

BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL
BENCH, NEW DELHI

Misc. Application No.79 of 2025

IN

Original Application No.785/2024

Mr. Jatinder Kumar Chabba

..Applicant

Versus

State of Punjab and others

...Respondents

I N D E X

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Deponent

Place : Garhshankar

Dated : 14-08-25


Sanjeev Kumar, PCS
Sub Divisional Magistrate
Garhshankar

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..Applicant

VERSUS

1. State of Punjab Through Secretary, Environment, Forest and Climate Change, Regional Office, Chandigarh, Bays No. 24-25, Sector 31 A, Dakshin Marg, Chandigarh-160030 Email: ronz.chd-mef@nic.in
2. District Magistrate, Garhshankar District Administrative Complex, Chandigarh Road, Hoshiarpur-146001 Email: dchsr@punjab.gov.in / hoshiarpurdc@gmail.com
3. District Forest Officer Garhshankar, Punjab 144527 Email: dfonawansher@gmail.com
4. Punjab Pollution Control Board Through its Member Secretary, Vatavaran Bhawan, Nabha Road, Patiala, Punjab, 147001 Email: msppcb@gmail.com/msppcb@punjab.gov.in
5. Shri Guru Ravidas Historical Shrine-Charan Choh Ganga Amritkund Sachkhand Shri Khuralgarh Sahib Through Sant Surender Das, Village Kharali, Tehsil, Garhshankar, District Hoshiarpur, Punjab 144523

....Respondents



Reply by way of Short Affidavit of – Sanjeev Kumar, PCS Sub Divisional Magistrate Garhshankar, District Hoshiarpur on behalf of responder No. 2, (District Magistrate) of the order dated 28.05.2025 passed in Misc. Application No.79 of 2025 in Original Application bearing No.785/2024 titled as Mr. Jatinder Kumar Chabba Vs. State of Punjab.

RESPECTFULLY SHOWETH:-

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

That the above noted case is pending in This Hon'ble Tribunal and is fixed for hearing on 18.8.2025.

2. That on the directions of This Hon'ble Tribunal, issued on dated 28.05.2025, in Misc. Application No.79 of 2025 in Original Application bearing No.785/2024 titled as Mr. Jatinder Kumar Chabba Vs. State of Punjab this Reply by way of Short affidavit is being submitted by the deponent. The operative part of the order dated 28.05.2025, of this Hon'ble Tribunal is as under:-

"6. In view of the observations made in the report, we consider it necessary to have response from (1) the State of Punjab through Secretary Environment, Forest and Climate Change; (2) District Magistrate, Garhshankar, (3) DFO Garhshankar; (4) Punjab Pollution Control Board and; (5) Shri Guru Ravidas Historical Shrine-Charan Choh Ganga Amritkund Sachkhand Shri Khuralgarh Sahib,



[Handwritten signature]

Village Kharali, Tehsil, Garhshankar, District Hoshiarpur through Sant Surender Das who are impleaded as respondents no 1 to 5.

7. The Registry is directed to prepare memo of parties and issue notices to respondents no.1 to 5.

8. Notice be served on respondent no.5 through the District Magistrate, Hoshiarpur and for this purpose notice issued to respondent no.5 be sent to the District Magistrate, Hoshiarpur by E-mail for getting service of the same effected on it and sending his report in this regard.

9. The Registry is also directed to issue notice to the applicant along with a copy of the report filed by DFO, Garhshankar for submission of objections if any, against the same and also producing the material before this Tribunal regarding allegations of illegal cutting of the trees.

10. List on 18.08.2025 for further consideration."



3. That in compliance with the Hon'ble Tribunal's order dated 28.05.2025, it is respectfully submitted that in pursuance of the Hon'ble Tribunal's order dated 07.08.2024 in Original Application No. 785/2024, titled Mr. Jatinder Kumar Chabba vs. State of Punjab, and in accordance with the directions contained in paragraphs 4, 5 and 6 thereof, the Joint Committee comprising the Divisional Forest Officer, Hoshiarpur, the Executive Engineer, Punjab State Pollution Control Board and the duly authorized officials of the District Magistrate,

Hoshiarpur, including the designated officer and revenue personnel conducted the site inspection and carried out the demarcation of the land on 17-09-2024 falling under Hadbast No. 485, Khasra Nos. 279, 280, 307, and 308/2 of Village Khuralgarh Sahib (Khurali).

4. During the course of demarcation, it was observed that shops exist over Khasra Nos. 280 and 307, and that washrooms are also situated in Khasra No. 307. It would also be relevant that to mention here that, as per information given by the committee members of Gurudwara, respectable persons of that area as well as surrounding area these constructions have been existing for the last about 10-12 years
5. The demarcation proceedings and relevant findings were duly recorded, and the report was submitted to the Divisional Forest Officer, Garhshankar (DFO, GSR), who is the Nodal Agency for coordination and compliance as per the Hon'ble Tribunal's directions.
6. That upon examination of the said report, the DFO, Garhshankar, observed certain irregularities pertaining to forest regulations and issued a notice with No. 5499 Dated 24.10.2024, regarding gross violations of the Indian Forest Act, 1927, Forest Conservation Act, 1980 and the order of the Hon'ble Supreme Court Dated: 12.12.1996, was issued by the DFO, Garhshankar to the Sant Surinder Das Trustees Guru Ravidas Historical Shrine



[Handwritten signature]

Charan Choh Ganga and (Amrit Kund) Khuralgarh Sahib at village Khurali, Tehsil Garhshankar, District Hoshiarpur to which no reply was received.

7. That, consequently, the DFO, Garhshankar, has filed a complaint in the form of challan before the court of Sh. Manu Mittu, Ld. Additional Civil Judge (Senior Division)-cum-SJDM, Garhshankar, for necessary legal action in accordance with law and same has been stated in their reply.

8. That the matter is pending before the Ld. Court of Sh. Manu Mittu Addln. Civil Judge (Sennior Division)-cum-SJDM, Garhshankar with No. COMA/26/2025 and the next date of hearing fixed for 04.09.2025 and is being dealt with by the DFO, Garhshankar who is taking all necessary steps in furtherance of the Hon'ble Tribunal's order.

9. That in compliance with the directions of this Hon'ble Tribunal, a process server was deputed to serve the notice upon Respondent No. 5 (Shri Guru Ravidas Historical Sharine-Charan Choh Ganga Amritkund Sachkhand Shri Khuralgarh Sahib Through Sant Surender Das, Village Kharali, Tehsil Garhshankar, District hoshiarpur, Punjab 144523).

10. That on visiting his residence on Dt. 05-08-2025, the respondent was found absent. That, the notice was accordingly handed over to his wife, Smt. Satya, who received the same on his behalf and signed in



[Handwritten signature]

acknowledgment. That, the respondent was also informed telephonically regarding the service of the notice. That, a certified true copy of the report of the process server, along with its translated copy, is attached herewith as Annexure-R1 and Annexure-R2 respectively.

11. That in compliance of above said order dated 28.05.2025 of this Hon'ble Tribunal, the present compliance report is being filed by way of short affidavit.



Place : Garhshankar
Dated : 14-08-25

Deponent


Sanjeev Kumar, PCS
Sub Divisional Magistrate
Garhshankar

VERIFICATION:-

Verified that the contents of para no.1 to 11⁰ of my above compliance report by way of affidavit are true and correct to the best of my knowledge and information as derived from official record. No part of it is false and nothing has been kept concealed therein.

Place : Garhshankar
Dated : 14-08-25

Deponent


Sanjeev Kumar, PCS
Sub Divisional Magistrate
Garhshankar

Attested,


Executive Magistrate,
Garhshankar (Hoshiarpur)

Und. No.: 157 S/Reader-1,

Dated: 04-08-2025

The original is being sent to the Jamadar, Tehsil Office, Garhshankar, with the instruction that, while intimating Respondent No. 5, the report in this regard be sent to this office immediately. This may be treated as most urgent.

Sd/-
For Tehsildar
Garhshankar

Sir

It is submitted that, in accordance with the orders contained in letter No. 157/Reader dated 04-08-25 of the office of the Tehsildar, Garhshankar, as per the said notice, the person Sant Surinder Das, resident of Khurali, was not present at his house. However, his lawful wife, Satya, was present. She was informed accordingly, and a copy of the notice was also received by her. Further, Dayal Chand, son of Rulia Ram, resident of Village Ludhiana, Indra Colony, Rahon Road, Ludhiana, presently residing at Khurali, was also present there, and he made it possible to speak with Sant Surinder Das over his mobile number 94663 11720. He was informed about this notice, but he stated that he had already received the notice earlier, which is confirmed by the Sarpanch of Gram Panchayat Bassi Basti, Block Garhshankar. The report is submitted herewith for further necessary action

Sd/-
Process Server
Dated 05-08-2025

Sd -
Sarpanch
Gram Panchayat Bassi Basti
Block Garhshankar

Sd/-
Dyal Chand S/o Rulia Ram
Ro Village Ludhiana, Indra
Colony, Rahon Road, Ludhiana
At present R/o Khurali
9646311720

Thumb Impression
Satya Devi W/O Sant
Surinder Das R/o
Village Khurali

True Translated Copy.


Executive Magistrate,
Garhshankar (Hoshiarpur)