

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 161 of 2023
Rana Iqbal Jolly & Ors. ...Applicant
Versus
State of Punjab & Ors. ...Respondents

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Place: New Delhi
Date: 22.08.2023

Karan Sharma
Karan Sharma, Advocate on Record,
(Government Pleader, Punjab)
Mobile No. 99997-77847

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 161 of 2023

Rana Iqbal Jolly & Ors.

...Applicant

Versus

State of Punjab & Ors.

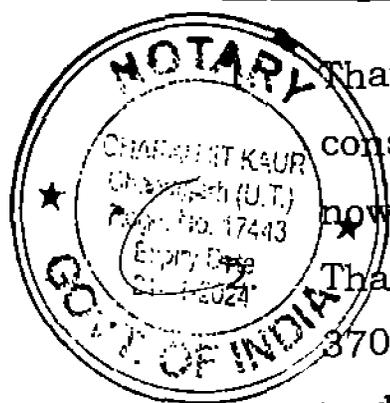
...Respondents

**Short reply by way of affidavit of Kanwar
Deep Singh, IFS, Divisional Forest Officer,
Sahibzada Ajit Singh Nagar, Punjab, on
behalf of respondent no.7.**

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

That the deponent is working as Divisional Forest Officer, Sahibzada Ajit Singh Nagar, Department of Forests and Wildlife Preservation, Punjab and the deponent is well conversant with the facts of the case and authorized to swear in and file the present Affidavit on behalf of Respondent No. 7.

RESPECTFULLY SHOWETH:



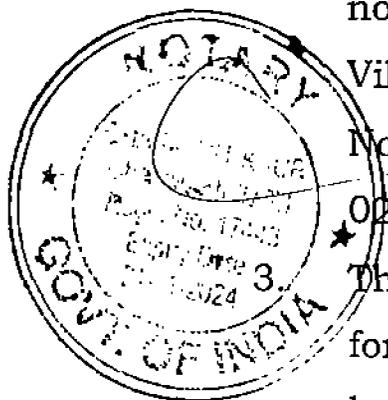
That, the present petition is pending for consideration before this Hon'ble Tribunal and is now fixed for hearing on 23.08.2023.

That, it is submitted that the some part of total 3700 acres land of village Karoran was notified under section 3 of Punjab Land Preservation Act, 1900 vide Notification No. 458 Dated 23.09.1914 and closed under section 4 of Punjab Land Preservation Act, 1900 vide Notification No. 459 Dated 23.09.1914. Thereafter balance area of the

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same was notified under section 3 of Punjab Land Preservation Act, 1900 vide Notification No. 6530-D-50/5727 Dated 20.11.1950 and closed under section 4 of Punjab Land Preservation Act, 1900 vide Notification No. 6530-D-50/5728 Dated 20.11.1950 and re-notified from time to time vide various notifications, As per the State Government Notification No. 39/1/118/2002-Ft-III/1486 Dated 03.02.2003 under Section 4 of the PLP Act prohibiting certain acts in total 3700 acres, balance area of 826 acres of Village Karoran was closed for another period of fifteen years with effect from the date of said notification. It is submitted that on the direction of Hon'ble Supreme Court vide order dated 09.09.2005 in I.A. No. 976 in I.A. No. 727, with the approval from MoEF & CC, Government of India, the State Government deleted 1092.48 acres/land under cultivation and habitation of Karoran Village from the list of forest areas and delisted the same from the provisions of PLPA, 1900 vide notification no. 39/578/2005-Ft-III/6087 dated 13.08.2010. Before the expiry of the notification dated 03.02.2003, the State Government again re-notified/closed the 2607.52 acres land in Karoran Village under section 4 of PLPA, 1900 vide Notification No.39/1/12018/Ft-3/1157844 Dated 02.02.2018. **(Annexure-R-1)**

That it is submitted that while issuing permission for delisting the land under cultivation and habitation from the purview of the section 4 and 5 of PLPA, 1900 as well as deletion of the same from the list of forests, the MoEF & CC, Govt. of India had laid the following conditions:-



f.

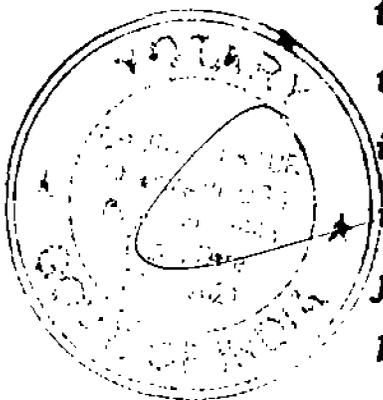
"i) The State Government shall ensure that no commercial activity is permitted on such de-listed land.

ii) The de-listed land shall be used only for bona fide use for agriculture and for sustaining the livelihood of the people/owner of the land."

4. That it is submitted that before issuing the said the delisting notification, a meeting was held under the Chairmanship of Chief Secretary, Punjab, in which to implement the above conditions the following decision was taken :-

"During the deliberations on monitoring and compliance of these conditions imposed by Ministry of Environment and Forests and Government of India, the following decisions were taken:-

1. **The department of Forests & Wildlife Preservation will issue notification to delist the areas from list of forest area for which sanction has been obtained from Government of India. As these areas will no longer be categorized as forest, the Department of Forests and Wildlife Preservation will also denotify these areas from the notification issued under section 4 & 5 of the Punjab Land Preservation Act, 1900 by issuing necessary notification or amendments in the existing notifications. The Department of forest and Wildlife Preservation will no longer be responsible for management of these areas or implementing the conditions stipulated by the Government of India after delisting these areas, as these conditions do not fall in the jurisdiction of Forest Department.**

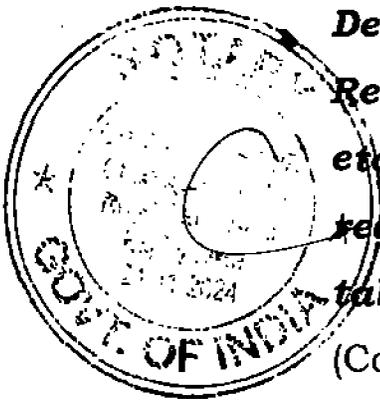


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2. *As far as the conditions imposed by Government of India while delisting these areas are concerned, these conditions are in the nature of restrictions on change of land use and similar conditions are being enforced across the State by the State Government through different departments, which have jurisdiction and legal mandate in regulating land use. After discussion it was decided that Department of Local Government will take action in respect of these conditions within the limits of Local bodies, if such delisted areas fall in their jurisdiction. Department of Town Planning will do the same for the delisted areas situated outside the limits of Local bodies in the State. However, any legal action as may arise in order to deal with the conditions imposed by Government of India, the concerned State Government Department (such as Local Government, Town and Country Planning, Housing & Urban Development, Department of Industry & Commerce, Department of Rural Development & Panchayats, Department of Revenue, Science Technology & Environment, etc.) under whose mandate such action is required to be taken will be responsible for taking such legal action."*

(Copy of the proceedings of the meeting is attached as Annexure R7/2)

5. That it is submitted that, as per the above decision taken in the said meeting, the delisted land in Village Karoran does not fall under the jurisdiction of Forest Department from the date of issuing of the delisting notification dated 13.08.2010.



6. That it is submitted that as per the report given by Forest Range Officer, SAS Nagar vide its Letter No. 201 dated 11.08.2023 M/s Orchid Space Designs LLP, Regd. Office SCO 118-19-120, Sector 34-A, Chandigarh has the ownership of "The Hermitage Farms" situated at of 53 kanal 04 marla land bearing Khasra No. 83//26, 27, 28, 29, 30, 31, 32, 33/1, 34, 35/1, 36, 37, 97//26/1, 26/2 and 24 kanal 09 marla in Khasra No. 83//39/1 (Total 77 kanal 13 marla) in Village Karoran H.B. No. 352. As per the said delisting notification dated 13.08.2010, the land bearing Khasra No. 83//26, 27, 28, 30, 31, 32, 33/1, 34, 35/1, 36, 37, and 97//26/2 is completely delisted, whereas, 51 kanal 11 marle out of total 80 kanal 11 marla in Khasra No. 83//39 is delisted from section 4 and 5 of PLPA, 1900 notification. It is further submitted that as per above said report of Forest Range Officer, SAS Nagar and revenue record available in the office of the answering respondent, the land pertaining to the Khasra No. 83//39/1 is part of 51 kanal 11 marla delisted land.

(Copy of Letter No. 201 dated 11.08.2023 of Forest Range Officer SAS Nagar is attached as **Annexure R7/3/T**)

That as per the said report of Forest Range Officer, SAS Nagar, there is no construction/violation of any Forest Act, found in the land closed under section 4 of PLPA 1900 bearing Khasra No. 83//29, and 97//26/1.

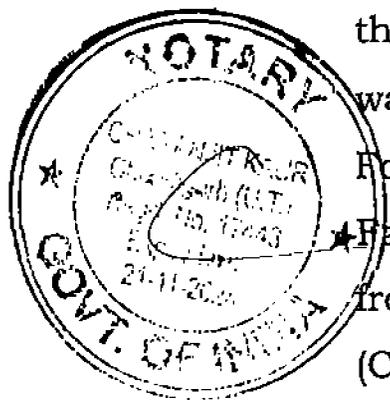
8. It is submitted that the part of land pertaining to "The Hermitage Farms" which comes in the delisted area, as per the above decision taken in the meeting dated 26.04.2010 held under the Chairmanship of



f.

Chief Secretary, Punjab, as mentioned in the above para 4, the approval from concerned departments is required.

9. That it is submitted that as per the official record of the answering respondent, no fire incident has been reported which is directly attributable to "The Hermitage Farms".
10. That it is submitted that as per the report sent by the Divisional Forest Officer (Wildlife), Rupnagar, in whose jurisdiction the area of "The Hermitage Farms" falls vide its letter no. 487 dated 25.05.2023, no incident of death of Wildlife or any damage to the Wildlife has been reported around the areas near to "The Hermitage Farms" nor has any complaint been received. The Divisional Forest Officer (Wildlife), Ropar further reported that the distance of Eco-sensitive Zone of Sukhna Wildlife Sanctuary is 1 KM and many parts of the area fall under the Eco-sensitive Zone around the Sukhna Wildlife Sanctuary. In view of the difficulties of the public the recommendation to reduce the distance of Eco-sensitive Zone to 100 meter has been sent by the Wildlife Division, Rupnagar to the Chief Wildlife warden, Punjab. As per the said report of Divisional Forest Officer (Wildlife), Rupnagar the Hermitage Farm does not fall within the distance of 100 meter from the Sukhna Wildlife Sanctuary (Copy of letter no. 487 dated 25.05.2023 of Divisional Forest Officer (Wildlife), Rupnagar is attached as **Annexure R7/4/T**)
11. That it is submitted that so far as the question of RTI application of the petitioner submitted in the office of Divisional Forest Officer, SAS Nagar is concerned, it is submitted that the information



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sought by the petitioner is in the form of questions and as per the para 9 of guidelines issued under RTI, Act, 2005 by Government of India vide its letter no. 1/3/2008-IR dated 25.04.2008, there is no provision to furnish the replies to questionnaire under RTI, Act, 2005.

12. Therefore, it is submitted that as per the facts given above as mentioned in above para 7, there is no violation of any Forest Act found in the Forest area closed under section 4 of PLPA 1900.

13. That it is further submitted that as per the official record of this office, there is no such permission or No Objection Certificate that has been issued by the Department of Forest and Wildlife Preservation, Punjab to The Hermitage Farms under any Forest Act.

In view of the above submissions, it is requested that the present application may be decided accordingly in the interest of justice.

Date: 22.8.23
Place: Chand...

DEPONENT
Kanwar Deep Singh, IFS,
Divisional Forest Officer,
Forest Complex, Sector 68,
SAS Nagar.

VERIFICATION:

3193
Verified at Mohali on this 22nd day of August, 2023 the content of Para 1 to 11 of the instant affidavit are true on my knowledge, and drive from the official record and no part of it is false and nothing has been kept concealed therein.

Date: 22.8.23
Place: Chand...

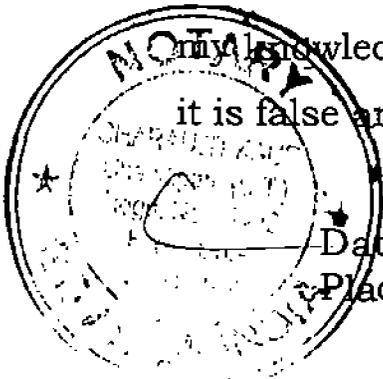
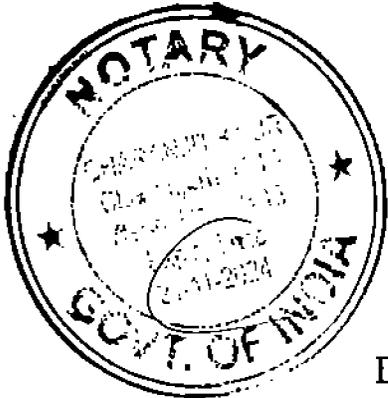
DEPONENT
Kanwar Deep Singh, IFS,
Divisional Forest Officer,
Forest Complex, Sector 68,
SAS Nagar.

ATTESTED & CERTIFIED
CHANDIGARH
NOTARY, Chandigarh

22.8.23

I Identify the document who has signed & Marked in my presence.

Signature



Annexure - R7/1

Regd. No. NW/CH-22

Regd. No. CHD/0092/2018-2020

Price : Rs 2.70



Punjab Government Gazette

EXTRAORDINARY

Published by Authority

CHANDIGARH, FRIDAY, FEBRUARY 2, 2018 (MAGHA 13, 1939 SAKA)

DEPARTMENT OF FORESTS AND WILDLIFE PRESERVATION, PUNJAB

(FOREST BRANCH)

The 2nd February, 2018

No. 39/1/2018/Ft-3/1157844.-Whereas the areas of villages mentioned in the Schedule enclosed with this notification are comprised within the limits of the local areas notified under Section 3 of the Punjab Land Preservation Act, 1900 vide Punjab Government, Notification No. 458 dated 23rd September, 1914 and Notification No. 6530-D-50/5727 dated 20th November, 1950;

2. Whereas the areas of 15 villages as detailed in the Schedule were closed under Section 4 of Punjab Land Preservation Act, 1900 vide Notification No. 39/118/2002-Ft. 111/1486 dated 03-02-2003.

3. Whereas the extent of area as detailed in the enclosed Schedule was delisted vide Punjab Government Notifications as detailed in the Column 6 of the Schedule and the balance area of the said villages remained closed under Section 4 of Punjab Land Preservation Act, 1900.

4. Whereas in respect of the areas that remained closed under Section 4 of Punjab Land Preservation Act 1900 in the villages mentioned in the enclosed Schedule, the Governor of Punjab is satisfied after due examination and enquiry and in exercise of the powers conferred by Section 4 of the said Act, is pleased to prohibit the following acts in these areas for a period of 15 years with effect from the date of this notification:

- i) The clearing or breaking or cultivation of land not ordinarily under the cultivation prior to the publication of this notification provided that the breaking up of such land for cultivation or otherwise is done after obtaining permission of the Principal Chief Conservator of Forests (HoFF).
- ii) The quarrying of stone, sand and soil or the burning of lime at places where such stone or lime had not ordinarily been so quarried or burnt prior to the publication of this notification. except with the permission of the Principal Chief Conservator of Forests (HoFF).
- iii) The cutting of trees and timber for the collection or removal or subjection to any manufacturing process of any forest produce other than grass, flower, fruit and honey, save for bonafide domestic or agricultural purposes. The owners of the land may however sell trees or timber after first obtaining a permit to do so from the concerned Territorial Divisional Forest Officer according to approved management plan, such permits will prescribe such conditions for sale as may from time to time appear necessary in the interest of the forest conservancy.

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PUNJAB GOVT. GAZ. (EXTRA), FEBRUARY 2, 2018 (MAGHA 13, 1939 SAKA)

- iv) The setting on fire to trees, timber or forest produce.
- v) The admission, herding, pasturing or retention of goats and camels provided that in cases where sickness necessitates the keeping of goats for milk, the concerned Territorial Divisional Forest Officer may issue a permit at his discretion for the retention of a limited number of stalled goats to be specified for a specific period.

Schedule: Area closed under Section 4 of Punjab Land Preservation Act, 1900

Sr. No	VILLAGE NAME & (HADBAST NO.)	TOTAL AREA OF THE VILLAGE (Acres)	PREVIOUSLY NOTIFIED UNDER SECTION 4 OF PLPA		DELISTED FROM RESTRICTIONS UNDER PLPA		Balance area that remained notified under Sec.4 in the previous notification (Acres) (Col.4)	Area Now Notified (Acres) U/S 4 of PLPA	
			NOTIFICATION NO./DATE	AREA NOTIFIED (Acres)	PUNJAB GOVT. NOTIFICATION NO./DATE	DELISTED AREA (Acres)			
1	2	3	4	5	6	7	8	9	
District of SAS Nagar									
1	TARAPUR (325)	2849	No. 39/118/2002-Fl.-III/1486 Dated 03.02.2003	2849	No. 39/11/2011-Fl.-3/6827 Dated 24.08.2011	454.16	2394.84	2394.84	
2	BURANA (327)	785		785		343.11	441.89	441.89	
3	GOCHER (328)	1049		1049		508.20	540.80	540.80	
4	MAJRA (332)	1165		1165		No. 39/578/2005-Fl.-3/6957 Dated 10.09.2010	956.59	208.01	208.01
5	SULTANPUR (333)	306		306		No. 39/11/2011-Fl.-3/6827 Dated 24.08.2011	270.09	35.91	35.91
6	PALLANPUR (334)	838		838			249.23	588.77	588.77
7	DULWAN (337)	1173		1173			217.06	955.94	955.94
8	SISWAN (338)	4143		4143			413.15	3724.85	3724.85
9	CHOTI BARI NAGAL (339)	2912		2912		444.10	2467.90	2467.90	
10	PAROI (340)	1162		1162	No. 39/578/2005-Fl.-3/6953 Dated 10.09.2010	976.39	185.61	185.61	
11	MAJRAJ (343)	4103		4103	No. 39/11/2011-Fl.-3/6827 Dated 24.08.2011	1248.52	2854.48	2854.48	
12	SUNK (344)	2084		2084	No. 39/11/2011-Fl.-3/6827 Dated 24.08.2011	713.29	1370.71	1370.71	
13	PARCHH (349)	2653		2653	No. 39/578/2005-Fl.-III/6089 Dated 13.08.2010	711.29	1941.71	1941.71	
14	NADA (350)	2222		2222	No. 39/578/2005-Fl.-III/6085 Dated 13.08.2010	656.29	1565.71	1565.71	
15	KARQRAN (352)	3700		3700	No. 39/578/2005-Fl.-III/6087 Dated 13.08.2010	1092.48	2607.52	2607.52	

Note: The Khasra wise details of the delisted areas as mentioned in column 7 were annexed to the corresponding notifications mentioned in column 6 and the balance area corresponding to the remaining Khasra/Khewat numbers of each village as mentioned in column 8 remained closed under Section 4 of

PUNJAB GOVT. GAZ. (EXTRA), FEBRUARY 2, 2018 (MAGHA 13, 1939 SAKA)

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Punjab Land Preservation Act, 1900. Khasra/Khewat numbers of the area mentioned in column 9 are the same that remained closed after delisting as per column 8.

Chandigarh:
Date: 02.02.2018

SATISH CHANDRA, IAS
Additional Chief Secretary to Government of Punjab
Department of Forests and Wildlife Preservation.

1431/2-2018/Pb. Govt. Press, S.A.S. Nagar

True Copy



Divisional Forest Officer
S.A.S. Nagar

Proceedings of the meeting held on 26.04.2010 under the Chairmanship of Worthy Chief Secretary regarding exclusion of 56,047.65 ha area under cultivation and habitation closed under Punjab Land Preservation Act, 1900 of Ropar, Hoshiarpur, Nawanshahar, SAS Nagar (Mohali) and Gurdaspur from the list of forest areas.

A meeting was held under the Chairmanship of worthy Chief Secretary, Punjab on 26.4.2010 on the subject of delisting of 56,047.65 ha in Hoshiarpur, Nawanshahar, SAS Nagar (Mohali), Gurdaspur and Roopnagar Districts area under cultivation and habitation closed under Punjab Land Preservation Act, 1900 of from the list of forest areas.

Present: As per list enclosed as **Annexure-I**.

Financial Commissioner (Forests) gave the brief introduction on the subject. He informed that this issue is related to the orders of Hon'ble Supreme Court of India dated 12.12.1996, which strictly prohibited the diversion of any forest land for non forestry purpose without prior approval of Government of India under Forest Conservation Act, 1980 (FCA). This order also defined the 'forest' and 'forest land' for the purpose of FCA, 1980. In these orders, Hon'ble Supreme Court had also directed the States to submit the list of forest areas and in compliance with these orders, Punjab Government submitted the list of forest areas, which included 1,65,000 ha of Kandi belt managed by the State Forest Department under PLPA, 1900. The area also included the areas, which were actually under cultivation and habitation but were recorded as Forest in the records of the Forest Department. Punjab Government, therefore, approached the Hon'ble Supreme Court in October, 1999 for permission to delete the cultivated and habitation areas closed under PLPA from the list of forest areas already submitted

to them. This matter was referred by Hon'ble Supreme Court to the Central Empowered Committee (CEC). After considering the matter, CEC recommended delisting of cultivated and habitation areas from the list of forest areas. Hon'ble Supreme Court in its order dated 9.9.2005 directed the Ministry of Environment & Forests (MoEF), Government of India (GoI) to consider the proposal of Punjab Government in accordance with the rules and procedures laid down under FCA, 1980. Ministry of Environment & Forests, Government of India after considering this case accorded in-principle approval to delist cultivated and habitation areas from the list of forest areas with certain conditions vide its letter No. 8-19/2006-FC dated 16.3.2006. Afterwards Government of India initially gave approval for delisting of 707.70 ha of cultivated and habitation areas falling in Mohali district vide letter No. 8-19/2006-FC dated 10.08.2006 and then gave final approval for 55,339.95 ha falling in Ropar, Mohali, Nawanshahar, Hoshiarpur and Gurdaspur Districts vide letter No. 8-19/2005-FC dated 24.7.2009 with following conditions:

- (i) *The State Government shall ensure that no commercial activity is permitted on such de-listed land.*
- (ii) *The de-listed land shall be used only for bona fide use for agriculture and for sustaining the livelihood of the people/owner of the land.*
- (iii) *If inadvertently, any notified or otherwise forest areas are found to have been included in the present list of areas being considered for delisting, such areas shall not be deemed to have been de-listed from the list of forest areas of the State.*

This meeting was called to decide the issue of management of these areas after their delisting from the list of forest areas and compliance of the conditions imposed by MoEF, GoI as after delisting,

these areas will not fall in the jurisdiction of the Forest Department. During discussions, Additional Advocate General, Punjab opined that these conditions are *ab-initio* null and void and hence can not be legally enforced. He said that Advocate General Punjab has already given legal opinion on the issue and no further action needs to be taken on this aspect. However, Chairman observed that the entire exercise of getting these areas delisted was taken in hand and finally approved by Ministry of Environment & Forests in response to the case moved by Government of Punjab to Hon'ble Supreme Court of India. Accordingly, the final order received from Govt. of India has to be complied with in its totality and not partially by ignoring the conditions imposed by Ministry of Environment & Forests.

During the deliberations on monitoring and compliance of these conditions imposed by Ministry of Environment & Forests, Government of India, the following decisions were taken:-

1. The Department of Forests & Wildlife Preservation will issue notification to delist the areas from list of forest areas for which sanction has been obtained from Government of India. As these areas will no longer be categorized as forest, the Department of Forests and Wildlife Preservation will also denotify these areas from the notifications issued under Section 4 & 5 of the Punjab Land Preservation Act, 1900 by issuing necessary notifications or amendments in the existing notifications. The Department of Forests and Wildlife Preservation will no longer be responsible for management of these areas or implementing the conditions stipulated by the Government of India after delisting these areas, as these

conditions do not fall in the jurisdiction of Forest Department.

2. As far as the conditions imposed by Government of India while delisting these areas are concerned, these conditions are in the nature of restrictions on change of land use and similar conditions are being enforced across the State by the State Government through different departments, which have jurisdiction and legal mandate in regulating land use. After discussion it was decided that Department of Local Government will take action in respect of these conditions within the limits of Local bodies, if such delisted areas fall in their jurisdiction, Department of Town Planning will do the same for the delisted areas situated outside the limits of Local Bodies in the State. However, any legal action as may arise in order to deal with the conditions imposed by Government of India, the concerned State Government Department (such as Local Government, Town and Country Planning, Housing & Urban Development, Department of Industry & Commerce, Department of Rural Development & Panchayats, Department of Revenue, Science Technology & Environment, etc.) under whose mandate such action is required to be taken will be responsible for taking such legal action.

3. After the orders for delisting of cultivation and habitation areas from the list of forest areas and their denotification from the relevant sections of PLPA 1900, the revenue records will be updated by the concerned revenue authorities so as to keep the stakeholders informed about the status of such

areas. Department of Revenue will issue necessary instructions in this regard. Also Punjab Forest Department will apply for demarcation of remaining PLPA areas vs. delisted areas to the concerned Deputy Commissioner, who will get the demarcation done by hiring retired revenue officials under the supervision of Qanungo. The hired revenue staff will also mark the delisted areas on Shajra maps for the use of the Forest Department. The expenditure to be incurred on hiring of retired revenue officials will be paid by the Forest Department under CAMPA project/ other schemes.

The meeting ended with vote of thanks to the Chair.

True Copy


Divisional Forest Officer
S.A.S. Nagar

Annexure RT/3/16

No: 201

Date: 11/08/2023

To,

Forest Division Officer,

SAS Nagar.

Subject:- Regarding sending the report about O.A. No. 161 of 2023 Rana Iqbal Singh Jolly and Ors. Vs State of Punjab and Others.

In regard to the subject cited above as per Revenue Record available in the Office the area of Hermitage Farm Village Karoran H.B. no. 352 Tehsil Kharar Distt. SAS Nagar was visited along with concerned Field Staff. On the site two rooms, two kitchens, bathroom and three parks were constructed. As per Revenue Record M/s Orchid Space Designs LLP, Regd. Office SCO 118-19-120, Sector 34-A, Chandigarh has the ownership of "The Hermitage Farms" situated at of 53 kanal 04 marla land bearing Khasra No. 83//26, 27, 28, 29, 30, 31, 32, 33/1, 34, 35/1, 36, 37, 97//26/1, 26/2 and 24 kanal 09 marla in Khasra No. 83//39/1 (Total 77 kanal 13 marla) in Village Karoran H.B. No. 352. As per the said delisting notification dated 13.08.2010, the land bearing Khasra No. 83//26, 27, 28, 30, 31, 32, 33/1, 34, 35/1, 36, 37, and 97//26/2 is completely delisted, whereas, 51 kanal 11 marle out of total 80 kanal 11 marla in Khasra No. 83//39 is delisted from section 4 and 5 of PLPA, 1900 notification. It is further submitted that as per above said report of Forest Range Officer, SAS Nagar and revenue record available in the office of the answering respondent, the land pertaining to the Khasra No. 83//39/1 is part of 51 kanal 11 marla delisted land. The whole land

pertaining to Khasra No. 83//29 and 97//26/1 is closed under Section 4 of PLPA 1900.

No violation found in the land closed under PLPA 1900 pertaining to Khasra no. 83//29 and 97//26/1.

As per decision taken in the meeting held on dated 26/04/2010 in the Chairmanship of Chief Secretary Punjab the delisted land doesn't fall under the jurisdiction of the Forest Department., the action against any violation in the delisted land has to be taken by the concened departments like Department of Local Government or Department of Town and Country Planning and Department of Housing and Urban Development.

Sd/-
Forest Range Officer,
SAS Nagar.

True Translation


Divisional Forest Officer
S.A.S. Nagar

Annexure R7/4/T

Government of Punjab.

Department of Forest and wildlife preservation,
O/o Divisional Forest Officer (Wildlife), Rupnagar

dfowildliferopar@gmail.com

Phone No. 01881-294313

To,

Divisional Forest Officer,
SAS Nagar

No. 487 Dated 25-05-2023

Subject: In regard to report about OA No. 161 of 2023 Rana Iqbal Joli and others V/s State of Punjab and Others, pending case before National Green Tribunal, New Delhi.

Reference Your office letter No. 896 dated 17-05-2023.

In regard to subject and reference cited above it is hereby written that forest Range Officer (wildlife) Mohali was asked to send report after verification of the spot. Forest Range Officer (wildlife) Mohali has reported vide its letter No. 50 dated 25-05-2023 that till the date, no report has been received about any damage to the wildlife in the area in question and no complaint from any person about the damage to wildlife has been received in the O/o Forest Range Office (wildlife), Mohali. It is pertinent to mention here that the distance of Eco-sensitive Zone of Sukhna Wildlife Sanctuary is 1 KM and many parts of the area fall under the Eco-sensitive Zone around the Sukhna Wildlife Sanctuary. In view of the difficulties of the public the recommendation to reduce the distance of Eco-sensitive Zone to 100 meter has been sent by this division to the Chief Wildlife warden, Punjab. The report whether, the area in question falls under Eco-sensitive Zone or not can be reported after filed verification. Therefore, some time will be required. The Forest Range Officer (wildlife), Mohali has reported in its letter that Hermitage Farm does not fall within the distance of 100 meter from the Sukhna Wildlife Sanctuary. The report is being sent for further necessary action.

Sd/-

Divisional Forest Officer (Wildlife),
Rupnagar

Endorsement No. 488

Dated 25-05-2023

A copy of above is being sent to Principal Chief Conservator of Forests (Wildlife) Punjab SAS Nagar for information.

True Translation

Sd/-

Divisional Forest Officer (Wildlife),
Rupnagar

Divisional Forest Officer
S.A.S. Nagar

ਸੇਵਾ ਵਿਖੇ,

ਵਣ ਮੰਡਲ ਅਫਸਰ

ਐਸ.ਏ.ਐਸ ਨਗਰ।

ਵਿਸ਼ਾ:- O.A No. 161 of 2023 Rana Iqbal Singh jolly and Ors. Vs State of Punjab and Others ਸਬੰਧੀ ਰਿਪੋਰਟ ਭੇਜਣ ਬਾਰੇ।

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਦੇ ਸਬੰਧ ਵਿੱਚ ਔਰਚਿਡ ਸਪੇਸ ਡਿਜ਼ਾਇਨ ਐਲ.ਐਲ.ਪੀ ਦੇ ਹਰਮੀਟੇਜ ਫਾਰਮ ਪਿੰਡ ਕਰੋਰਾਂ ਹਦਬਸਤ ਨੰ. 352 ਤਹਿਸੀਲ ਖਰੜ ਜਿਲ੍ਹਾ ਐਸ.ਏ.ਐਸ ਨਗਰ ਦੇ ਦਫਤਰ ਵਿੱਚ ਮੌਜੂਦ ਮਾਲ ਰਿਕਾਰਡ ਅਨੁਸਾਰ ਸਬੰਧਤ ਫੀਲਡ ਸਟਾਫ ਨੂੰ ਲੈ ਕੇ ਸਮੇਤ ਮੌਕਾ ਚੈੱਕ ਕੀਤਾ। ਮੌਕੇ ਤੇ ਫਾਰਮ ਵਿੱਚ ਦੋ ਕਮਰੇ, ਦੋ ਰਸੋਇਆਂ, ਬਾਥਰੂਮ ਅਤੇ 3 ਪਾਰਕ ਬਣੇ ਹੋਏ ਹਨ। ਮਾਲ ਰਿਕਾਰਡ ਅਨੁਸਾਰ M/s Orchid Space Designs LLP, Regd. Office SCO 118-19-120, Sector 34-A, Chandigarh ਦੀ ਮਾਲਕੀ ਅਧੀਨ "The Hermitage Farms" 53 ਕਨਾਲ 04 ਮਰਲੇ ਰਕਬਾ ਖਸਰਾ ਨੰ 83//26, 27, 28, 29, 30, 32, 33/1, 34, 35/1, 36, 37, , 97//26/2, 26/1 ਅਤੇ 24 ਕਨਾਲ 09 ਮਰਲੇ ਰਕਬਾ ਖਸਰਾ ਨੰਬਰ 39/1 (ਕੁੱਲ ਰਕਬਾ 77 ਕਨਾਲ 13 ਮਰਲੇ) ਵਿੱਚ ਪੈਂਦਾ ਹੈ। ਦਫਤਰੀ ਰਿਕਾਰਡ ਅਨੁਸਾਰ ਇਹਨਾਂ ਖਸਰਾ ਨੰਬਰਾਂ ਵਿੱਚ 83//26, 27, 28, 30, 31, 32, 33/1, 34, 35/1, 36, 37 ਅਤੇ 97//26/2 ਪੀ.ਐਲ.ਪੀ.ਏ 1900 ਦੀ ਧਾਰਾ 4 ਅਤੇ 5 ਦੇ ਨੋਟਿਫਿਕੇਸ਼ਨਾਂ ਵਿੱਚੋਂ ਸਾਲਮ ਡੀਲਿਸਟ ਹਨ। ਜਦੋਂ ਕੀ 83//39 ਦੇ ਕੁੱਲ ਰਕਬੇ 80 ਕਨਾਲ 11 ਮਰਲੇ ਵਿੱਚੋਂ 51 ਕਨਾਲ 11 ਮਰਲੇ ਡੀਲਿਸਟ ਹੋ ਚੁੱਕੇ ਹਨ। 83//39/1 ਦਾ ਰਕਬਾ ਡੀਲਿਸਟ ਹੋਏ 51 ਕਨਾਲ 11 ਮਰਲੇ ਦਾ ਹਿੱਸਾ ਹੈ। ਖਸਰਾ ਨੰ. 83//29 ਅਤੇ 97//26/1 ਦਾ ਸਾਲਮ ਰਕਬਾ ਪੀ.ਐਲ.ਪੀ.ਏ 1900 ਦੀ ਧਾਰਾ 4 ਅਧੀਨ ਬੰਦ ਹੈ।

ਮੌਕੇ ਤੇ ਪੀ.ਐਲ.ਪੀ.ਏ 1900 ਦੀ ਧਾਰਾ 4 ਅਧੀਨ ਬੰਦ ਖਸਰਾ ਨੰ. 83//29 ਅਤੇ 97//26/1 ਦੇ ਰਕਬੇ ਵਿੱਚ ਕੋਈ ਉਸਾਰੀ ਜਾਂ ਵਾਇਉਲੇਸ਼ਨ ਨਹੀਂ ਹੋਈ ਪਾਈ ਗਈ।

ਪੰਜਾਬ ਸਰਕਾਰ ਵੱਲੋਂ ਡੀਲਿਸਟ ਨੋਟਿਫਿਕੇਸ਼ਨ ਜਾਰੀ ਕਰਨ ਤੋਂ ਪਹਿਲਾਂ ਮੁੱਖ ਸਕੱਤਰ ਪੰਜਾਬ ਜੀ ਦੀ ਪ੍ਰਧਾਨਗੀ ਹੇਠ ਮਿਤੀ 26.04.2010 ਨੂੰ ਹੋਈ ਮੀਟਿੰਗ ਵਿੱਚ ਲਏ ਫੈਸਲੇ ਅਨੁਸਾਰ ਡੀਲਿਸਟ ਰਕਬਾ ਵਣ ਵਿਭਾਗ ਦੇ ਅਧਿਕਾਰ ਖੇਤਰ ਵਿੱਚ ਨਹੀਂ ਪੈਂਦਾ, ਇਸ ਰਕਬੇ ਵਿੱਚ ਕਿਸੇ ਕਿਸਮ ਦੀ ਵਾਇਉਲੇਸ਼ਨ ਸਬੰਧੀ ਕਾਰਵਾਈ ਸਥਾਨਕ ਸਰਕਾਰਾਂ ਵਿਭਾਗ ਜਾਂ Town and Country Planing Department ਅਤੇ Housing and Urban Development ਆਦਿ ਸਬੰਧਤ ਵਿਭਾਗਾਂ ਵੱਲੋਂ ਕੀਤੀ ਜਾਣੀ ਬਣਦੀ ਹੈ।

Amrinder Singh
P.A. Karan

Bhupendra

C. C. Nader Bheel

ਵਣ ਚੋਜ ਅਫਸਰ

ਐਸ.ਏ.ਐਸ ਨਗਰ

True copy

Divisional Forest Officer
S.A.S. Nagar

Vernacular
of Annexure R7/4/T 20

ਪੰਜਾਬ ਸਰਕਾਰ
ਵਣ ਅਤੇ ਜੰਗਲੀ ਜੀਵ ਸੁਰੱਖਿਆ ਵਿਭਾਗ
ਦਫ: ਵਣ ਮੰਡਲ ਅਫਸਰ (ਜੰਗਲੀ ਜੀਵ), ਰੂਪਨਗਰ
dfowildliferonar@gmail.com
ਫੋਨ ਨੰ: 01881-294313

ਸੇਵਾ ਵਿਖੇ,

ਵਣ ਮੰਡਲ ਅਫਸਰ,
ਐਸ.ਏ.ਐਸ.ਨਗਰ।

ਨੰਬਰ: 487 ਮਿਤੀ: 15-5-2023

ਵਿਸ਼ਾ: ਨੈਸ਼ਨਲ ਗ੍ਰੀਨ ਟ੍ਰਿਬਿਊਨਲ, ਨਵੀਂ ਦਿੱਲੀ ਵਿਖੇ ਮੈਂਡਿਗ ਕੇਸ O.A. No. 161 of 2023 ਰਾਣਾ ਇਕਬਾਲ ਜੀਲੀ ਅਤੇ ਹੋਰ ਬਨਾਮ ਪੰਜਾਬ ਸਰਕਾਰ ਅਤੇ ਹੋਰ ਸਬੰਧੀ ਰਿਪੋਟ ਤੇਜ਼ ਬਾਰੇ।

ਹਵਾਲਾ: ਆਪ ਜੀ ਦੇ ਦਫਤਰ ਦਾ ਪੱਤਰ ਨੰ: 896 ਮਿਤੀ 17-05-2023

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਹਵਾਲੇ ਅਧੀਨ ਪੱਤਰ ਦੇ ਸਬੰਧ ਵਿੱਚ ਲਿਖਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਵਣ ਰੱਜ ਅਫਸਰ (ਜੰਗਲੀ ਜੀਵ), ਮੁਹਾਲੀ ਨੂੰ ਮੌਕਾ ਦਿੱਤਾ ਗਿਆ ਕਿਉਂਕਿ ਕਿਸੇ ਵੀ ਤਰ੍ਹਾਂ ਦੇ ਜੰਗਲੀ ਜੀਵ ਦਾ ਨੁਕਸਾਨ ਹੋਣ ਸਬੰਧੀ ਸੂਚਨਾ ਪ੍ਰਾਪਤ ਨਹੀਂ ਹੋਈ ਅਤੇ ਨਾ ਹੀ ਕਿਸੇ ਵਿਅਕਤੀ ਵੱਲੋਂ ਵਣ ਰੱਜ ਅਫਸਰ (ਜੰਗਲੀ ਜੀਵ), ਮੁਹਾਲੀ ਨੂੰ ਕਿਸੇ ਵੀ ਜੰਗਲੀ ਜਾਨਵਰ ਦਾ ਨੁਕਸਾਨ ਹੋਣ ਬਾਰੇ ਬਾਬਤ ਲਿਖਤੀ/ਜੁਆਨੀ ਸਿਕਾਇਤ ਕੀਤੀ ਹੈ। ਇੱਥੇ ਇਹ ਦੱਸਣਾ ਜ਼ਰੂਰੀ ਹੋਵੇਗਾ ਕਿ ਸੂਚਨਾ ਜੰਗਲੀ ਜੀਵ ਸੈਂਚੁਰੀ ਦਾ ਈਕੋ ਸੈਸਟਿਵ ਜ਼ੋਨ ਇੱਕ ਕਿਲੋਮੀਟਰ ਦਾ ਹੈ, ਜਿਸ ਵਿੱਚ ਇਸ ਸੈਂਚੁਰੀ ਦੇ ਅਲੇ ਦੁਆਲੇ ਇੱਕ ਕਿਲੋਮੀਟਰ ਤੱਕ ਕਾਫੀ ਰਕਬੇ ਆਉਂਦੇ ਹਨ। ਇਸ ਮੰਡਲ ਵੱਲੋਂ ਪੱਤਰ ਨੰ: 2248 ਮਿਤੀ 31-10-2022 ਰਾਹੀਂ ਲੋਕਾਂ ਦੀ ਐਕਸ਼ਨ ਨੂੰ ਮੁੱਖ ਰੱਖਦੇ ਸੂਚਨਾ ਜੰਗਲੀ ਜੀਵ ਸੈਂਚੁਰੀ ਦਾ ਈਕੋ ਸੈਸਟਿਵ ਜ਼ੋਨ 100 ਮੀਟਰ ਰੇਖਣ ਦੀ ਸਿਫਾਰਿਸ਼ ਮੁੱਖ ਜੰਗਲੀ ਜੀਵ ਵਾਰਡਨ, ਪੰਜਾਬ ਜੀ ਨੂੰ ਤੇਜ਼ੀ ਗਈ ਹੈ। ਇਸ ਰਕਬੇ ਦਾ ਈਕੋ ਸੈਸਟਿਵ ਜ਼ੋਨ ਵਿੱਚ ਹੋਣ ਬਾਰੇ ਫੀਲਡ ਦੇ ਸਰਵੇ ਕਰਕੇ ਹੀ ਖਤਾ ਲਗਾਇਆ ਜਾ ਸਕਦਾ ਹੈ। ਲਿਹਾਜ਼ਾ ਇਸ ਲਈ ਥੋੜ੍ਹਾ ਵਕਤ ਲੋੜੀਂਦਾ ਹੋਵੇਗਾ। ਵਣ ਰੱਜ ਅਫਸਰ (ਜੰਗਲੀ ਜੀਵ), ਮੁਹਾਲੀ ਨੇ ਆਪਣੇ ਪੱਤਰ ਵਿੱਚ ਇਹ ਵੀ ਦੱਸਿਆ ਹੈ ਕਿ ਜੰਗਲੀ ਜੀਵ ਸੈਂਚੁਰੀ ਸੂਚਨਾ ਤੋਂ 100 ਮੀਟਰ ਦੇ ਘੇਰੇ ਅੰਦਰ Hamillage Farm ਨਹੀਂ ਆਉਂਦਾ। ਲਿਹਾਜ਼ਾ ਰਿਪੋਟ ਆਪ ਜੀ ਨੂੰ ਅਗਲੀ ਕਾਰਵਾਈ ਹਿੱਤ ਤੇਜ਼ੀ ਜਾਂਦੀ ਹੈ।

ਵਣ ਮੰਡਲ ਅਫਸਰ (ਜੰਗਲੀ ਜੀਵ),
ਰੂਪਨਗਰ।
NR

ਪਿੱਠ ਅੰਕਣ ਨੰ:

488

ਮਿਤੀ: 15-5-2023

ਹੈ।

ਇਸ ਦੀ ਇੱਕ ਨਕਲ ਪ੍ਰਸ਼ਾਨ ਮੁੱਖ ਵਣ ਪਾਲ (ਜੰਗਲੀ ਜੀਵ), ਪੰਜਾਬ, ਐਸ.ਏ.ਐਸ.ਨਗਰ ਜੀ ਨੂੰ ਸੂਚਨਾ ਹਿੱਤ ਤੇਜ਼ੀ ਜਾਂਦੀ ਹੈ।

ਵਣ ਮੰਡਲ ਅਫਸਰ (ਜੰਗਲੀ ਜੀਵ),
ਰੂਪਨਗਰ।
NR

True copy

Divisional Forest Officer
S.A.S. Nagar



The Office of Karan Sharma <officeofkaransharmaor@gmail.com>

Proof of Service in Rana Iqbal

2 messages

The Office of Karan Sharma <officeofkaransharmaor@gmail.com>
To: "adv.vasubhushan@gmail.com" <adv.vasubhushan@gmail.com>

Tue, Aug 22, 2023 at 12:24 PM

 **Rana Iqbal NGT.pdf**
632K

The Office of Karan Sharma <officeofkaransharmaor@gmail.com>
To: "adv.vasubhushan@gmail.com" <adv.vasubhushan@gmail.com>

Tue, Aug 22, 2023 at 12:25 PM

Report on Behalf of the Respondent 7, Forest Department.

On Tue, Aug 22, 2023 at 12:24 PM The Office of Karan Sharma <officeofkaransharmaor@gmail.com> wrote: