

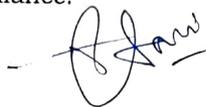
Factual & Action taken Report by Joint Committee in Compliance with the orders dated 01.08.2023 of Hon'ble National Green Tribunal, Principal Bench, New Delhi in the matter of Original Application No. 428/2023 Titled "S.C. Kaushal V/s State of Punjab"

The Hon'ble Principal Bench, National Green Tribunal, New Delhi, vide its order dated 01.08.2023, was pleased to constitute a Joint Committee comprising of Punjab State Pollution Control Board (PSPCB), Divisional Forest Officer (DFO) and Deputy Commissioner (DC), Kapurthala, in the matter of Original Application No. 428/2023 titled "S.C. Kaushal V/s State of Punjab" with the direction to visit the site in question and to look into the grievances of the applicant, verify the factual position and take appropriate remedial action by following due course of law.

The Relevant Paras of the Hon'ble NGT order, pertaining to the mandate of the committee is reproduced hereunder:

1. The Applicant, S.C. Kaushal, President of Patarkar Morcha Association (Regd.), Punjab has sent present letter petition, which has been treated and registered as Original Application, complaining about encroachment on Gram Panchayat land and illegal cutting of about 150 trees by the encroachers.
2. The Applicant has submitted that Lord Krishna College was constructed by Land mafia comprising Man Singh Dham son of Surjan Singh resident of Kapurthala and others by encroaching upon land measuring 10 acres 6 Kanals owned by Gram Panchayat Badshahpur, Block Dhilwan, District Kapurthala. The encroachers have illegally cut and sold about 30 years old 150 trees. The applicant made complaints dated 14.06.2022 and 16.09.2022 regarding encroachments and complaints dated 16.09.2022 and 28.12.2022 regarding illegal cutting of trees but no action has been taken on the same.
3. Further, we also consider it appropriate that a Joint Committee be constituted to verify the factual position regarding illegal cutting of trees from the gram panchayat land and take appropriate remedial action. Accordingly, we constitute a Joint Committee comprising of Punjab State Pollution Control Board (PSPCB), Divisional Forest Officer (DFO), Kapurthala and Deputy Commissioner (DC), Kapurthala and direct the same to meet within one week, undertake visits to the site, look into the grievances of the applicant, verify the factual position and take appropriate remedial action by following due course of law. The PSPCB will be the nodal agency for coordination and compliance.

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2. **Action taken of the Committee:-**

In compliance with the order dated 01.08.2023, Deputy Commissioner, Kapurthala constituted a sub committee consisting of Tehsildar, Kapurthala, Forest Range Officer Kapurthala and Assistant Environmental Engineer, Punjab Pollution Control Board, Jalandhar and this committee was directed to visit the site and put up factual report.

3. **Site visited by the Sub-Committee**

- The site of Lord Krishna College, Village Badshahpur, Tehsil & District Kapurthala was visited on 24.08.2023 at 02:00 PM by the team consisting of Assistant Environmental Engineer, PPCB, Regional Office-2, Jalandhar, Naib Tehsildar, Kapurthala and Range Officer (Forest), Kapurthala as per directions of Deputy Commissioner, Kapurthala.
- As the contents of complaint had alleged that encroachment upon Panchayat land has been made, therefore, the officials of Department of Rural Development and Panchayats were asked to accompany the team.
- The Junior Engineer and Panchayat Secretary of Department of Rural Development reached the site. They informed that the building of the college has been constructed on private land belonging to the college owner.
- However there is a patch of land adjoining to the college which is under ownership of Panchayat of Village Badshahpur. Barbed wire has been placed on edge of this land by the college owner.
- The officials of revenue department informed that the Panchayat has about 15 acres of land adjoining to the college premises.
- The spot from where officials of Panchayat Department claimed that trees were removed was inspected by the team. The team spotted stumps (remnants) of 11 trees at the site. Further, 34 logs were found lying at site which could be of about 6 trees. Pictures of stumps and logs are enclosed as **Annexure-A**.
- The officials of revenue department informed that the premises of college falls in revenue area of Village Nizampur, Tehsil Dhilwan, District Kapurthala and the panchayat land is under revenue area of Village Badshahpur of Tehsil Kapurthala.



- Thereafter the patwari of Village Nizampur also arrived at the site. He informed that the construction of college has been done in private land of college in revenue land of village Nizampur.
- Thereafter, Deputy Commissioner along with other officials of Revenue & Rural Department of District Kapurthala visited the site on Dated 17.10.2023 and called the detailed report from Block Development and Panchayat Officer, Dhilwan.
- Block Development and Panchayat Officer Dhilwan in his report submitted that the Panchayat land measuring 6 Acre adjoining to College land, has been taken on lease by Mann Singh, the Vice Chairman of College at the rate of 90,000 per annum on 12.06.2023, the receipt of the same is **Annexure B**.
- Thereafter, a Self Declaration was also taken from Mann Singh, the Vice Chairman, Lord Krishna Educational Society, in which it has been submitted that the allegations levied by the complainant SC Kaushal against him is totally false and baseless. He has never encroached the Panchayat Land illegally rather he has taken the Panchayat land on lease at the rate of Rs. 90,000/- per year on 12.06.2023. He further submitted that the complainant SC Kaushal along with the Sarpanch of village had cut and stolen these trees and he had informed about this matter to ASI Paramjit Singh, Incharge, Police Chowki Baadshahpur. Copy of Self Declaration is **Annexure C**

4. **Salient Observations:**

1. Construction of college has been carried out on private land,
2. Barbed wire fencing has been provided around the Panchayat land by owner of the Lord Krishna College.
3. Remnants (Stumps) of 11 trees were observed during the visit.
4. Logs of around 06 trees were still found lying at the site.

From above, it is cleared that Man Singh S/o Surjan Singh has taken the Land of 6 Acres of village Badshahpur on lease on 12.06.2023 @ 90,000 /- per Annum and cutting of trees planted on the Panchayat Land has indeed occurred, but it remains to be investigated by the police as to who had cut those trees.

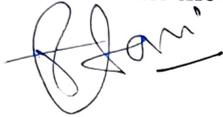
5. **Conclusion & Suggestions/ Recommendations**

The matter was discussed in length by the Joint Committee. The committee is of the view that No illegal encroachment upon Panchayat Land has been made by Man Singh S/o Surjan Singh since the said land



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in question has already been taken on lease on 12.06.2023 @ 90,000 /- per Annum by him. The evidence suggests that cutting of trees has indeed been carried out on the Panchayat land of the Village Badshahpur, Tehsil & District Kapurthala. However, the identity of persons responsible for cutting of trees cannot be ascertained by any of the Civil Departments present in the meeting. No evidence is found which may suggest that the said trees have been cut by the said Man Singh. It is suggested that Plantation should be carried out on the Panchayat land by the Department of Rural Development and Panchayats in-coordination with Forest Department. Investigation should be carried out by the Department of Police as to find the responsible persons who have cut the trees.



**Environmental Engineer,
Punjab Pollution Control Board,
Kapurthala
Regional Office-2, Jalandhar**



**Range Forest Officer,
Kapurthala**



**Deputy Commissioner,
Kapurthala**



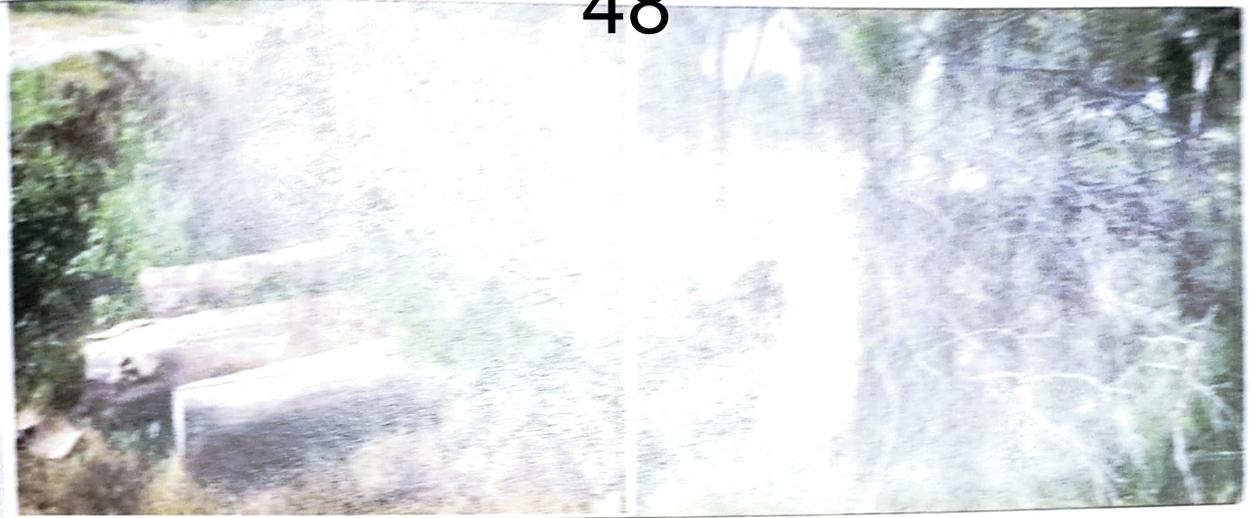
Stumps of trees cut down (some trees have re-grown)

A handwritten signature in blue ink, appearing to read 'S. J. S.', is located at the bottom center of the page.



More pictures of stumps

[Handwritten signature]



Pictures of logs found lying at site

[Handwritten signature]

FORM-4

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Receipt No./ਰਸੀਦ/ਰਸੀਦ.....

Name of Panchayat.....

ਬਾਰਮਾੜਪੁਰ

Case No. Judicial/ਦੀਵਾਨੀ/ਦੀਵਾਨੀ
Criminal/ਫੌਜਦਾਰੀ/ਫੌਜਦਾਰੀ

Date of Payment.....

12-6-2023

Name of Payee.....

ਮਾਇ ਮਿੱਠਾ/ਮੁਕਤ ਮਿੱਠਾ

ਬੇਰਾ ਜਥੇਕ ਸ਼ਾਗਯਤ

Fee/ਫੀਸ/ਫੀਸ ਮਾਰ 2023-24

Fines/ਜੁਰਮਾਨੇ/ਜੁਰਮਾਨੇ (ਮੈਂ ਮਾਰ ਮਾਰ)

Taxes/ਟੈਕਸ/ਟੈਕਸ

Compensation/ਮੁਆਵਜਾ/ਮੁਆਵਜਾ

Donation/ਦਾਨ/ਦਾਨ

Govt. of Local

Bodies Donation

Signature of Sarpanch

Amount Paid	
Rs.	P.
90000	00
Total 90000	00

Sahib Dayal G. Son, A.S.M., Jal.

Mansu

ਮੈਂ ਮਾਨ ਸਿੰਘ ਲਾਰਡ ਕ੍ਰਿਸ਼ਨਾ ਐਜੂਕੇਸ਼ਨਲ ਸੋਸਾਇਟੀ ਦਾ ਵਾਈਸ ਚੇਅਰਮੈਨ ਹਾਂ ਅਤੇ 60, ਮਾਡਲ ਟਾਊਨ ਕਪੂਰਥਲਾ ਦਾ ਰਹਿਣ ਵਾਲਾ ਹਾਂ। ਤਕਰੀਬਨ 21 ਸਾਲ (2002) ਤੋਂ ਇਸ ਸੋਸਾਇਟੀ ਵਲੋਂ ਬੱਚਿਆਂ ਨੂੰ ਉਚੇਰੀ ਸਿੱਖਿਆ ਪ੍ਰਦਾਨ ਕੀਤੀ ਜਾ ਰਹੀ ਹੈ ਅਤੇ ਸਮਾਜ ਭਲਾਈ ਦੇ ਕੰਮਾਂ ਵਿਚ ਯੋਗਦਾਨ ਪਾਇਆ ਜਾ ਰਿਹਾ ਹੈ।

ਇਹ ਕਿ ਲਾਰਡ ਕ੍ਰਿਸ਼ਨਾ ਕਾਲਜ ਦੀ ਇਮਾਰਤ ਨਿਜ਼ਾਮਪੁਰ ਪਿੰਡ ਵਿਚ ਆਪਣੀ ਮਾਲਕੀ ਵਾਲੀ ਜਗ੍ਹਾ ਤੇ ਹੈ। ਸੋਸਾਇਟੀ ਨੇ ਆਪਣੀ ਅਤੇ ਮਾਨ ਸਿੰਘ, ਸਵਿੰਦਰ ਕੌਰ ਦੀ ਜਮੀਨ ਵਿਚ ਤਕਰੀਬਨ 2200 ਰੁੱਖ ਵੀ ਲਗਾਏ ਹੋਏ ਹਨ।

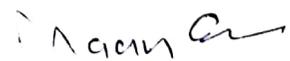
ਇਹ ਕਿ ਗ੍ਰਾਮ ਪੰਚਾਇਤ ਬਾਦਸ਼ਾਹਪੁਰ ਅਤੇ ਐਸ.ਸੀ.ਕੌਂਸਲ ਵਲੋਂ ਮੇਰੇ ਉਪਰ ਨਜ਼ਾਇਜ਼ ਕਬਜ਼ੇ ਦਾ ਅਤੇ ਰੁੱਖ ਵੱਡਣ ਦਾ ਜੋ ਇਲਜ਼ਾਮ ਲਗਾਇਆ ਗਿਆ ਹੈ, ਸਰਾਸਰ ਝੂਠ ਅਤੇ ਬੇਬੁਨਿਆਦ ਹੈ। ਗ੍ਰਾਮ ਪੰਚਾਇਤ ਦੀ ਜਮੀਨ ਕਾਲਜ ਦੇ ਨਾਲ ਲੱਗਦੀ ਹੈ, ਜੋ ਸਾਲ 2018 ਵਿਚ ਠੇਕੇ ਤੇ ਲੈਣਾ ਚਾਹੁੰਦਾ ਸੀ ਪਰ ਪੰਚਾਇਤ ਨੇ ਬਿਨਾਂ ਕੋਈ ਮੁਨਾਦੀ ਕਰਵਾਏ 65000 ਰੁਪਏ ਨੂੰ ਜਮੀਨ ਕਿਸੇ ਹੋਰ ਵਿਅਕਤੀ ਨੂੰ ਠੇਕੇ ਤੇ ਦਿੱਤੀ ਸੀ। ਜਦੋਂ ਮੈਨੂੰ ਪਤਾ ਲੱਗਾ ਤਾਂ ਮੈਂ ਡੀ.ਡੀ.ਪੀ.ਓ. ਸਾਹਿਬ ਕਪੂਰਥਲਾ ਜੀ ਨੂੰ ਇਸ ਸਬੰਧੀ ਦਰਖਾਸਤ ਦਿੱਤੀ ਅਤੇ ਵਾਧੇ ਦੀ ਰਕਮ 75000/- ਰੁਪਏ ਜਮ੍ਹਾਂ ਕਰਵਾ ਦਿੱਤੀ ਸੀ ਪਰੰਤੂ ਦੂਸਰੀ ਪਾਰਟੀ ਨੇ ਮਾਨਯੋਗ ਡਾਇਰੈਕਟਰ, ਪੇਂਡੂ ਵਿਕਾਸ ਅਤੇ ਪੰਚਾਇਤ ਵਿਭਾਗ ਪੰਜਾਬ ਜੀ ਦੀ ਅਦਾਲਤ ਵਿਚ ਕੇਸ ਕਰ ਦਿੱਤਾ ਸੀ।

ਇਹ ਕਿ ਹੁਣ ਮਈ 2023 ਵਿਚ ਜਦੋਂ ਮੈਨੂੰ ਪਤਾ ਲੱਗਾ ਕਿ ਪੰਚਾਇਤ ਇਹ ਜਮੀਨ ਠੇਕੇ ਤੇ ਦੇ ਰਹੀ ਹੈ ਤਾਂ ਮੈਂ 12-06-2023 ਨੂੰ 90,000/-ਰੁਪਏ ਠੇਕਾ ਇਕ ਸਾਲ ਲਈ ਜਮ੍ਹਾਂ ਕਰਵਾ ਦਿੱਤਾ ਸੀ ਅਤੇ ਮੇਰਾ ਇਸ ਰਕਬੇ ਤੇ ਪਹਿਲਾਂ ਕੋਈ ਨਜ਼ਾਇਜ਼ ਕਬਜ਼ਾ ਨਹੀਂ ਸੀ ਅਤੇ ਹੁਣ ਇਹ ਰਕਬਾ ਮੇਰੇ ਵਲੋਂ ਠੇਕੇ ਤੇ ਲਿਆ ਹੋਇਆ ਹੈ ਅਤੇ ਠੇਕੇ ਦੀ ਰਕਮ ਅਦਾ ਕੀਤੀ ਜਾ ਚੁੱਕੀ ਹੈ।

ਇਹ ਕਿ ਐਸ.ਸੀ. ਕੌਂਸਲ ਨਾਲ ਮੇਰੇ ਬੇਟੇ ਦਾ ਸਿਵਲ ਮੁਕੱਦਮਾ (CNR No. PBKPO2-000384-2012) Suit No. 364 of 16-01-2012 ਕਪੂਰਥਲਾ ਵਿਖੇ ਮਾਨਯੋਗ ਅਦਾਲਤ ਵਿਚ ਚੱਲ ਰਿਹਾ ਸੀ, ਜਿਸ ਦਾ ਫੈਸਲਾ ਸਾਡੇ ਹੱਕ ਵਿਚ ਹੋਇਆ ਸੀ, ਜਿਸ ਕਾਰਨ ਇਹ ਨਿੱਜੀ ਦੁਸ਼ਮਣੀ ਰੱਖ ਕੇ ਝੂਠੀਆਂ ਦਰਖਾਸਤਾਂ ਮੇਰੇ ਖਿਲਾਫ ਦਿੰਦਾ ਆ ਰਿਹਾ ਹੈ।

ਇਹ ਕਿ ਜਿਹਨਾਂ ਦਿਨਾਂ ਵਿਚ ਕਾਲਜ ਬੰਦ ਸੀ, ਸਰਪੰਚ ਅਤੇ ਐਸ. ਸੀ. ਕੌਂਸਲ ਨੇ ਆਪ ਰਾਤ ਨੂੰ ਚੋਰੀ 11 ਰੁੱਖ ਕਟਾ ਕੇ ਅਤੇ 150 ਰੁੱਖਾਂ ਦਾ ਇਲਜ਼ਾਮ ਸੋਸਾਇਟੀ ਤੇ ਲਗਾ ਰਹੇ ਹਨ। ਜਦੋਂ ਅਗਲੇ ਦਿਨ ਸਾਨੂੰ ਰੁੱਖ ਕੱਟ ਦਾ ਪਤਾ ਲੱਗਾ ਤਾਂ ਮੈਂ ਕਾਲਜ ਦੇ ਸਾਹਮਣੇ ਚੌਂਕੀ ਇੰਚਾਰਜ ਪਰਮਜੀਤ ਸਿੰਘ ਜੀ ਨੂੰ ਵੀ ਇਤਲਾਹ ਦਿੱਤੀ ਸੀ ਅਤੇ ਦੱਸਿਆ ਕਿ ਜੋ 11 ਰੁੱਖ ਚੋਰਾਂ ਨੇ ਰਾਤ ਨੂੰ ਕੱਟੇ ਸੀ, ਉਹ ਉਥੇ ਹੀ ਛੱਡ ਗਏ ਹਨ ਅਤੇ ਅੱਜ ਤੱਕ ਜਿਉਂ ਦੇ ਤਿਉਂ ਹੀ ਪਏ ਹਨ।

ਪੁਸ਼ਟੀ:-
17-10-2023



ਸਵੈ ਘੋਸ਼ਣਾ ਕਰਤਾ