

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

Original Application No. 428 of 2023

I N D E X

S. No.	Particulars	Annexures No
1.	Reply by way of Affidavit of Jarnail Singh, PFS, Divisional Forest Officer, Jalandhar Forest Division, Phillaur. In Compliance of Order Dated 01/08/2023 of the Hon'ble THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI of Original Application No. 428 of 2023	

Place:- *Phillaur*.....Dated...*25-08-2023*.....

(Government Pleader)

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

In Original Application No. 428 of 2023

IN THE MATTER OF:

S.C Kaushal

Applicant.....

Versus.

1. State of Punjab
2. Deputy Commissioner Kapurthala
3. Divisional Forest Officer, Kapurthala
4. District Development and Panchayat Officer, Kapurthala
5. Sarpanch Gram Panchyat, Kapurthala
6. The Manager, Lord Krishna College

 Respondents.....

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

In Original Application No. 428 of 2023

**Reply by way of Affidavit of Sh. Jarnail Singh, PFS,
Divisional Forest Officer, Jalandhar Forest Division,
Phyllaur on behalf of respondent No 3.**

Most Respectfully showeth:

**I, the above named deponent do hereby solemnly
affirm and declare as under:-**

1. That the above mentioned OA is pending for consideration on 01/09/2023 in the Hon'ble Tribunal.
2. That this Hon'ble Tribunal Has directed to file the reply by the Forest Department vide its order Dated 01/08/2023 to the averments made in the application by the applicant S.C Kaushal.
3. That the Applicant has Submitted that Lord Krishna College has encroached upon the land measuring 10 acre 6 Kanal owned by Gram Panchyat Badshahpur and has further



averred that the accused has felled tree's from the above said Panchyat Land.

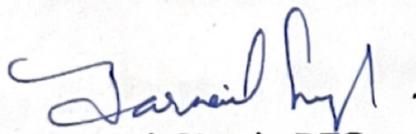
4. That it is pertinent to mention here that the Forest Laws are applicable only on the notified protected and reserved Forest area. The said land being a Panchyat Land Forest Department has no jurisdiction or legal authority to take any action in this matter.
5. That the department holds profound regard for the application of appropriate to laws to ensure ecological balance. Nevertheless, the department would like to humbly underline that the absence of any applicable forest law on the above said Panchayat land restricts the State Forest Department from exercising direct authority in this specific instance.
6. That the concerned Village Panchayat Department i.e District Development and Panchyat Officer, Kapurthala is the rightful custodians of the land and trees involved and hence the authority to take direct action in this instance.
7. That the Department is committed to ensure environmental preservation is willing to offer guidance and necessary



support to the Panchyat Department, Kapurthala to plant the trees in the said Panchyat Land.

In view of the above it is prayed to this Hon'ble Tribunal to pass an appropriate order as this Hon'ble Tribunal deems fit.

DEPONENT

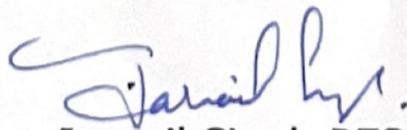


Jarnail Singh PFS
**Divisional Forest Officer,
Jalandhar Forest Division,
Jalandhar at Phillaur.**

VERIFICATION:

Verified that the contents of the above affidavit are correct to my knowledge. No part of it is false and nothing has been kept concealed therein.

DEPONENT



Jarnail Singh PFS
**Divisional Forest Officer,
Jalandhar Forest Division,
Jalandhar at Phillaur**