



Regional Office

Haryana State Pollution Control Board,

SCF-32, Opp. Community Centre, Sector-13, HSVP, Bhiwani

Email-hspcbrojr@gmail.com

No. HSPCB/BHI/2020/ 1937
To

Dated : 14-8-20

Sh. Anil Grover, AAG, A-174,
2nd Floor, Defence colony,
New Delhi

Sub: Action taken report in the matter of Hon'ble NGT OA No. 1050 of 2019 titled as Ramesh Kumar Vs State of Haryana & Ors.

In this connection, it is submitted that the action taken report in the matter of Hon'ble NGT OA No. 1050 of 2019 titled as Ramesh Kumar Vs State of Haryana & Ors is attached herewith.

It is submitted for your kind information & necessary action please.

DA/- As Above.

FTM-39132
Endst No. HSPCB/BHI/2020/ 1938

A copy of above is forwarded to the District Attorney, HSPCB, Panchkula for kind information and further necessary action, please.


Regional Officer,
Bhiwani Region.
Dated: 14-8-20

FTM-39134
Endst No. HSPCB/BHI/2020/ 1939

A copy of above is forwarded to the Senior Environmental Engineer-II, HSPCB, Panchkula for kind information and further necessary action, please.


Regional Officer,
Bhiwani Region
Dated: 14-8-20


Regional Officer,
Bhiwani Region

**BEFORE HON'BLE NATIONAL GREEN TRIBUNAL
NEW DELHI**

OA No.1050 of 2019

IN THE MATTER OF:

Ramesh Kumar

...

Applicant

Vs

State of Haryana & Ors.

...

Respondent

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**BEFORE HON'BLE NATIONAL GREEN TRIBUNAL
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IN THE MATTER OF:

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...

Respondent

REPORT ON BEHALF OF HARYANA STATE

POLLUTION CONTROL BOARD

MOST RESPECTFULLY SHOWETH:

1. That, in compliance of the order dated 10.01.2020 passed by Hon'ble National Green Tribunal, Principal Bench, New Delhi In OA No. 1050/2019 , the site (village Kushalpura) was inspected by Smt. Navodita Deputy Conservator of Forest, Bhiwani on 07.03.2020 and found that 2 trees of Jand (*Prosopis cineraria*) were cut from the site. The concerned forest guard issued forest offence report no. 0727/078 dated 14.10.2019 against Sh. Manjeet son of Sh. Rattan Singh and Sh. Sanjay son of Sh. Matu Ram both resident of same village i.e. Kushalpura Teshil Loharu District- Bhiwani (Haryana) under general section-4 of provisions of Punjab Land Preservation Act, 1900. The accused has paid fine of Rs. 1000/- vide receipt no. 2391 dated 29.12.2019.
2. That the statement of land owner was taken and is annexed as **Annexure-R/1**. The SDO, Electricity was contacted by the field staff of Loharu Range to give his statement since the land owner has referred that the trees were felled based on the direction issued by the SDO, Electricity. But, SDO, Electricity refused to give his statement.
3. That the applicant has given a complaint dated 02.10.2019 attached as **Annexure- R/2** in the office of Deputy Conservator of Forests, Bhiwani and action has been taken.

Conclusion :- As per report submitted by Principal Chief Conversation of Forests (HoFF), Haryana, Panchkula through Deputy Conservator of Forests, Bhiwani vide letter dated 06.08.2020. Copy enclosed as

Annexure-R/3. Following facts are reported as given below :-

- i) The facts given in complaint false because only 2 trees were cut while the applicant has alleged that 20-25 trees have been cut. The applicant has mentioned 10 trees in complaint dated 02.10.2019 and in the present case, the applicant is saying that 20-25 trees have been cut. Therefore, the statement of applicant is self-contradictory.
- ii) For the two trees felled, action has already been taken by Deputy Conservator of Forests, Bhiwani as per rules and the accused has complied with the rules.
- iii) Moreover, the complainant is contacted telephonically by Regional office Bhiwani to give documentary/evidentiary proof of violation stated in his complaint i.e. photographs, videography, etc. But the complainant has not provided any documentary proof of the violation mentioned in his complaint till date.



**Dinesh Kumar Yadav
Regional Officer
Bhiwani Region**

हम संजय S/. मातु राम, दीपक S/. रतन सिंह व जगदीर S/. हैतराम जाति जाट निवासी गाँव कुशलपुरा ब्यान करते हैं कि हमारे खेत के बीचों बीच बिजली की 33 KV की लाइन गुजरती है इसके नीचे दो पेड़ खड़े थे जो बिजली की लाइन को छूने से लाइन फ़ाल्ट होने लगी तथा बिजली विभाग के कर्मचारियों द्वारा मौखिक तौर बार बार कहने पर लोगों की परेशानी को देखते हुए हमने उन दोनों पड़ों को कटवा दिया जिससे बिजली लाइन ठीक ढंग से चल पाई है।

Sanjay

Sanjay

प्रार्थी

संख्या

Sanjay
Deepak

सेवा में,

श्रीमान जिला वन विभाग अधिकारी (District Forest Range Officer)
भिवानी (हरि.)

विषय - पैतृक भूमि से अवैध तरीके से हरे भरे पेड़ों की कटाई की
शिकायत बाबत।

महोदय जी,

उपरोक्त विषयान्तर्गत निवेदन है कि प्रार्थी श्री रमेश कुमार पुत्र श्री अमर
चन्द, गाँव- कुशलपुरा, तहसील- लोहारु, जिला-भिवानी (हरि.) में हमारी
पैतृक भूमि है जिसमें से हरे भरे 02^{गाँव} पेड़ों की कटाई JCB के द्वारा श्री
दीपक कुमार पुत्र श्री रतन सिंह, संजय कुमार पुत्र श्री मातुराम व जगवीर
पुत्र श्री हेतराम, गाँव-कुशलपुरा, तहसील- लोहारु, जिला-भिवानी (हरि.)
द्वारा दिनांक 3 अक्टुबर 2019 को घटना को अंजाम दिया। इससे संबंधित
शिकायत 4 अक्टुबर 2019 को श्रीमान थानाधिकारी लोहारु व श्रीमान वन
राज्यीक अधिकारी महोदय लोहारु के पास मेरे भाई रामोतार (विकलांग)के
द्वारा FIR दर्ज करवाई गई। इसके उपरांत कोई उचित कार्यवाही नहीं की
गई। दिनांक 7 अक्टुबर 2019 को पुनः हरे भरे 6^{गाँव} पेड़ मुरारी पुत्र श्री
हेतराम गाँव-कुशलपुरा, तहसील- लोहारु, जिला-भिवानी (हरि.) के द्वारा
काटे गये तथा पुनः 8 अक्टुबर 2019 को पुनः हरे भरे 2^{गाँव} पेड़ मुरारी पुत्र श्री
हेतराम गाँव-कुशलपुरा, तहसील- लोहारु, जिला-भिवानी (हरि.) के द्वारा
फिर से काटे गये। इस प्रकार उपरोक्त प्रकरण में कुल 10 हरे भरे पेड़
काटे कर बेच दिये गये जिसकी सूचना आपकी सेवा में उचित कार्यवाही
हेतु प्रेषित है। ताकि पर्यावरण संरक्षण हो सके। अतः आपसे विनम्र निवेदन
है कि उचित कार्यवाही करने का श्रम करें।

रमेश

प्रार्थी

रमेश कुमार पुत्र श्री अमर चन्द,
गाँव-दूदवा, तहसील- सूरजगढ
जिला-शुन्डुनू (राज.)

AKst; DFO, Clerk.
13.08.20
F.R.
AEE-I, AEE-II, S.O.
CLERK-I, CLERK-II
Annexure-R/3
EE 98-20
384
11-8-20



FOREST DEPARTMENT GOVT. OF HARYANA

O/o Deputy Conservator Of Forest, Bhiwani

Meham Road, Vidya Nagar, Bhiwani. Tel. No. 01664-242430. E-mail:-dfo.bhiwani@yahoo.com

क्रमांक 947

दिनांक 06/08/2020

सेवा में

क्षेत्रीय अधिकारी,
हरियाणा राज्य प्रदूषण नियन्त्रण बोर्ड,
भिवानी।

PUC Puton 11/20
PUC Clerk
SCB

विषय :- Regarding filing of ATR in matter of Ramesh Kumar V/s State of Haryana
(OA No.1050/2019) before Hon'ble National Green Tribunal.

संदर्भ:- आपका पत्र क्रमांक 216 दिनांक 10.06.2020 व 1443 दिनांक 06.07.2020.

उपरोक्त विषय पर आपको प्रधान मुख्य वन संरक्षक, हरियाणा, पंचकूला द्वारा हस्ताक्षरित
स्टेटस रिपोर्ट की प्रति आवश्यक कार्यवाही हेतु प्रेषित है।
संलग्न/यथोपरि।


उप वन संरक्षक,
भिवानी।

Compliance report of order dated 10-01-2020 passed in Original Application No. 1050 of 2019- Ramesh Kumar Vs. State of Haryana and Others.

In compliance of the order dated 10-01-2020 passed by Hon'ble Green Tribunal, Principal Bench, New Delhi in OA No. 1050/2019, the site (Village Kushalpura) was inspected by DCF, Bhiwani on 07-03-2020 and she found that 2 trees of Jand (*Prosopis cineraria*) were cut from the site. The concerned Forest Guard issued Forest Offence Report No. 0727/078 dated 14-10-2019 against Sh. Manjeet son of Sh. Rattan Singh and Sh. Sanjay son of Sh. Matu Ram, both resident of village Kushalpura, Tehsil Loharu, Distt. Bhiwani (Haryana) under General Section - 4 of provisions of Punjab Land Preservation Act, 1900. The accused has paid fine of Rs. 1000/- vide Receipt No. 2391 dated 29-12-2019.

2. The statement of land owner was taken and is annexed as Annexure-1. The SDO, Electricity was contacted by the field staff of Loharu Range to give his statement as the land owner has referred the trees were felled based on the direction issued by the SDO, Electricity. But, SDO, Electricity refused to give his statement.

3. It is pertinent to mention here that the applicant has given a complaint dated 02-10-2019 to O/o DCF, Bhiwani and action has been taken. Copy of complaint dated 02-10-2019 is annexed as Annexure-2. On perusal of the statement of the land owner and the complaint, the department is of the view that:-

- i) The facts given in complaint are false because only 2 trees were felled while the applicant has alleged that 20-25 trees have been cut.
- ii) The complaint seems to be a personal vengeance because the applicant mentioned 10 trees in complaint dated 02-10-2019 and in the present case, the applicant is saying that 20-25 trees have been cut. The applicant has not made Sh. Murari son of Sh. Het Ram as private respondent who has cut 8 trees as alleged by the applicant in complaint dated 02-10-2019. It shows that the complaint has been made with a mala fide intention.
- iii) Action has been taken by the department as per provisions of Indian Forest Act, 1927 and Punjab Land Preservation Act, 1900.


Principal Chief Conservator of Forests (HoFF),
Haryana, Panchkula