

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

Original Application No.626 of 2025

Council of Engineers and Ors.

.....Applicants

Versus

State of Punjab & Ors.

.....Respondents

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Place: Chandigarh

(Sukhjeet Pal Singh)

Date: 08.04.2026

Additional Secretary, Govt. of Punjab
Department of Housing & Urban Development.



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

Original Application No.626 of 2025

In the Matter of-

MEMO OF PARTIES

1. Council of Engineers through its Member Er. Kapil Dev, H.O.186-E, BRS Nagar, Ludhiana Email: engineerscouncilindia@gmail.com M: 9872007872.
2. Er. Kapil Dev s/o Sh. Jagdish Chander (aged 49 years) r/o 186-E, BRS Nagar, Ludhiana Email: aroraengineers@gmail.com M: 9872007872
3. Er. Vikas Arora s/o Sh. Om Parkash (aged 35 years) r/o 1348/16, St. No.8, Haibowal Khurd, Ludhiana er.vikasarora@gmail.com M:9256000217
4. Gagnish Singh Khurana (aged 49 years) s/o S. Mohinder Singh Khurana, H. No. 180/B-XXIII, Tej Nagar, Bagh Suffian, Ludhiana. Email: gagnishkhurana@gmail.com M: 9814419611
5. Mohit Jain (aged 44 years) s/o Sh. Anil Kumar R/o Plot No. 29, Charan Street, Aman Park, B/S Gas Godown, Ludhiana. Email: er_mohitjain@yahoo.com (M. No. 985020403, Aadhaar No. 2561 8824 8824).

.....Applicants

Versus

1. State of Punjab through the Chief Secretary, Punjab Civil Secretariat, Sector-1, Chandigarh Email: cs@punjab.gov.in
2. The Principal Secretary, The Department of Housing & Urban Development, Punjab, Room No. 201, PUDA Bhawan, Sector 62, S.A.S. Nagar, Mohali (Punjab). Email: shud@puda.gov.in
3. The Principal Chief Conservator of Forests (PCCF) & HoFF, Department of Forests & Wildlife, Punjab, Forest Complex, Sector 68, S.A.S. Nagar, Mohali, Punjab Email: forestcomplex@gmail.com

4. The Secretary, Ministry of Environment, Forest & Climate Change (MoEF&CC), Government of India, Indira Paryavaran Bhawan Jorbagh Road, New Delhi - 110 003 Secy-moef@nic.in
5. The Regional Head, Ministry of Environment, Forest and Climate Change, Bays No. 24 & 25, Sector 31-A, Dakshin Marg, Chandigarh-160030, Email: ronz.chd-mef@nic.in

.....Respondents

Short Reply by way of affidavit of Sukhjeet Pal Singh,
Additional Secretary, Government of Punjab,
Department of Housing & Urban Development, on
behalf of Respondent No. 1, 2 & 3.

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

1. That the aforementioned OA is pending adjudication before this Hon'ble Tribunal and now the same is fixed for hearing on 09.04.2026.
2. That the Answering Respondent is filing a short reply to the present application at this stage and craves liberty of this Hon'ble Tribunal to file a detailed reply at a later stage, if so directed. The reply is being filed by the deponent, who is the authorized signatory of the Respondent Department and being aware of the facts of the case, is competent to swear the present affidavit.
3. That at the outset, it is humbly submitted that all the contentions raised by the applicant in the present OA, unless specifically admitted or explained, are denied.
4. That in this OA, the applicant has made a prayer to quash and set aside the impugned Notification/Policy dated 20.11.2025 (Annexure P-5) alleging that the same is illegal, arbitrary, ultra vires, and in violation of the Forest (Conservation) Act, 1980, applicable environmental safeguards, and the statutory planning framework and to grant an interim stay on the operation and implementation of the

said impugned policy till the final disposal of the present Petition so as to prevent irreversible ecological and legal consequences and further to direct an immediate stay on any Change of Land Use (CLU), approvals, sanctions, NOCs, permissions, or regularisation actions proposed or granted under or in reliance upon the impugned policy, if already initiated or processed, until the matter is finally heard and decided. Further prayer has been made to direct the Respondent-State to produce the complete record relating to forest clearance, inter-departmental consultations, environmental assessment, carrying capacity studies, and statutory approvals relied upon while framing the impugned policy and to pass such other or further orders as this Hon'ble Tribunal may deem fit and proper in the interest of justice, environmental protection, and sustainable development.

5. That at the outset it is humbly submitted that the LIGH-2025 Policy was notified to faithfully implement the terms of the earlier PLPA delisting approvals (MoEF&CC letters dated 16.03.2006 and 24.07.2009) and the Supreme Court's mandate in *Godavarman Thirumulpad v. UOI* (requiring strict Forest Conservation Act compliance). Under those approvals, the State was authorized to de-notify certain cultivated/inhabited areas *only* for bona fide agriculture use and for sustaining the livelihood of landowners subject to conditions that in any case, no commercial activity is permitted on such delisted land.

6. That when this matter was fixed for hearing on 04.12.2025 on the submission of the applicant the following was observed by this Hon'ble Tribunal:-

"4. The Applicant submits that original notification was issued on 16.03.2006 conveying in-principal approval to delist 65,670.26 hectares cultivated and habitation area in Punjab clause under the Punjab Land Preservation Act, 1900 from the

list of forest area for bonafide agricultural use and other livelihood needs subject to certain conditions. He has further submitted that though the impugned Notification in clause 14 says that no commercial activity is permitted on such delisted land but it will be used for getting the permission for commercial use under clause 18 of the impugned notification which reads as under:-

"Clause 18

The existing rules under the Punjab Urban Planning and Development Building, Rules, 2021, already contain detailed provisions for the grant of CLU and other clearances for Farm Houses. The scope of commercial use and activity is also defined in these rules and same can be utilized under this policy."

7. That subsequently when this matter came up for hearing on 18.12.2025 the following statement was given by the learned council for the State Government:-

"4. Learned Counsel appearing for the Respondents No. 1 to 3 has stated that till the next date of hearing, no allotment in pursuance to the impugned notification will be made and no permissions will be granted. He has further submitted that no allotments have been made and no permissions have been given in pursuance to the impugned notification till now."

8. That in view of observation of this Hon'ble Tribunal in order dated 04.12.2025 the relevant clause no. 18 of the impugned notification dated 20.11.2025 has been re-considered and vide Notification No.H-U-11020/183/2025-4H1/I/1362694/2026 dated 07-04-2026, the Government has amended the Original Policy dated 20.11.2025, whereby the contradictory portion of Clause 11 has been deleted and Clause 18 has been struck down in its entirety. A true copy of this

notification No.H-U-11020/183/2025-4H1/1/1362694/2026 dated 07-04-2026 is annexed herewith as **Annexure R-1**.

9. That in view of the aforesaid amendment, the alleged inconsistencies and grievances raised by the applicant stand duly addressed and rectified by the Government; therefore, no cause of action survives for adjudication in the present application.

It is therefore, prayed that in view of the submissions made herein above, the present OA may kindly be dismissed, in the interest of Justice.



Deponent

(Sukhjeet Pal Singh)

Additional Secretary, Govt. of Punjab
Department of Housing & Urban Development

Place: Chandigarh

Dated:

VERIFICATION

Verified that the contents of Paragraphs No. 1 to 9 of the above affidavit are true and correct to the best of my knowledge and as per information derived from official records. No part of it is false and nothing material has been kept concealed therein.



Deponent

(Sukhjeet Pal Singh)

Additional Secretary, Govt. of Punjab
Department of Housing & Urban Development

Place: Chandigarh

Dated:

GOVERNMENT OF PUNJAB
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
(HOUSING-1 BRANCH)

NOTIFICATION

Date: 07.04.2026

No. H-U-11020/183/2025-4H1/I/1362694/2026.- Whereas, in order to regulate the development and ensure environmental compliance for residential habitats on specific delisted lands in the State, Policy for approval/regularization of Low Impact Green Habitats (LIGH) in the State of Punjab, 2025 was notified vide Notification No.H-U-11020/183/2025-4H1/I/1248240/2025 dated 20-11-2025. In order to ensure strict compliance of the orders of Supreme Court of India as well as other instructions issued by Government of India and Punjab, the Governor of Punjab is pleased to amend the above said policy, as under:

- 1.0 In Condition no.11, of Policy notified vide Notification No.H-U-11020/183/2025-4H1/I/1248240/2025 dated 20-11-2025, the words "**Furthermore, the provision of the Eco Tourism Policy, 2009 may also be considered. Monitoring in this regard will be done by the Forest Department.**" shall be deleted.
- 2.0 Condition no.18, of the Policy notified vide Notification No.H-U-11020/183/2025-4H1/I/1248240/2025 dated 20-11-2025, shall be deleted.
- 3.0 Rest of the conditions of the above Policy notified on 20-11-2025 shall remain the same.


Vikas Garg, IAS

Principal Secretary to Govt. of Punjab
Department of Housing and Urban Development


Chandigarh
Date: 07.04.2026

No. H-U-11020/183/2025-4H1/I/1362694/2026/1 Date, Chandigarh: 07.04.2026

A copy of the above is forwarded to Controller, Printing and Stationery, Punjab with a request to kindly publish this notification along with annexure attached herewith in the Punjab Govt. Gazettee (Extra Ordinary).


Additional Secretary

Contd.P/2

True Copy

Additional Secretary
Department of Housing
and Urban Development.


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No. H-U-11020/183/2025-4H1/I/1362694/2026/2-15 Date, Chandigarh: 07.04.2026

A copy of the above is forwarded to the followings for information and necessary action:-

1. Chief Secretary, Punjab.
 2. Principal Secretary to Chief Minister, Punjab.
 3. Additional Chief Secretary, Department of Revenue, Rehabilitation & Disaster Management.
 4. Additional Chief Secretary, Department of Mines & Geology, Punjab.
 5. Principal Secretary, Department of Water Resources, Punjab.
 6. Principal Secretary, Department of Forests & Wildlife Preservation, Punjab.
 7. Principal Secretary, Department of Science, Technology & Environment, Punjab.
 8. Administrative Secretary, Department of Rural Development and Panchayats, Punjab.
 9. Administrative Secretary, Department of Agriculture & Farmers Welfare, Punjab.
 10. Administrative Secretary, Department of Soil & Water Conservation, Punjab.
 11. Director, Town & Country Planning, Punjab.
 12. Chief Administrators, PUDA, GMADA, GLADA, PDA, BDA, ADA, JDA.
 13. General Manager (IT), PUDA, SAS Nagar.
14. Superintendent, Cabinet Affairs Branch, Punjab Civil Secretariat, Chandigarh.

True copy


Additional Secretary
Department of Housing
and Urban Development.


Additional Secretary