitive and remedial action in accordance with law within two months and to submit a compliance report with Registrar General of this Tribunal, who was given liberty to place the matter before appropriate Bench if further orders were considered to be necessary.


4. In compliance thereof, report dated 30.07.2025 of the Joint Committee was filed. In its report the Joint Committee has mentioned that no trees have been cut from the site in question. However, the Joint Committee has not looked into the averments regarding encroachments on green belt and has also not reported about the present status of green belt, plantation which has been carried out in the green belt and also about the agency which is maintaining the green belt.

5. Considering further orders to be necessary, the report has been treated as Misc Application in Disposed of Cases No. 118/2025 In Original Application No. 1014/2024 and listed for further orders.

6. In view of the facts and circumstances of the case, we consider it necessary to have the response from (1) State of Haryana through District Magistrate, Kaithal, (2) Divisional Forest Officer, Kaithal, (3) Estate Officer, HSVP, Kaithal, (4) Executive Officer, Municipal Council, Kaithal and (5) Regional Officer, HSPCB, Kaithal who are impleaded as respondents no. 1 to 5 and O.A No. 1014/2024 is revived for further adjudication of the questions involved in the case and Misc Application in Disposed of Cases No. 118/2025 is disposed of accordingly."

B. FACTUAL BACKGROUND - LAND DETAILS

4. The disputed land pertains to Sector 18, Kaithal, comprised in Khasra Nos. 10//23 and 10//24 (min.). The relevant land acquisition history is as follows:

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 KUSUM KUMARI
 NOTARY, KAITHAL


19 MAR 2026


 ESTATE OFFICER
 HSVP, KAITHAL

- a) Khasra No. 10//23: Total land measuring 7 Kanals 8 Marlas was notified under Section 4 vide notification dated 19.07.2002 and under Section 6 vide notification dated 17.07.2003 for 5 Kanals 3 Marlas. Vide Award No. 4 dated 16.07.2005, land measuring 5 Kanals 3 Marlas was acquired. Subsequently, vide Government letter No. 6564 dated 16.08.2005, the entire acquired land measuring 5 Kanals 3 Marlas was released.
- b) Khasra No. 10//24: Total land measuring 7 Kanals 18 Marlas was notified under Section 4 vide notification dated 19.07.2002 and under Section 6 vide notification dated 17.07.2003 for 7 Kanals 8 Marlas. Vide Award No. 4 dated 16.07.2005, land measuring 7 Kanals 8 Marlas was acquired. Subsequently, vide Government letter No. 6564 dated 16.08.2005, land measuring 4 Kanals 8 Marlas was released. Consequently, the remaining land measuring 3 Kanals 0 Marlas stands acquired with HSVP, Kaithal.
5. Out of the land comprised in Khasra No. 10//24, the land measuring 3 Kanals belonging to HSVP, Kaithal, does not form part of the Green Belt. The said land has been earmarked for Residential and Nursing Home purposes in accordance with the approved layout plan/sector development plan of HSVP. A true copy of the digital demarcation plan of the village Pati Gadar, Kaithal is annexed herewith and marked as **ANNEXURE R-1**.

C. RESPONSE TO SPECIFIC QUERIES OF THIS HON'BLE TRIBUNAL

6. It is respectfully submitted that no trees have been cut from the land measuring 3 Kanals in Khasra No. 10//24 belonging to HSVP, Kaithal. This position is consistent with the findings of the Joint Committee Report dated 30.07.2025.
7. It is further submitted that there are no encroachments by or through the HSVP in any manner. The land vested with HSVP, Kaithal (3 Kanals in Khasra No. 10//24) is earmarked for Residential and Nursing Home purposes as per the approved Sector 18 development plan. HSVP has neither permitted nor authorised or facilitated any encroachment upon any green belt area in the vicinity. Any alleged encroachment on green belt land, if it exists, does not fall within the land owned or managed by HSVP.
8. The green belt in Sector 18, Kaithal, to the extent it falls outside the land owned by the HSVP, is not under the ownership, custody, or maintenance of HSVP. The responsibility for maintenance of the green belt, plantation therein, and removal of any encroachments thereupon would lie with the concerned agency, namely the Municipal Council, Kaithal and/or the Divisional Forest Officer, Kaithal, as the case may be. HSVP undertakes to provide any specific information with respect to its own land, if so directed by this Hon'ble Tribunal.

ATTESTED

 KUSUM KUMARI
 NOTARY, KAITHAL
 19 MAR 2026


 ESTATE OFFICER
 HSVP, KAITHAL

In light of the foregoing, facts and circumstances, Respondent No. 3 / HSVP, through the Estate Officer, Kaithal most respectfully prays that this Hon'ble Tribunal may kindly be pleased to:

- a. take a note of the factual position placed on record by the HSVP, Kaithal, and dismiss the present Original Application no. 1014/2024; and/or,
- b. pass such other order(s) as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case.

VERIFICATION


Verified and signed on this day of March, 2026 at

Verified that the contents of the above affidavit are true and correct to my knowledge and belief, and no part of the same is false or concealed therefrom.


ESTATE OFFICER
HSVP, KAITHAL


DEPONENT
ESTATE OFFICER
HSVP, KAITHAL

ATTESTED

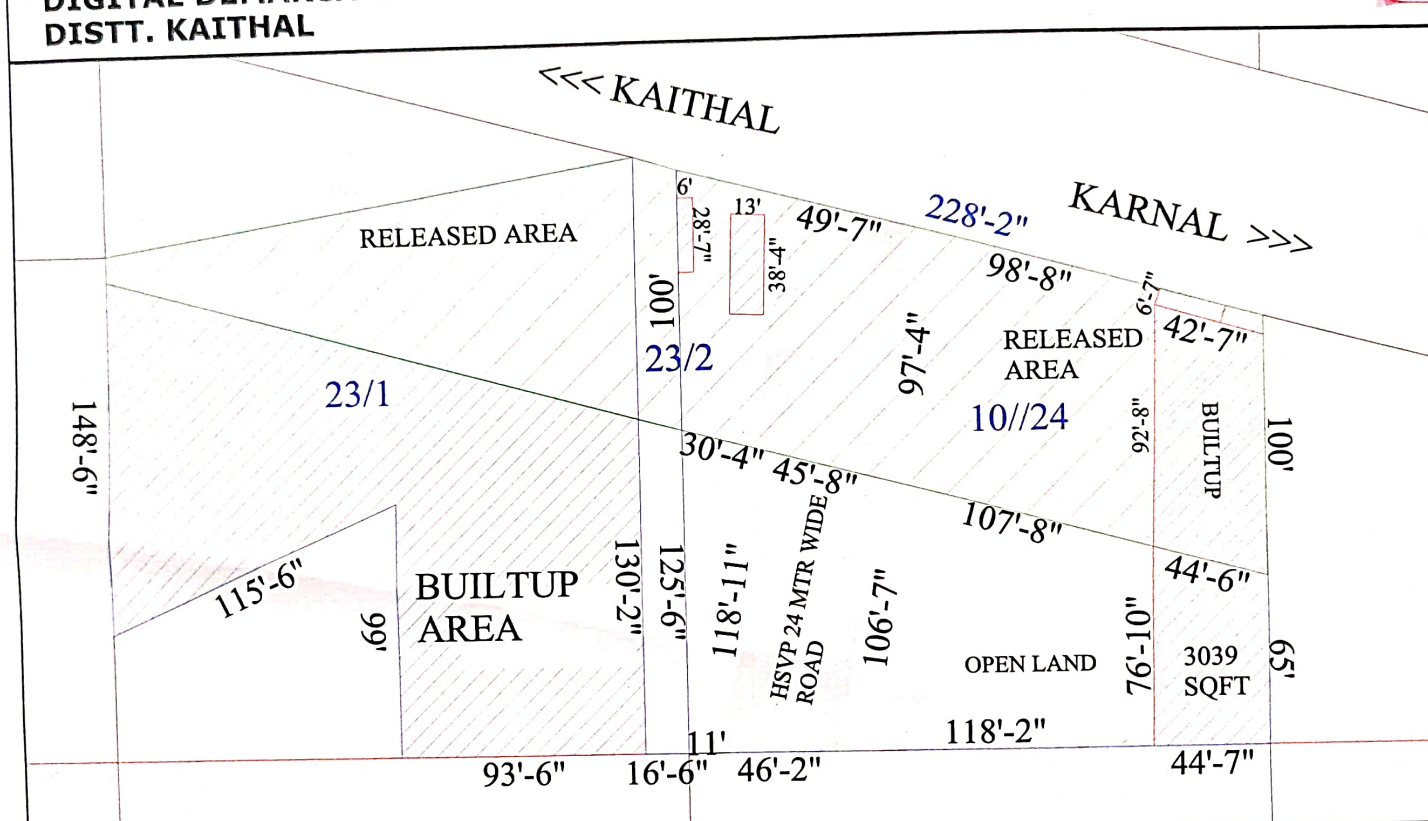

KUSUM KUMARI
NOTARY, KAITHAL

19 MAR 2026

~~certified that the above statement
declared on solemn affirmation before
me at Distt. Kaithal by the deponent
who is identified by SP~~

KUSUM KUMAR,
NOTARY KAITHAL

DIGITAL DEMARCATION PLAN OF VILLAGE PATI GADAR (KAITHAL DISTT. KAITHAL)



S.NO	PARTICULAR	SYMBOL	REFERENCE	SURVEY CONSULTANTS
1.	RELEASED LAND AFTER AWARD		1. REFERENCE BY REVENUE BURJI 55//25 SE AT VILLAGE PATTI GADAR	UNIQUE SURVEYORS & DESIGN LAND SURVEY CONSULTANT VILLAGE DAULATPUR BATTGARH NEAR GURUDAWARA SAKRI (HRY.) EMAIL:- UNIQUESURVEYOR06@gmail.com Ph. 9813779592 UNIQUE SURVEYORS DESIGN For Unique Survey and Design PRP. Partner
2.	BUILTUP AREA		2. REFERENCE BY REVENUE BURJI 9//25 SE AT VILLAGE SHERGARH	

Item No. 03

Court No. 2

**BEFORE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 1014/2024

Satbir Kichhana

Applicant

Versus

State of Haryana & Ors.

Respondents

Date of hearing: 17.12.2025

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: Applicant in person.

Respondents: Mr. Rahul Khurana, Advocate for HSPCB.

ORDER

1. The applicant- Satbir Kichhana had sent a letter petition dated 13.12.2023 to this Tribunal which was treated and registered as Original Application under Sections 14 and 15 of National Green Tribunal Act, 2010 for exercise of suo-moto jurisdiction, in view of law laid down by Supreme Court in **(2022) 13 SCC 401, Municipal Corporation of Greater Mumbai v. Ankita Singha & Ors.**

2. In the application, the applicant raised grievances regarding illegal cutting of trees from green belt and also encroachment on the green belt in question.

3. The above said O.A. was disposed of vide order dated 19.11.2024 and in compliance thereof, report dated 30.07.2025 of the Joint Committee was filed.

4. Considering further orders to be necessary, the report was treated as Misc Application in Disposed of Cases No. 118/2025 in Original Application No. 1014/2024 and listed for further orders.

5. Vide order dated 08.10.2025 respondents no. 1 to 5 were impleaded and notices were ordered to be issued to respondents no. 1 to 4.

6. As per report of the Registry, notices were sent to respondents no. 1 to 4 by email as well as by speed post and have been duly served on them.

7. Mr. Rahul Khurana, Advocate who is already appearing for respondent no. 5 has also appeared for respondents no. 1 to 4 and seeks time to file response on behalf of respondents no. 1 to 4.

8. Vide order dated 04.11.2024, this Tribunal constituted a committee comprising Divisional Forest Officer, Kaithal and Haryana Pollution Control Board with direction to collect information, take appropriate action and submit report within two months as mentioned therein.

9. However, no proper report has been filed by the Joint Committee in compliance to order dated 04.11.2024.

10. On the other hand, respondent no. 5 filed report dated 05.09.2025. The relevant part of the report reads as under:-

“As per direction issued by Hon'ble NGT in said matter a letter was sent to the The District Magistrate, Kaithal vide this office letter no. HSPCB/KAI/2025/939 dated 30.06.2025. The District Magistrate, Kaithal nominates District Municipal Commissioner, Kaithal on his behalf as member of Joint committee and Joint Committee of following Officials were constituted:

1. District Municipal Commissioner, Kaithal

2. Regional Officer, HSPCB, Kaithal

3. District Forest Officer, Kaithal

The committee was inspected the site as mentioned in the complaint on 25.07.2025 and during inspection no such activity i.e. Cutting of trees were found at site. Final joint inspection report of committee was received from the Deputy Commissioner, Kaithal vide letter No. 22192/MA dated 25.08.2025. Copy enclosed herewith.”

11. It may be observed here that by letter no. 22192/MA dated 25.08.2025 Deputy Commissioner, Kaithal had sent copy of inspection report sent by District Municipal Commissioner vide letter no. 10645/D.M.C./KTL dated 08.08.2025 to the Regional Officer, Kaithal, HSPCB. By letter no. 10645/D.M.C./KTL dated 08.08.2025, District Municipal Commissioner, Kaithal had sent copy of letter no. 2872 dated 05.08.2028 sent by Range Forest Officer, Kaithal also signed by Piyush Kumar, Scientist 'B', HSPCB, Kaithal and District Municipal Commissioner, Kaithal to Deputy Commissioner, Kaithal.

12. The above said letter cannot, by any stretch of legal vocabulary, be called a report of the Joint Committee. The above said letter also shows not only non-application of mind but also deliberate omission to refer to the averments made in the letter petition treated as original application.

13. This Tribunal had observed in order dated 08.10.2025 that the Joint Committee has not looked into the averments regarding encroachments on green belt and has also not reported about the present status of green belt, plantation which has been carried out in the green belt and also about the agency which is maintaining the green belt and issued notices to respondents no. 1 to 5 requiring them to file their responses. Despite due service, respondents no. 1 to 4 have not filed any response.

14. Reply dated 16.12.2025 has been filed by respondent no. 5- HSPCB which is nothing but a repetition of incomplete report referred to above.

15. We express strong displeasure regarding such conduct of the members of the Joint Committee and respondents no. 1 to 4 due to which the environmental issues raised remain without any redress despite expiry of more than a year.

16. In the facts and circumstances of the case, respondents no. 1 to 4 are granted adjournment for filing of their responses subject to payment of costs of Rs. 10,000/- each before the next date of hearing.

17. In view of the facts and circumstances of the case, we consider personal appearance of the District Magistrate, Kaithal, Divisional Forest Officer, Kaithal, Estate Officer, HSVP, Kaithal and Regional Officer, HSPCB, Kaithal to be essential for assisting this Tribunal in just and proper adjunction of the questions involved in the case and accordingly they are directed to remain present before this Tribunal on the next date of hearing physically with relevant record.

18. At this stage, Mr. Rahul Khurana, Advocate has made request that costs may not be imposed and the above mentioned Officers may be exempted from personal appearance and respondents no. 1 to 4 may be given one opportunity to file their responses.

19. In view of the facts and circumstances of the case noted above and also their conduct, we are not inclined to accept the submission that no costs be imposed. However, we defer the direction regarding personal appearance of the concerned officers subject to further order regarding

necessity of such personal appearance on consideration of their responses to be filed in the case.

20. We appreciate the efforts made by the applicant to raise the environmental issues by way of letter petition and also time and energy spent for appearance before this Tribunal with prayer for passing appropriate orders for requisite remediation.

21. The applicant has sought legal aid for assisting him in presentation of appropriate material for redressal of his grievances.

22. Even though the Legal Services Authorities Act, 1987 contains detailed provisions for providing legal aid to an applicant yet which of the Authorities will provide legal aid to the applicant before this Tribunal is not clearly notified by the concerned Authorities. No panel of Advocates appearing before the National Green Tribunal appears to have been prepared by the Legal Services Authorities.

23. In the facts and circumstances of the case, we appoint Mr. Shaurya Lamba, Advocate (D/2355/18) Mobile No. 9899074610, email id: shaurya.lamba13@gmail.com as legal aid counsel. His fee is fixed as Rs. 50000/- besides miscellaneous expenses shall be payable to him by HSPCB out of environmental compensation amount lying deposited with it. Half of the fee may be paid to the counsel within one month and remaining of the amount may be paid to her on conclusion of the case.

24. The Registry is directed to supply a copy of the paper book to Mr. Shaurya Lamba, Advocate within 15 days.

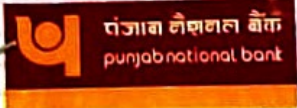
25. List on 16.02.2026 for further hearing.

26. A copy of this order may be sent to Mr. Shaurya Lamba, Advocate, Member Secretary, HSPCB for compliance and Member Secretary, Delhi State Legal Services Authority for information and looking into the matter of providing legal aid to the applicants before this Tribunal and issuing appropriate instructions in this regard.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

December 17th, 2025
Original Application No. 1014/2024
AB



जीन्द रोड, कैथल (हरियाणा) (0248)
Jind Road, KAITHAL (Haryana) 136127

VALID FOR THREE MONTHS ONLY
27 02 2026
D D M M Y Y Y Y

मांगे जाने पर ON DEMAND PAY

THE REGISTRAR, NATIONAL GREEN TRIBUNAL, NEW DELHI

या उनके आदेश पर OR ORDER

** Ten Thousand only**

रुपये RUPEES

प्राप्त मूल्य के बदले अदा करे
FOR VALUE RECEIVED ₹10,000.00**

XAA 797129

शाखा क्रमांक Branch Serial No
0001/2026

पंजाब नैशनल बैंक
punjab national bank

अदाकर्ता शाखा एवं विवरः Drawee Branch with D.No.

D.No. 2107 - FINACLE -
COPC DELHI FINACLE

Purchaser: RTGS - INTERBANK ACCOUNT

Draft is signed singly as it is for amount upto Rs. 50,000/- .
(NOT OVER Rs.10000/-)

प्राधिकृत हस्ताक्षरकर्ता जी बी पी एस
AUTHORISED SIGNATORY WITH GBPA No.

प्राधिकृत हस्ताक्षरकर्ता जी बी पी एस
AUTHORISED SIGNATORY WITH GBPA No.

⑈ 797129 ⑈ 000024000⑈

16

Subject: Submission of costs in Original Application No. 1014/2024 (Satbir Kichhana vs. State of Haryana & Ors.) in compliance with the order dated 17.12.2025.

Respected Sir/Madam,

On behalf of Respondent No. 3 (Haryana Shahari Vikas Pradhikaran - HSVP), through their undersigned advocates, we wish to submit the following:

1. That the Hon'ble Tribunal, vide its order dated 17.12.2025, was pleased to grant an adjournment to Respondents No. 1 to 4 for filing their respective responses, subject to the payment of costs of Rs. 10,000/- each.
2. That in strict compliance with the directions passed in Paragraph 16 of the said order, Respondent No. 3 (HSVP) is hereby submitting the cost of Rs. 10,000/- (Rupees Ten Thousand Only).
3. The details of the payment (Demand Draft/Electronic Transfer) are as follows:
 - o Transaction/DD No: 797129
 - o Date: 27/02/2026
 - o Bank: Punjab National Bank
 - o In Favor of: Registrar, National Green Tribunal

We request you to kindly take the same on record and acknowledge receipt.

Yours faithfully,

VARUN CHUGH
ADVOCATE
SUPREME COURT OF INDIA

DL4294/2019
SVBA:-00724

Varun Chugh

Counsel for Respondent No. 3 (HSVP)

Date: 20-03-2026

Place: New Delhi

