

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

Original Application No. 1204 of 2024

Court on its own motion

V/s

1. Principal Chief Conservator of Forests (PCCF), Punjab Forest Complex, sector 68, SAS Nagar, Mohali, Punjab-160062.
2. Ministry of Environment, Forest and Climate Change (MoEFCC) Regional Office, Punjab. Ministry of Environment, Forest and Climate Change, Regional Office (NZ), Bays No.24-25, Sector 31 A, DakshinMarg, Chandigarh-160030
3. District Magistrate (Chandigarh). Deputy Commissioner Office, Sector 17, Chandigarh-160017.

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Place: SPS Nagar

Dated: 17.11.25

Government Pleader, Punjab

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
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ORIGINAL APPLICATION NO. 1204 of 2024

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2. Ministry of Environment, Forest and Climate Change MoEFCC) Regional Office, Punjab. Ministry of Environment, Forest and Climate Change, Regional Office (NZ), Bays No.24-25, Sector 31 A, Dakshin Marg, Chandigarh-160030
3. District Magistrate (Chandigarh). Deputy Commissioner Office, Sector 17, Chandigarh-160017.

Short reply by way of affidavit of Raman Kant Mishra, IFS, Principal Chief Conservator of Forests (HoFF), Department of Forest and

Wildlife Preservation, Punjab, Sector-68, SAS Nagar
i.e Respondent No.-1

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

That the deponent is presently working as Principal Chief Conservator of Forests (HoFF), Department of Forest and Wildlife

Raman Kant Mishra

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.

RESPECTFULLY SHOWETH:

1. That the present affidavit is being filed on the basis of report submitted by Divisional Forest Officer, SAS Nagar.
2. That it is submitted that the land of 30 villages i.e. Tarapur, Burana, Gocher, Majra, Sultanpur, Pallanpur, Dulwan, Siswan, Choti Bari Nagal, Parol, Majarian, Sunk, Parch, Nada, Karoran, Mirzapur, Sainimajra, Bhukri, Lubangarh, Lakhnor, Salamtpur, Bhronjian, DhakoranKalan, Baliali, Thaska, Malakpur, Landran, Majatri, Mullanpur, Hoshiarpur in district SAS Nagar, was notified under Punjab Land Preservation Act, 1900 vide Notification No. 458 Dated 23.09.1914 with regulation-restriction of certain activities under section 4 of Punjab Land Preservation Act, 1900 vide Notification No. 459 Dated 23.09.1914 and vide Notification No. 6530-D-50/5728 dated 20.11.1950 (**Copy of Notifications is attached as Annexure R1/1**). Thereafter, these restriction regulations were extended to certain period of time in the favour of notification under section 4 of PLPA, 1900.



3. That, it is submitted that certain areas which were under cultivation and habitation in all the above 30 villages which also notified under Punjab Land Preservation Act, 1900 and the same was also included in the list of forest areas. Since, it was technically not upholding the nature of a forest area, the same was proposed by the state to delist these areas from list of forest areas. It is submitted that delisting of these areas was done on the basis of revenue record of 1996. Accordingly with the direction of Hon'ble Supreme Court and the approval from MoEF & CC, Government of India, the State Government delisted these land which were under cultivation and habitation of the above said villages was from the list of forest areas and de-notified the same from the provisions of PLPA, 1900 vide notification nos. 39/578/2005-Ft-III/6085 dated 13.08.2010 and 39/11/2011-Ft.-3/6827 Dated 24.08.2011. **(Copy of Notification is attached as Annexure R1/2)**

4. That, It is submitted that while issuing permission for delisting the land under cultivation and habitation from the preview of the section of 4 and 5 of PLPA, 1900 as well as deletion the same from the list of forests, the MoEF & CC, Govt. of India imposed the following conditions in its approval:-



- "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."

It is submitted that before the issuing of delisting notification a meeting was held under the chairmanship of Chief Secretary, Punjab on dated 26.04.2010 and the following decision was taken for implementation of the above conditions:-

"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 de-notify 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.*
- 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*

Amish

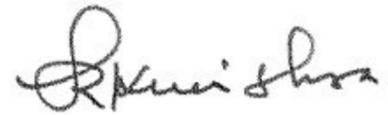
across the State by the State Government through different departments, which have jurisdiction and legal mandate in regulating land use. After discussion it was decided that Department of Local Government will take action in respect of these conditions within the limits of Local bodies, if such delisted 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."

It is submitted that as per the above decision taken in the meeting held on 26.04.2010 under the chairmanship of Chief Secretary, Punjab, the delisted areas do not fall under the jurisdiction of Forest Department and therefore, the compliance of these directions are to be carried out by the concerned departments in whose jurisdiction such land falls. (Copy of proceedings of the meeting, is attached as **Annexure R1/3**).

R. Mishra

5. That, it is submitted that during the month of September, 2022, a field survey was carried out by the Forest Department regarding the violations of forest laws in notified areas of SAS Nagar district in above said 30 villages. In the survey apart from violations in Forest Area, 116 nos. of constructions were noticed in some of the said villages in delisted areas, which were just adjacent to the forest area under Punjab Land Preservation Act, 1900. After receiving the detailed report from the concerned Forest Range Officers, the list of these constructions was sent to the Chief Administrative, GMADA and Deputy Commissioner, SAS Nagar by the Divisional Forest Officer, SAS Nagar vide its letter No. 4130 dated 14.09.2022 and letter No. 4129 dated 14.09.2022 respectively for the information and to take necessary action in the compliance of direction of MoEF, Govt. of India and Hon'ble Supreme Court as per decision taken in the meeting chaired by Chief Secretary, Punjab on dated 26.04.2010 against the violations. (Copy of letter No. 4130 dated 14.09.2022 and letter No. 4129 dated 14.09.2022 are attached as **Annexure R1/4 & R1/5 respectively**).

It is further submitted that as per decision taken in the meeting dated 26.04.2010, the delisted areas do not fall under the



jurisdiction of the Forest Department, therefore, the Forest Department cannot take action against the said violations on delisted areas, since only concerned department i.e. Local Government, Town and Country Planning, Housing & Urban Development Department are empowered to do the same as per their jurisdiction.

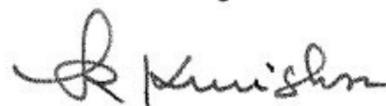
That the Forest Department is taking timely legal actions against the offenders to minimise the violations on areas notified under section 4 and 5 of the Punjab Land Preservation Act, 1900. Further, it is submitted that any non forestry land use in such forest areas is being allowed only after obtaining prior approval of the Competent Authority under the Van (Sanrakshshan Evam Samvardhan) Adhiniyam, 1980.

Keeping the above said in view, it is humbly prayed that the present original application may kindly be dismissed or appropriate order may kindly be passed in the interest of the justice.

Place: SAS Nagar

Dated: 17/1/2025

(DEPONENT)



**Raman Kant Mishra, IFS
Principal Chief Conservator of Forests (HoFF),
Deptt. of Forest and Wildlife Preservation,
Punjab.**

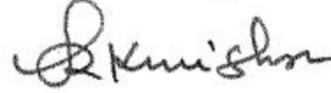
VERIFICATION:

Verified that the contents of the paras 1 to 5 of the affidavit are true and correct to the best of my knowledge and they are drawn from the official record. No part of it is false and nothing is concealed there from.

Place: SAS Nagar

Dated: 17/1/2025

(DEPONENT)



**Raman Kant Mishra, IFS
Principal Chief Conservator of Forests (HoFF),
Deptt. of Forest and Wildlife Preservation,
Punjab.**

The 23 September 1914.

No. 458- Notification Whereas it appears to the Local Government that it is desirable to provide for the better preservation and protection of certain local areas, situated within or adjacent to the Shiwalik mountain range, and affected or liable to be affected by the depoisement of the forest in that range, and by the action of Chos. His Honor the Lieutenant-Governor of the Punjab is therefore pleased to direct, in exercise of the powers conferred by section 3 of the Punjab Land Preservation (Chos) Act, 1900 (II of 1900), that the provisions of the said Act shall be extended to, and they are hereby declared to be in force in the local areas specified in the schedule to this notification annexed.

SCHEDULE

District	Tehsil	Serial No.	Village	Whole Village or part of a village	Boundaries				Remarks
					North	South	East	West	
Ambala	Rupar	1	Bardar	Part	Nalagarh State and Kakant and Majra (4)	Tarapur (2 of Kharar Tehsil)	Nalagarh State	Line	
		2	Kheri	Do	Haripur (3)	Line ...	Bardar (1)	Haripur (3)	
		3	Haripur	Do	Majra (4) and Hirdepur (5)	Line and Kheri	Ditto	Hirdepur (5) and Majra (4)	
		4	Kakant	Do	Nalagarh	Harip	Ditto	Line	

			and Majra		h State	ur (3 and Hirde pur 5)		
5	Hirdep ur	Do	Kakant and Majra (4)		Line	Haripu r (3)	Line and Kakant and Majra (4)	
6	Bari	Do	Nauru ngpur (7)		Kaka nt and Majra (9)	Kakant Majra 4 and Nalaga rh State	Line	
7	Nauru ngpur	Do	Nalagar h State		Bari(6)	Nalaga rh State	Line	
8	Jhandi an	Do	Line		Line	Narun gpur (7)	Bhugal an(9)	
9	Bhugal an	Do	Do		Do	Jhand ain (8)	Fatehp ar (10)	
10	Fetehp ur	Do	Do		Do	Bhugal an (9)	Sanan a (11)	
11	Sanana	Do	Do		Do	Fatehp ur (10)	Line	

SCHEDULE-Concluded

Dist rict	Teh sil	Ser ial No.	Village	Wh ole Vill age or part of a vill age	Boundaries				Remark s
					North	Sout h	East	West	
A m b a	K h a r	1	Chandi garh	Part ...	Patiala State	Line	Line	Darra (2)	Note;- "Line" means the line
		2	Darra	Do	Do	Do	Chandi garh	Suketri (4) and	

l a	a r					(1)	Bhains a Tibha (3)	demarca ted under the orders of the Deputy Commiss ioner, Ambala, by boundar y pillars situated along or in the vicinity of the western skirt of the Shiwalik range and shown on the field maps now being prepared	
		3	Bhains a Tibba	Do	Darra (2) and Suketri (4)	Do	Darra (2)		Line
		4	Suketri	Do	Patiala State	Line and Bhain sa Tibba	Do..		Kansal (5)
		5	Kansal	Do	Patiala State and Nada (8)	Line ...	Suketr i (4)		Karora n (7)
		6	Khuda Ali Sher	Do	Nada (5) and Karora n (7)	Do	Kansal (5)		Do..
		7	Karora n	Do	Nada..	Line and Khud a Ali SHer (6)	Patiala State and Kansal (5)		Line and Nada(8)
		8	Nada	Do	Patiala State and Parch (9)	Line ...	Do		Parch (9)
		9	Parch	Do	Patiala State And Sunk (10)	Do	Nada (8)		Sunk (10)
		10	Sunk	Do	Majria n (11)	Line and Parch (9)	Parch (9)		Majria n (11)
		11	Majria n	Do	Patiala State	Line and Sunk (10)	Patiala State		Nagal (12)

	12	Nagal	Do	Patiala State and Siswan (14)	Line ...	Majria n (11)	Parol (13) and Siswan (14)
	13	Parol	Do	Siswan (14)	Do..	Nagal (12)	Line and Siswan (14)
	14	Siswan	Do	Nalagar h State and Mirzap ur (12)	Parol (13) and Nagal (12)	Patiala State	Dulwa n (18) Palanp ur (17) and Majra (16)
	15	Sultan pur	Do	Pallanp ur (17)	Line..	Siswan (14)	Palanp ur (17)
	16	Majra	Do	Do	Do..	Do	Do
	17	Pallanp ur	Do	Dulwa n (18)	Line and Majra (10)	Do	Line and Dulwa n (18)
	18	Dulwa n	Do	Mirzap ur (21)	Palla npur (17)	Do	Burana (19)
	19	Burana	Do	Do	Line and Dulw an (15)	Dulwa n (18)	Gocher (20)
	20	Gocher	Do	Tarapu r (22)	Line	Mirzap ur (21)	Line
	21	Mirzap ur	Wh ole	Do	Bura na (13) and Dulw an (18)	Siswan (14)	Gocher (20)
	22	Tarapu r	Part ...	Bardar (Rupar Tehsil)	Mirza pur (21)	Nalaga rh State	Line..

No. 459- Notification- Whereas the Local Government is satisfied after due enquiry that the restrictions and prohibitions hereinafter contained are necessary for the purpose of giving effect to the provision of the Punjab Land Preservation (Chos) Act, 1900, His Honor the Lieutenant-Governor of the Punjab, in exercise of the powers conferred by section 4 of the said Act, is hereby pleased to prohibit throughout the local areas specified in Punjab Government Notification No. 458, dated 23 September 1914;-

- A. The clearing or breaking up or cultivating of land not ordinarily under cultivation prior to the publication of the said notification.
- B. The quarrying of stone or the burning of lime at places where such stone or lime has not ordinarily, been so quarried or burnt prior to the publication of the said notification.
- C. The cutting of trees and collection or removal of timber for sale as a means of profit, income or livelihood, or for any other purpose not *bonafide* domestic or agricultural.
- D. The setting on fire of trees, timber or forest produce.
- E. The admission, herding, pasturing or retention of sheep or goats.

J.P.THOMPSON,

Revenue Secretary to Government, Punjab.

True copy
Sukh
Division: ...
S.A.S. ...

(FORESTS)
The 20th November 1950

No. 6530-D-50/5727. Whereas it appears to the Governor of Punjab that the areas specified in the Schedule hereunto annexed are either subject to erosion by the removal or displacement of earth, soil, stones or other materials by the action of wind or water, or are likely to become subject to erosion and that it is desirable to provide for the conservation of sub-soil water and the prevention of erosion in the said areas.

Now, therefore, the Governor of Punjab is pleased, in exercise of the powers conferred by section 3 of the Punjab Land Preservation Act, 1900, as subsequently amended to make directions accordingly:-

SCHEDULE

District	Tehsil	Villages	Area
Ambala	Kharar	All Revenue estates included miles in this tehsil.	371 Square mile

Note: The areas lying within the aforesaid tract to which the restrictions and prohibitions under section -4 of the Act, have already been applied, shall be considered to have been excluded from the above schedule No. 6530-D-50/5728. Whereas the Governor of Punjab is satisfied after due enquiry, that the regulations, restrictions and prohibitions, hereinafter contained, are necessary for the purpose of giving effects to the provisions of the Punjab Land Preservation Act, 1900, the Governor of Punjab in exercise of the powers conferred by section 4 of the said Act, is hereby pleased to prohibit the following acts for a period of 5 years with effect from the dated of this notification, the said areas forming part of the villages in the Kharar Tehsil of the Ambala District specified in the Schedule annexed to Punjab Government notification NO. 6580-D-50/5727, dated the 20th November 1950.

"The cutting of trees or timber or collection or removal or subjection to any manufacturing process of any forest produce other than flower, fruit and honey, save for bonafide domestic or agricultural purposes, provided that the owners of the land may remove and sell tree or timber after obtaining a permit to do so from the Divisional Forest Officer, Ambala Forest Division,

such permit will prescribe such conditions for sale as may from time to time appear necessary in the interest of Forest conservancy.

SCHEDULE

District	Tehsil	Villages	Area
Ambala	Kharar	All Revenue estates included miles in this tehsil.	371 Square mile

Note: The areas lying within the aforesaid tract to which the restrictions and prohibitions under section -4 of the Act, have already been applied, shall be considered to have been excluded from the above schedule

True copy

Sulchda

Divisional Officer
S. A. S. Nagar

7/21/2010
17/8

(TO BE SUBSTITUTED BEARING SAME NUMBER & DATE)

GOVERNMENT OF PUNJAB
DEPARTMENT OF FORESTS & WILD LIFE PRESERVATION
(FOREST BRANCH)

Notification

No. 39/578/2005-Ft-III/ 6085

Dated the 13.8.2010

Whereas the area of village Nada (H.B No.350) comprised within the limits of the local area is notified under Section 3 of the Punjab Land Preservation Act, 1900 vide Punjab Government Notification No. 4811-Ft-(VI)-61/8163 dated 9th June, 1961.

2. Whereas Punjab Government while giving effect to the provisions of the Act, imposed certain temporary regulations, restrictions or prohibitions with regard to clearing, breaking and cultivation of the land, quarrying of stones, burning of lime, cutting of trees or timber or collection or removal of any forest produce, the admission, herding, pasturing or retention of any cattle etc. in 2222 acres as contained in the schedule of the Punjab Government Notification No. 39/118/2002-Ft-III/1486 dated 3rd February, 2003 & Corrigendum No. 39/118/02-Ft-III/5959 dated 4th July, 2008 issued for a period of 15 years under section 4 of the Act and 850 acres as contained in the schedule of Punjab Government Notification No. 39/6/04-Ft.III/772 dated 20th January, 2004 issued for a period of 20 years under Section 5 of the Act in the said village.

3. (a) Whereas the State Government filed an affidavit dated 21.02.1997 detailing action taken for cessation of all non-forest activities in forest areas (both government and private) in the Hon'ble Supreme Court of India concerning the interim orders of the Hon'ble Supreme Court in Writ Petition (Civil) 202/1995 and a copy of the report regarding the details of government/private forests (name, location, area, legal status), details of areas once forests but presently degraded/denuded and details of plantation (government/private) was enclosed with the affidavit as *Annexure-G*.

(b) The State Government in the affidavit dated October 1999 submitted that the Expert Committee constituted by the State Government included cultivated/ habitation areas closed under Punjab Land Preservation Act, 1900 in the list of forest areas only because these areas were included in the Annual Administrative Reports of the Department as "Areas closed under the PLPA, 1900" and the State Government informed and apprised the Hon'ble

Supreme Court of the views and in-principle decision of the State Government to delete all those areas closed under PLPA, 1900 which were under cultivation and habitation from the list of forest areas as contained in *Annexure-G* enclosed with the aforesaid affidavit dated 21.02.1997.

4. Whereas on 9.9.2005, the Hon'ble Supreme Court of India in IA No. 976 in IA No. 727 ordered Ministry of Environment & Forests to consider the proposal of the State of Punjab as contained in communication dated 4th July, 2000 in accordance with the rules, procedure and guidelines laid down under Forest Conservation Act, 1980 and the lands to be considered would be such lands which are under bonafide agricultural use.

5. (a) Whereas in compliance of the orders of the Hon'ble Supreme Court of India dated 9.9.2005, Ministry of Environment and Forests, Government of India vide F.No. 8-19/2006-FC dated 16th March 2006 conveyed in-principle approval to de-list 65,670.26 ha. cultivated and habitation areas closed under Punjab Land Preservation Act, 1900 from the list of forest areas for bonafide agricultural use and other livelihood needs subject to the 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) *A detailed list of such lands showing the land use and status of such land before 25.10.1980 and after that, upto 12.12.1996, shall be furnished to this Ministry before final approval."*

(b) Ministry of Environment and Forests, Government of India vide F.No. 8-19/2006-FC dated 10th August, 2006 conveyed approval for delisting of 707.70 ha (265.59 ha. in Nada Village and 442.11 ha. in Karoran village) cultivated and habitation area closed under PLPA, 1900 from the list of forest areas subject to the 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.*

OCU 2

iii) *No further part compliance will be entertained in respect of remaining area/villages/districts"*

6. Therefore, keeping in view the above, the Governor of Punjab is pleased to delist/ denotify the land measuring 265.59 ha. cultivated and habitation area of Village Nada closed under PLPA, 1900 comprised in the Khasra numbers as detailed in Annexure-I and also from the list of forest areas as contained in Annexure-G enclosed with the affidavit dated 21.2.1997 of the State Government in Hon'ble Supreme Court of India in Writ Petition (Civil) No. 202 of 1995. Consequently, the restrictions, regulations and prohibitions imposed under Section 4 & 5 of PLPA, 1900 shall cease to be applicable in the delisted areas.

7. The above deletion is subject to the final judgments in Civil Appeal No. 4682-4683 of 2005 of B.S. Sandhu Vs. Government of India and others, Civil Appeal No. 4798 of 2005 of Bhartiya Kisan Union TH. Vice President Vs. State of Punjab and others, Civil Appeal No. 4799-4800 of 2005 of Suresh Sharma and others vs. B.S. Sandhu and others, Special Leave Petition (Criminal) No. 7647 of 2009 with Criminal Misc. No. 17535 of 2009 of Harsh Kumar Sharma vs. Central Bureau of Investigation & others pending before Hon'ble Supreme Court of India.

8. This de-listed area will be administered in accordance with the decisions taken in the meeting held under Chairmanship of Worthy Chief Secretary, Punjab on 26.4.2010 as contained in the proceedings issued vide Punjab Government Memo No. 39/578/2005-Forest-3/2945 dated 4.5.2010 (copy enclosed in the Annexure-II).

Chandigarh, dated the
11.8.2010

R.C.NAYYAR
Financial Commissioner & Principal Secretary
Govt. of Punjab, Department of Forests &
Wildlife Preservations

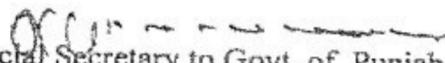
Endst.No. 39/578/05-Ft.3/6086

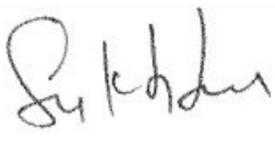
Chandigarh, dated the 13.8.2010

A copy alongwith its enclosures, is forwarded to the following for information and necessary action:-

1. Controller, Printing & Stationery, Punjab, Chandigarh with a spare copy of the notification. He is requested to publish the same in the official gazette and 20 copies of the notification may be supplied to this department.
2. Financial Commissioner Revenue & Secretary to Govt of Punjab
Department of Revenue & Rehabilitation Punjab
Department of Revenue & Rehabilitation Punjab

3. Financial Commissioner, Rural Development & Panchayat Department, Punjab.
4. Principal Secretary, Department of Local Government, Punjab.
5. Principal Secretary, Housing Urban & Development Department, Punjab.
6. Principal Secretary, Industries & Commerce Department, Pb.
7. Secretary, PWD (B&R), Punjab.
8. Principal Chief Conservator of Forests, Punjab, Chandigarh.
9. Deputy Commissioner, SAS Nagar, Mohali.


Special Secretary to Govt. of Punjab,
Department of Forests & Wild life
Preservations


Superintendent
Divisional Forest Officer
S.A.S. Nagar

GOVERNMENT OF PUNJAB
DEPARTMENT OF FORESTS & WILD LIFE PRESERVATION
(FOREST BRANCH)

NOTIFICATION

No. 39/11/2011-FT-3/ 6827

Dated: 24-8-2011

Whereas under Section 4 and 5 of the Punjab Land Preservation Act, 1900 there is a provision of imposing temporary regulations, restrictions or prohibitions in areas governed under the Act.

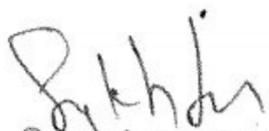
2. Whereas Punjab Government while giving effect to the provisions of the Punjab Land Preservation Act 1900, imposed certain temporary regulations, restrictions or prohibitions with regard to Clearing, breaking and cultivation of the land, quarrying of stones, burning of lime, cutting of trees or timber or collection or removal of any forest produce, the admission, herding, pasturing or retention of any cattle etc. in detailed areas as contained in the schedules of the Punjab Government, notification in respect of villages given in Table below (total area of these villages also given in annexure III):-

Table-I

Sr. No.	District	Name of the Villages	H.B.No	Last/current Notification	
				Notification No.	Whether under section 4 or 5 of PLPA
1	S.A.S. Nagar (Mohali)	Sunk	344	No.39/118/2002-FT-III-1486 dated 3 rd February,2003 No.39/18/93-FT-3/2 date 22-9-1993	4 5
2	-	Siswan	338	No.39/118/2002-FT-III-1486 dated 3 rd February,2003 No.39/18/93-FT-3/2 date 22-9-1993	4 5
3	-	Salamatpur	162	No.39/15/99-FT-III/15852 dated 4 th November,1999 No.39/15/99-FT-III/15855 dated 4 th November,1999	4 5
4	-	Bharonjian	160	No.39/15/99-FT-III/15852 dated 4 th November,1999	4 5

[Signature]
Superintendent
Divisional Forest Officer
S.A.S. Nagar

				No.39/15/99-FT-III/15855 dated 4 th November,1999	
5	-	Saini Majra	318	No.39/71/91-FT-III/4098 dated 26.11.1993.	4
6	-	Lubangarh	319	No.39/15/99-FT-III/15852 dated 4 th November,1999 No.39/15/99-FT-III/15855 dated 4 th November,1999	4 5
7	-	Choti-Bari Nagal.	339	No.39/118/2002-FT-III-1486 dated 3 rd February,2003 No.39/18/93-FT-3/2 date 22-9-1993	4 5
8	-	Dulwan	337	No.39/118/2002-FT-III-1486 dated 3 rd February,2003	4
9	-	Dhakaran Kalan	154	No.39/118/2002-FT-III-1486 dated 3 rd February,2003 No.39/15/99-FT-III/15852 dated 4 th November,1999	4 5
10	-	Gochar	328	No.39/118/2002-FT-III-1486 dated 3 rd February,2003 No.39/230/2003-FT-III-17326 dated 20 th October,2003	4 5
11	-	Tarapur	325	No.39/118/2002-FT-III-1486 dated 3 rd February,2003 No.39/230/2003-FT-III-17326 dated 20 th October,2003	4 5
12	-	Mirzapur	326	No.458-459-FT-23.9.1914 No.39/230/2003-FT-III-17326 dated 20 th October,2003	4 5
13	-	Burana	327	No.39/118/2002-FT-III-1486 dated 3 rd February,2003 No.39/230/2003-FT-III-17326 dated 20 th October,2003	4 5
14	-	Pallampur	334	No.458-459-FT-23.9.1914	4


 Superintendent
 Divisional Forest Office
 S.A.S. Nagar

				No.39/118/2002- FT-III-1486 dated 3 rd February,2003	
15	-	Majrian	343	No.39/15/99-FT-III/15852 dated 4 th November,1999	4
16	-	Sultanpur	333	No.39/118/2002-FT-III-1486 dated 3 rd February,2003	4
17	-	Majatri	57	No.39/15/99-FT-III/15852 dated 4 th November,1999	4
18	-	Malakpur	84	No.39/15/99-FT-III/15852 dated 4 th November,1999 No.39/15/99-FT-III/15855 dated 4 th November,1999	4 5
19	-	Bhukhari	78	No.39/15/99-FT-III/15852 dated 4 th November,1999 No.39/15/99-FT-III/15855 dated 4 th November,1999	4 5
20	-	Baliali	34	No.39/15/99-FT-III/15852 dated 4 th November,1999 No.39/15/99-FT-III/15855 dated 4 th November,1999	4 5
21	-	Thaska	174	No.39/15/99-FT-III/15855 dated 4 th November,1999	4
22	-	Lakhnour	36	No.39/15/99-FT-III/15852 dated 4 th November,1999 No.39/15/99-FT-III/15855 dated 4 th November,1999	4 5
23	-	Landran	37	No.39/15/99-FT-III/15855 dated 4 th November,1999	4


Superintendent
Divisional Forest Officer
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3. (a) Whereas the State Government filed an affidavit dated 21.02.1997 detailing action taken for cessation of all non-forest activities in forest areas (both government and private) in the Hon'ble Supreme Court of India concerning the interim orders of the Hon'ble Supreme Court in Writ Petition (Civil)

No. 202/1995 and a copy of the report regarding details of Government/Private

forests (name, location, area, legal status), details of areas once forests but presently degraded denuded and details of plantation (government/private) were enclosed with the affidavit as *Annexure-G*.

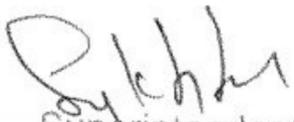
(b) The State Government in the affidavit dated October 1999 submitted that the Expert Committee constituted by the State Government included cultivated/habitation areas closed under Punjab Land Preservation Act, 1900 in the list of forest areas only because these areas were included in the Annual Administrative Reports of the Department as "Areas closed under the PLPA, 1900" and the State Government informed and apprised the Hon'ble Supreme Court of the views and in-principal decision of the State Government to delete all those areas closed under PLPA, 1900 which were under cultivation and habitation from the list of forest areas as contained in *Annexure-G* enclosed with the aforesaid affidavit dated 21.02.1997.

4. Whereas on 9.9.2005, the Hon'ble Supreme Court of India in IA No.976 in IA No.727 ordered Ministry of Environment & Forests to consider the proposal of the State of Punjab as contained in communication dated 4th July, 2000 in accordance with the rules, procedure and guidelines laid down under Forest Conservation Act, 1980 and the lands to be considered would be such lands which are under bona-fide agricultural use.

5. (a) Whereas in compliance of the orders of the Hon'ble Supreme Court of India dated 9.9.2005, Ministry of Environment and Forests, Government of India vide F. No. 8-19/2006-FC dated 16th March 2006 conveyed in-principal approval to de-list 65,670.26 ha. cultivated and habitation areas closed under Punjab Land Preservation Act, 1900 from the list of forest areas for bona-fide agricultural use and other livelihood needs subject to the 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) A detailed list of such lands showing the land use and status of such land before 25.10.1980 and after that, up to 12.12.1996, shall be furnished to this Ministry before final approval.

(b) Further, Ministry of Environment and Forests, Government of India vide F. No.8-19/2006-FC dated 24th July, 2009 conveyed approval for


Superintendent
Divisional Forest Officer
S.A.S. Nagar

delisting of 55339.95 ha. cultivated and habitation area closed under Punjab Land Preservation Act, 1900 subject to the following conditions:

- (i) The State Government shall ensure that no commercial activities are permitted on such de-listed land;
- (ii) The de-listed land shall be used only for bona fide use of 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 de-listing, such areas shall not be deemed to have been de-listed from the list of forest areas of the State.

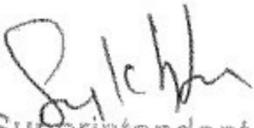
6. Therefore, keeping in view the above, in so far as villages covered under notifications as contained in Table I above are concerned, the Government of Punjab is placed to delist/denotify the land measuring 2238.82 ha. Cultivated and habitation area of these Villages closed under section 4 & 5 of PLPA, 1900 comprised in the Khasra numbers as detailed in columns related to the year 1996 in Annexure-I and also from the list of forest areas as contained in Annexure-G enclosed with the affidavit dated 21.2.1997 of the State Government in Hon'ble Supreme Court of India in Writ Petition (Civil) No. 202 of 1995. Consequently, the restrictions, regulations and prohibitions imposed under Section 4 & 5 of PLPA, 1900 shall cease to be applicable in the delisted areas as detailed in Annexure-I of the this notification. The abstract of village wise area delisted is as per table II below:-

Table-II

Sr. No	District	Tehsil	Name of the Village	H.B. No.	Area under Cultivation and Habitation as on 12.12.1996 (Area in ha.)		
					Cultivat in	Habitation	Total
1	Mohali	Kharar	Sunk	344	266.80	21.86	288.66
2			Siswan	338	150.20	19.02	169.22
3			Salamatpur	162	9.54	0	9.54
4			Bharonjian	160	2.15	0	2.15
5			Saini Majra	318	0	0	0

Sykh
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6			Lubangarh	319	1.90	0	1.90
7			Choti-Bari Nagal.	339	175.3	4.42	179.72
8			Dulwan	337	81.11	6.73	87.84
9			Dhakaran Kalan	154	0.20	0	0.20
10			Gochar	328	164.37	41.29	205.66
11			Tarapur	325	160.72	23.07	183.79
12			Mirzapur	326	159.9	10.52	170.42
13			Burana	327	130.726	8.09	138.85
14			Pallanpur	334	89.04	11.82	100.86
15			Majrian	343	459.11	46.15	505.26
16			Sultanpur	333	105.66	3.64	109.30
17			Majatri	57	11.58	0	11.58
18			Malakpur	84	32.41	0	32.41
19			Bhukhari	78	9.69	0	9.69
20	Mohali	Mohali	Baliali	34	1.62	0	1.62
21			Thaska	174	22.27	0	22.27
22			Lakhnour	36	1.1	0	1.10
23			Landran	37	6.78	0	6.78
			Total		2042.21	196.61	2238.82


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7. The above deletion is subject to the final judgment in Civil Appeal No. 4682-4683 of 2005 of B.S. Sandhu Vs. Government of India and Others, Civil Appeal No. 4798 of 2005 of Bhartiya Kisan Union TH. Vice President Vs. State of Punjab and others, Civil Appeal No. 4799-4800 of 2005 of Suresh Sharma and others vs. B.S. Sandhu and others, Special Leave Petition (Criminal) No. 7647 of 2009 with Criminal Misc No. 17535 of 2009 of Harsh Kumar Sharma vs. Central Bureau of Investigation & others and SLP No 9461 of 2006 IIT College of

Engineering, Pojewal Vs. State of Punjab pending before Hon'ble Supreme Court of India.

8. This de-listed area will be administered in accordance with the decisions taken in the meeting held under Chairmanship of Worthy Chief Secretary, Punjab on 26.04.2010 as contained in the proceedings issued vide Punjab Government Memo No.39/578/2005-Forest-3/2945 dated 4.5.2010 (copy enclosed at Annexure-II).

Chandigarh, dated the
5th May, 2011.

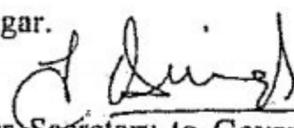
D.S.Bains, IAS,
Financial Commissioner & Secretary
to Govt. of Punjab, Department of
Forests & Wildlife Preservation.

Endst. No.39/11/2011-FT-3/ 6828

Chandigarh, dated the 24.8.2011

A copy, along with its enclosures, is forwarded to the following for information and necessary action.

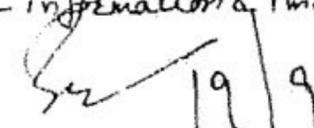
- 1 A copy, with a spare copy, of the notification is forwarded to the Controller, Printing and Stationery, Punjab, Chandigarh for publication of the same in the official gazette and with the request that 50 copies of the notification may be supplied to this department.
- 2 Financial Commissioner Revenue & Secretary to Govt. of Punjab, Department of Revenue & Rehabilitation.
3. Financial Commissioner, Rural Development & Panchayat Department, Punjab.
4. Principal Secretary, Department of Local Government, Punjab.
5. Principal Secretary, Housing & Urban Development Department, Punjab.
6. Principal Secretary, Industries & Commerce Department, Punjab.
- 7 Secretary, PWD (B&R), Punjab.
- ✓ 8 Principal Chief Conservator of Forests, Punjab, Chandigarh.
9. Deputy Commissioner, S.A.S.Nagar.

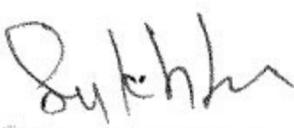

Under Secretary to Government
of Punjab, Department of
Forests & Wildlife Preservation.

Endst. No. Fw-2/Notification/PLPA/19423 JS Dated 20-9-11

A copy of the notification alongwith its annexures is forwarded to Conservator of Forests Shiwalik Circle for information & immediate necessary action.

Encl:- As Above


Principal Chief Conservator of Forests,
Punjab. 19/9/11
10/9/11
19.9.2011

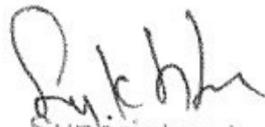

Superintendent
Divisional Forest Officer
S.A.S. Nagar

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**.

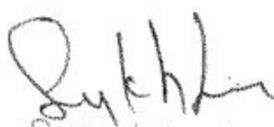
Financial Commissioner (Forests) gave the brief introduction on the subject. He informed that this issue is related to the orders of Hon'ble Supreme Court of India dated 12.12.1996, which strictly prohibited the diversion of any forest land for non forestry purpose without prior approval of Government 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


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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.*

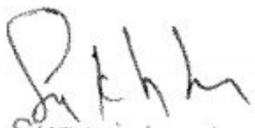
This meeting was called to decide the issue of management of these areas after their delisting from the list of forest areas and compliance of the conditions imposed by MoEF, GoI as after delisting,


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Divisional Forest Officer
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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.

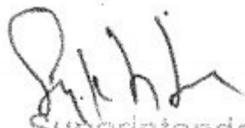
During the deliberations on monitoring and compliance of these conditions imposed by Ministry of Environment & Forests, Government of India, the following decisions were taken:-

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


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Divisional Forest Officer
S.A.S. Nagar

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


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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.

Sulchli
Superintendent
Divisional Forest Officer
S.A.S. Nagar

Sr. No.	Name & Designation	Department
1	Sh. Dilraj Singh Sandhawalia, Addl. Secretary	Housing & Urban Development
2	Sh. B.C. Bala, IFS, Principal Chief Conservator of Forests, Punjab.	Punjab Forest Department
3	Sh. P.S. Mand	Deputy Commissioner, S.A.S. Nagar.
4	Sh. S.K. Sharma	Director Local Body Government
5	Sh. H.S. Gujral, IFS	Add. Principal Chief Conservator of Forests, Punjab.
6	Sh. Anurag Verma	Secretary, Revenue Department
7	Sh. Kuldip Kumar, IFS	Chief Conservator of Forests (FC)
8	Sh. Jiteudra Sharma, IFS	Chief Conservator of Forests (Hills), Punjab.
9	Sh. Piyush Kant Jain	Addl. Advocate General, Punjab

R.K. Jain
 Superintendent
 Divisional Forest Officer
 S.A.S. Nagar

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Punjab Govt
Department of Forests and Wildlife Protection, Punjab.
Post: Forest Division Officer, SAS Nagar.
Van Bhavan, Sector 68, SAS Nagar.
Email: dfosasnagar@gmail.com
Phone :0172-2298027

To,

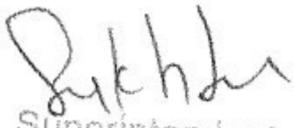
Chief Administrator, GAMADA,
Pudda Bhawan, Sector 62, S.A.S. Nagar

No. 4130 Dated 14/9/2022

Subject :- In District Mohali, in the delisted areas under Section 4 and 5 of the PLPA 1900 Notifications to comply with the conditions laid down in the Delist Notifications so as not to violate any rules, court orders.

Regarding the above subject, we are informed that in some villages of Mohali district, section 4 and 5 of PLPA 1900 are applicable. In this regard, Punjab Government has issued delisted notification in the year 2010 and 2011 after obtaining approval from the Ministry of Environment and Forests of the Government of India under the orders of the Hon'ble Supreme Court. The approval of the Government of India for delisting the closed agriculture and habitat areas under Sections 4 and 5 of the PLPA, 1900 was given on the following conditions:-

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


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Divisional Forest Officer
S.A.S. Nagar

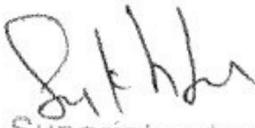
ii) The de-listed land shall be used only for bona fide use for agriculture and for sustaining the livelihood of the people/owner of the land.

iii) A detailed list of such lands showing the land use and status of such land before 25.10.1980 and after that, upto 12.12.1996, shall be furnished to this Ministry before final approval."

In order to implement the above conditions in the meeting held under the chairmanship of the Chief Secretary, Punjab before issuing the delist notification by the Punjab Government, the following points are worth noting:-

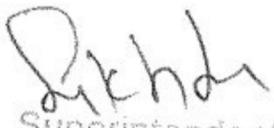
"1. The Department of Forests & Wildlife Preservation will issue notification to delist the areas from list of forest areas for which sanction has been obtained from Government of India. As these areas will no longer be categorized as forest, the Department of Forests and Wildlife Preservation will also denotify these areas from the notifications issued under Section 4 & 5 of the Punjab Land Preservation Act, 1900 by Issuing necessary notifications 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.

Apart from this, it is also written in the proceedings of this meeting that


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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 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."

In this regard, some constructions were seen by the Forest Range Officers during the patrolling of various villages under their ranges and on the occasion the field staff told that these constructions have been done in the delisted areas. In this regard, the attached lists of these constructions received from the Forest Range Officers are being sent to you so that appropriate action should be taken in relation to these constructions. As per the proceedings of the Hon'ble Chief Secretary, Punjab and the decision of the State Government, implementation of the terms of


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the delist notification in this regard falls under the jurisdiction of the local department/GAMDA.

Here it is also brought to your attention that according to "The Punjab Capital Periphery Act", any area under this Act without the approval of the Department of No construction of any kind can be done and in this regard also necessary action has to be taken by your department.

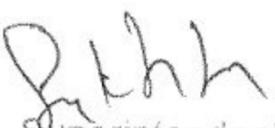
For your information and necessary action, it is written that the conditions issued by the Government of India at the time delisted in Section 4 and 5 of PLPA 1900, the decisions taken in the meeting held by Hon'ble Principal Secretary/State Govt. If there are any violations of the Hon'ble Supreme Court order dated 12-12-1996, immediate action should be taken against them and a report of the action taken should be sent to this office.

Attachment/Correspondence

Sd/-
Divisional Forest Officer,
Sahibzada Ajit Singh Nagar.

Back Number: 4131-32.

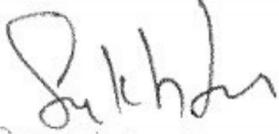
Dated 14/9/2022.


Superintendent
Divisional Forest Officer
S.A.S. Nagar

A copy of this is forwarded to the following for information:-

1. Chief Forest Officer (Hills), Punjab, SAS Nagar.
2. Conservator of Forest, Shivalik Circle, Punjab, SAS Nagar.

Sd/-
Divisional Forest Officer,
Sahibzada Ajit Singh Nagar.


Superintendent
Divisional Forest Officer
S.A.S. Nagar

Punjab Govt
Department of Forests and Wildlife Protection, Punjab.
Post: Forest Division Officer, SAS Nagar.
Van Bhavan, Sector 68, SAS Nagar.
Email: dfosasnagar@gmail.com
Phone : 0172-2298027

To,

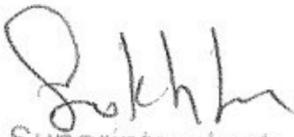
Deputy Commissioner,
Sahibzada Ajit Singh Nagar,
District Administrative Complex,
Sector-76, SAS Nagar.

No. 4129.

Date 14/9/2022

Subject :- In the delisted areas in District Mohali under Sections 4 and 5 of PLPA 1900 Notifications to comply with the conditions laid down in the Delist Notifications so that no rules, court orders can be violated.

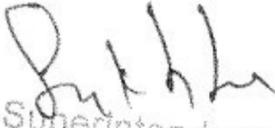
Regarding the above subject, it is requested that Section 4 and 5 of PLPA 1900 are applicable in some villages of Mohali district. In this regard, Punjab Government has issued delisted notification in the year 2010 and 2011 after obtaining approval from the Ministry of Environment and Forests of the Government of India under the orders of the Hon'ble Supreme Court. The approval of the Government of India for delisting the closed agriculture and habitat areas under Sections 4 and 5 of the PLPA, 1900 was given on the following conditions:-


Superintendent
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- 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) A detailed list of such lands showing the land use and status of such land before 25.10.1980 and after that, upto 12.12.1996, shall be furnished to this Ministry before final approval."

In order to implement the above conditions in the meeting held under the chairmanship of the Chief Secretary, Punjab before issuing the delist notification by the Punjab Government, the following points are worth noting:-

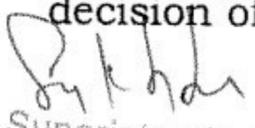
1. *The Department of Forests & Wildlife Preservation will issue notification to delist the areas from list of forest areas for which sanction has been obtained from Government of India. As these areas will no longer be categorized as forest, the Department of Forests and Wildlife Preservation will also denotify these areas from the notifications issued under Section 4 & 5 of the Punjab land Preservation Act. 1900 by Issuing necessary notifications 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.*


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Apart from this, it is also written in the proceedings of this meeting that

"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 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."

In this regard, some constructions were seen by the Forest Range Officers during the patrolling of various villages under their ranges and on the occasion the field staff told that these constructions have been done in the delisted areas. In this regard, the attached lists of these constructions received from the Forest Range Officers are being sent to you so that appropriate action should be taken in relation to these constructions. As per the proceedings of the Hon'ble Chief Secretary, Punjab and the decision of the Govt, the implementation of the terms of the delist


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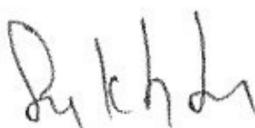
notification in this regard falls under the jurisdiction of the local department/GAMDA.

Here it is also brought to your attention that "According to the Punjab Capital Periphery Act, no construction of any kind can be done in the areas covered by this Act without the approval of GAMDA and necessary action should be taken by GAMDA in this regard." is made.

In this regard, the conditions issued to you by the Government of India under Section 4 and 5 of PLPA 1900, the decisions taken in the meeting held by the Hon'ble Principal Secretary/State Government and the order of the Hon'ble Supreme Court dated 12- According to 12-1996, GAMADA should be bothered to give instructions at its level that the above conditions, orders, rules should not be violated and appropriate action should be taken in case of violation go.

Attachment/Correspondence

Sd/-
Divisional Forest Officer,
Sahibzada Ajit Singh Nagar.


Superintendent
Divisional Forest Officer
S.A.S. Nagar

ਪੰਜਾਬ ਸਰਕਾਰ
 ਵਣ ਅਤੇ ਜੰਗਲੀ ਜੀਵ ਸੁਰੱਖਿਆ ਵਿਭਾਗ, ਪੰਜਾਬ।
 ਦਫ: ਵਣ ਮੰਡਲ ਅਫਸਰ, ਐਸ.ਏ.ਐਸ. ਨਗਰ।
 ਵਣ ਭਵਨ, ਸੈਕਟਰ 68, ਐਸ.ਏ.ਐਸ. ਨਗਰ।
 Email: dfosasnagar@gmail.com
 ਫੋਨ :0172-2298027

ਸੇਵਾ ਵਿਖੇ

ਮੁੱਖ ਪ੍ਰਸ਼ਾਸਕ, ਗਮਾਡਾ,
 ਪੁੱਡਾ ਭਵਨ, ਸੈਕਟਰ 62,
 ਐਸ.ਏ.ਐਸ. ਨਗਰ।

ਨੰ. 4130.

ਮਿਤੀ 14/9/2022

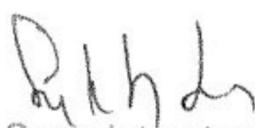
ਵਿਸ਼ਾ :-

ਜਿਲ੍ਹਾ ਮੋਹਾਲੀ ਵਿੱਚ ਪੀ.ਐਲ.ਪੀ.ਏ 1900 ਦੀ ਧਾਰਾ 4 ਅਤੇ 5 ਦੇ ਨੋਟੀਫਿਕੇਸ਼ਨਾਂ ਵਿੱਚੋਂ ਹੋਏ ਡੀਲਿਸਟਡ ਰਕਬਿਆਂ ਵਿੱਚ ਡੀਲਿਸਟ ਨੋਟੀਫਿਕੇਸ਼ਨਾਂ ਵਿੱਚ ਲਗਾਈਆਂ ਸ਼ਰਤਾਂ ਦੀ ਪਾਲਣਾ ਕਰਨ ਸਬੰਧੀ ਤਾਂ ਜੋ ਕਿਸੇ ਨਿਯਮ, ਅਦਾਲਤੀ ਹੁਕਮਾਂ ਦੀ ਉਲੰਘਣਾ ਨਾ ਹੋ ਸਕੇ।

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਸਬੰਧੀ ਆਪ ਨੂੰ ਲਿਖਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਮੋਹਾਲੀ ਜਿਲ੍ਹੇ ਦੇ ਕੁੱਝ ਪਿੰਡਾਂ ਵਿੱਚ ਪੀ.ਐਲ.ਪੀ.ਏ 1900 ਦੀ ਧਾਰਾ 4 ਅਤੇ 5 ਲੱਗਦੀ ਹੈ। ਇਸ ਸਬੰਧ ਵਿੱਚ ਪੰਜਾਬ ਸਰਕਾਰ ਵੱਲੋਂ ਮਾਣਯੋਗ ਸੁਪਰੀਮ ਕੋਰਟ ਦੇ ਹੁਕਮਾਂ ਤਹਿਤ ਭਾਰਤ ਸਰਕਾਰ ਦੇ ਪਰਿਆਵਰਣ ਅਤੇ ਵਣ ਮੰਤਰਾਲੇ ਪਾਸੋਂ ਪ੍ਰਵਾਨਗੀ ਲੈਣ ਉਪਰੰਤ ਸਾਲ 2010 ਅਤੇ 2011 ਵਿੱਚ ਡੀਲਿਸਟਡ ਨੋਟੀਫਿਕੇਸ਼ਨ ਜਾਰੀ ਕੀਤਾ ਗਿਆ ਹੈ। ਭਾਰਤ ਸਰਕਾਰ ਵੱਲੋਂ ਪੀ ਐਲ ਪੀ ਏ, 1900 ਦੀ ਧਾਰਾ 4 ਅਤੇ 5 ਅਧੀਨ ਬੰਦ ਐਗਰੀਕਲਚਰ ਅਤੇ ਹੈਬੀਟੇਸ਼ਨ ਰਕਬਿਆਂ ਨੂੰ ਡੀਲਿਸਟ ਕਰਨ ਸਬੰਧੀ ਪ੍ਰਵਾਨਗੀ ਹੇਠ ਲਿਖਿਆ ਸ਼ਰਤਾਂ ਤੇ ਦਿੱਤੀ ਗਈ ਸੀ :-

- 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) A detailed list of such lands showing the land use and status of such land before 25.10.1980 and after that, upto 12.12.1996, shall be furnished to this Ministry before final approval."

ਪੰਜਾਬ ਸਰਕਾਰ ਵੱਲੋਂ ਡੀਲਿਸਟ ਨੋਟੀਫਿਕੇਸ਼ਨ ਜਾਰੀ ਕਰਨ ਤੋਂ ਪਹਿਲਾਂ ਮੁੱਖ ਸੱਕਤਰ, ਪੰਜਾਬ ਜੀ ਦੀ ਪ੍ਰਧਾਨਗੀ ਹੇਠ ਹੋਈ ਮੀਟਿੰਗ ਵਿੱਚ ਉਪਰੋਕਤ ਸ਼ਰਤਾਂ ਨੂੰ ਲਾਗੂ ਕਰਨ ਹਿੱਤ ਹੇਠ ਲਿਖੇ ਨੁਕਤੇ ਧਿਆਨ ਦੇਣ ਯੋਗ ਹਨ :-


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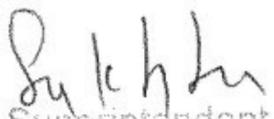
1. The Department of Forests & Wildlife Preservation will issue notification to delist the areas from list of forest areas for which sanction has been obtained from Government of India. As these areas will no longer be categorized as forest, the Department of Forests and Wildlife Preservation will also denotify these areas from the notifications issued under Section 4 & 5 of the Punjab Land Preservation Act, 1900 by Issuing necessary notifications 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.

ਇਸ ਤੋਂ ਇਲਾਵਾ ਇਸ ਮੀਟਿੰਗ ਦੀ ਪ੍ਰੋਸੀਡਿੰਗ ਵਿੱਚ ਇਹ ਵੀ ਲਿਖਿਆ ਗਿਆ ਹੈ ਕਿ

"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 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."

ਇਸ ਦੇ ਸਬੰਧ ਵਿੱਚ ਵਣ ਰੋਜ਼ ਅਫਸਰਾਂ ਵੱਲੋਂ ਆਪਣੀ ਰੋਜ਼ਾਂ ਅਧੀਨ ਆਉਂਦੇ ਵੱਖ-ਵੱਖ ਪਿੰਡਾਂ ਦੀ ਗਲਤ ਦੌਰਾਨ ਵਣ ਰੋਜ਼ ਅਫਸਰਾਂ ਵੱਲੋਂ ਕੁਝ ਉਸਾਰੀਆਂ ਦੇਖੀਆਂ ਗਈਆਂ ਅਤੇ ਮੌਕੇ ਤੇ ਫੀਲਡ ਸਟਾਫ ਵੱਲੋਂ ਦੱਸਿਆ ਗਿਆ ਹੈ ਕਿ ਇਹ ਉਸਾਰੀਆਂ ਡੀਲਿਸਟ ਰਕਬਿਆਂ ਵਿੱਚ ਕੀਤੀਆਂ ਗਈਆਂ ਹਨ। ਇਸ ਸਬੰਧੀ ਵਣ ਰੋਜ਼ ਅਫਸਰਾਂ ਪਾਸੋਂ ਪ੍ਰਾਪਤ ਹੋਈ ਨਾਲ ਨੱਥੀ ਇਹਨਾਂ ਉਸਾਰੀਆਂ ਦੀਆਂ ਲਿਸਟਾਂ ਆਪ ਨੂੰ ਭੇਜ ਕੇ ਲਿਖਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਇਨ੍ਹਾਂ ਉਸਾਰੀਆਂ ਦੇ ਸਬੰਧ ਵਿੱਚ ਬਣਦੀ ਕਾਰਵਾਈ ਆਮਲ ਵਿੱਚ ਲਿਆਂਦੀ ਜਾਵੇ। ਮਾਨਯੋਗ ਮੁੱਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਜੀ ਦੀ ਪ੍ਰੋਸੀਡਿੰਗ ਅਤੇ ਰਾਜ ਸਰਕਾਰ ਦੇ ਫੈਸਲੇ ਅਨੁਸਾਰ ਇਸ ਸਬੰਧੀ ਡੀਲਿਸਟ ਨੋਟੀਫਿਕੇਸ਼ਨ ਦੀਆਂ ਸ਼ਰਤਾਂ ਨੂੰ ਲਾਗੂ ਕਰਨਾ ਲੋਕਲ ਵਿਭਾਗ/ਗਮਾਡਾ ਦੇ ਅਧਿਕਾਰ ਖੇਤਰ ਵਿੱਚ ਆਉਂਦਾ ਹੈ।

ਇਸੇ ਆਪ ਦੇ ਧਿਆਨ ਵਿੱਚ ਇਹ ਵੀ ਲਿਆਇਆ ਜਾਂਦਾ ਹੈ ਕਿ "ਦਿ ਪੰਜਾਬ ਕੈਪੀਟਲ ਪੈਰਾਫੇਰੀ ਐਕਟ" ਅਨੁਸਾਰ ਇਸ ਐਕਟ ਅਧੀਨ ਆਉਂਦੇ ਰਕਬਿਆਂ ਵਿੱਚ ਆਪ ਦੇ ਵਿਭਾਗ ਪਾਸੋਂ ਪ੍ਰਵਾਨਗੀ ਤੋਂ ਬਿਨਾਂ ਕਿਸੇ ਵੀ


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✓ ਕਿਸਮ ਦੀ ਕੋਈ ਵੀ ਉਸਾਰੀ ਨਹੀਂ ਕੀਤੀ ਜਾ ਸਕਦੀ ਅਤੇ ਇਸ ਸਬੰਧੀ ਵੀ ਲੋੜੀਂਦੀ ਕਾਰਵਾਈ ਆਪ ਦੇ ਵਿਭਾਗ ਵਲੋਂ ਕਰਨੀ ਬਣਦੀ ਹੈ।

ਉਕਤ ਆਪ ਨੂੰ ਸੂਚਨਾ ਅਤੇ ਲੋੜੀਂਦੀ ਕਾਰਵਾਈ ਲਈ ਭੇਜ ਕੇ ਲਿਖਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਭਾਰਤ ਸਰਕਾਰ ਵਲੋਂ ਪੀ.ਐਲ.ਪੀ.ਏ 1900 ਦੀ ਧਾਰਾ 4 ਅਤੇ 5 ਵਿੱਚੋਂ ਡੀਲਿਸਟਡ ਸਮੇਂ ਜਾਰੀ ਕੀਤੀਆਂ ਸਰਤਾਂ, ਮਾਨਯੋਗ ਪ੍ਰਮੁੱਖ ਸਕੱਤਰ/ਰਾਜ ਸਰਕਾਰ ਦੀ ਹੋਈ ਮੀਟਿੰਗ ਵਿੱਚ ਲਏ ਫੈਸਲੇ ਅਤੇ ਮਾਨਯੋਗ ਸੁਪਰੀਮ ਕੋਰਟ ਜੀ ਦੇ ਹੁਕਮ ਮਿਤੀ 12-12-1996 ਦੀਆਂ ਜੇਕਰ ਕੋਈ ਵੀ ਉਲੰਘਣਾਵਾ ਹੁੰਦੀਆਂ ਹਨ ਤਾਂ ਉਨ੍ਹਾਂ ਤੇ ਤੁਰੰਤ ਕਾਰਵਾਈ ਕੀਤੀ ਜਾਵੇ ਅਤੇ ਕੀਤੀ ਗਈ ਕਾਰਵਾਈ ਦੀ ਰਿਪੋਰਟ ਇਸ ਦਫਤਰ ਨੂੰ ਭੇਜੀ ਜਾਵੇ।

ਨੱਥੀ/ਸਹਿਪੱਤਰ

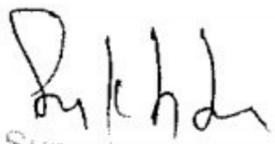
ਪਿੱਠ ਐਕਟ ਨੰ: 4131-32

ਵਣ ਸਿਡਲ ਅਫਸਰ,
ਸਾਹਿਬਜ਼ਾਦਾ ਅਜੀਤ ਸਿੰਘ ਨਗਰ।
ਮਿਤੀ 14/9/2022

ਇਸ ਦੀ ਇੱਕ ਨਕਲ ਹੇਠ ਲਿਖਿਆ ਨੂੰ ਸੂਚਨਾ ਲਈ ਭੇਜੀ ਜਾਂਦੀ ਹੈ:-

- 1- ਮੁੱਖ ਵਣ ਪਾਲ (ਹਿਲਜ), ਪੰਜਾਬ, ਐਸ ਏ ਐਸ ਨਗਰ।
- 2- ਵਣ ਪਾਲ, ਸ਼ਿਵਾਲਿਕ ਸਰਕਲ, ਪੰਜਾਬ, ਐਸ ਏ ਐਸ ਨਗਰ।

ਵਣ ਸਿਡਲ ਅਫਸਰ,
ਸਾਹਿਬਜ਼ਾਦਾ ਅਜੀਤ ਸਿੰਘ ਨਗਰ।


Superintendent
Divisional Forest Officer
S.A.S. Nagar

ਪੰਜਾਬ ਸਰਕਾਰ
 ਵਣ ਅਤੇ ਮੋਗਲੀ ਜੀਵ ਸੁਰੱਖਿਆ ਵਿਭਾਗ, ਪੰਜਾਬ।
 ਦਫ਼: ਵਣ ਮੇਡਲ ਅਫਸਰ, ਐਸ.ਏ. ਐਸ. ਨਗਰ।
 ਵਣ ਭਵਨ, ਸੈਕਟਰ 68, ਐਸ.ਏ. ਐਸ. ਨਗਰ।
 Email: dfosasnagar@gmail.com
 ਫੋਨ :0172-2298027

ਸੇਵਾ ਵਿਖੇ

ਡਿਪਟੀ ਕਮਿਸ਼ਨਰ,
 ਸਾਹਿਬਜ਼ਾਦਾ ਅਜੀਤ ਸਿੰਘ ਨਗਰ,
 ਜ਼ਿਲ੍ਹਾ ਪ੍ਰਬੰਧਕੀ ਕੰਪਲੈਕਸ,
 ਸੈਕਟਰ-76, ਐਸ.ਏ. ਐਸ. ਨਗਰ।

ਨੰ. 4129.

ਮਿਤੀ 14/9/2022

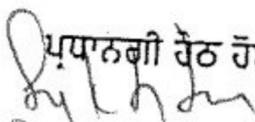
ਵਿਸ਼ਾ :-

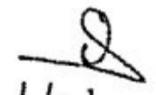
ਜ਼ਿਲ੍ਹਾ ਮੋਗਲੀ ਵਿੱਚ ਪੀ.ਐਲ.ਪੀ.ਏ 1900 ਦੀ ਧਾਰਾ 4 ਅਤੇ 5 ਦੇ ਨੋਟੀਫਿਕੇਸ਼ਨਾਂ ਵਿੱਚੋਂ ਹੋਏ ਡੀਲਿਸਟਡ ਰਕਬਿਆਂ ਵਿੱਚ ਡੀਲਿਸਟ ਨੋਟੀਫਿਕੇਸ਼ਨਾਂ ਵਿੱਚ ਲਗਾਈਆਂ ਸ਼ਰਤਾਂ ਦੀ ਪਾਲਣਾ ਕਰਨ ਸਬੰਧੀ ਤਾਂ ਜੋ ਕਿਸੇ ਨਿਯਮ, ਅਦਾਲਤੀ ਹੁਕਮਾਂ ਦੀ ਉਲੰਘਣਾ ਨਾ ਹੋ ਸਕੇ।

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਸਬੰਧੀ ਆਪ ਜੀ ਨੂੰ ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਕਿ ਮੋਗਲੀ ਜ਼ਿਲ੍ਹੇ ਦੇ ਕੁੱਝ ਪਿੰਡਾਂ ਵਿੱਚ ਪੀ.ਐਲ.ਪੀ.ਏ 1900 ਦੀ ਧਾਰਾ 4 ਅਤੇ 5 ਲੱਗਦੀ ਹੈ। ਇਸ ਸਬੰਧ ਵਿੱਚ ਪੰਜਾਬ ਸਰਕਾਰ ਵੱਲੋਂ ਮਾਣਯੋਗ ਸੁਪਰੀਮ ਕੋਰਟ ਦੇ ਹੁਕਮਾਂ ਤਹਿਤ ਭਾਰਤ ਸਰਕਾਰ ਦੇ ਪਰਿਆਵਰਣ ਅਤੇ ਵਣ ਮੰਤਰਾਲੇ ਪਾਸੋਂ ਪ੍ਰਵਾਨਗੀ ਲੈਣ ਉਪਰੰਤ ਸਾਲ 2010 ਅਤੇ 2011 ਵਿੱਚ ਡੀਲਿਸਟਡ ਨੋਟੀਫਿਕੇਸ਼ਨ ਜਾਰੀ ਕੀਤਾ ਗਿਆ ਹੈ। ਭਾਰਤ ਸਰਕਾਰ ਵੱਲੋਂ ਪੀ ਐਲ ਪੀ ਏ, 1900 ਦੀ ਧਾਰਾ 4 ਅਤੇ 5 ਅਧੀਨ ਬੰਦ ਐਗਰੀਕਲਚਰ ਅਤੇ ਹੈਬੀਟੇਸ਼ਨ ਰਕਬਿਆਂ ਨੂੰ ਡੀਲਿਸਟ ਕਰਨ ਸਬੰਧੀ ਪ੍ਰਵਾਨਗੀ ਹੇਠ ਲਿਖਿਆ ਸ਼ਰਤਾਂ ਤੇ ਦਿੱਤੀ ਗਈ ਸੀ :-

- 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) A detailed list of such lands showing the land use and status of such land before 25.10.1980 and after that, upto 12.12.1996, shall be furnished to this Ministry before final approval."

ਪੰਜਾਬ ਸਰਕਾਰ ਵੱਲੋਂ ਡੀਲਿਸਟ ਨੋਟੀਫਿਕੇਸ਼ਨ ਜਾਰੀ ਕਰਨ ਤੋਂ ਪਹਿਲਾਂ ਮੁੱਖ ਸੱਕਤਰ, ਪੰਜਾਬ ਜੀ ਦੀ ਪ੍ਰਧਾਨਗੀ ਹੇਠ ਹੋਈ ਮੀਟਿੰਗ ਵਿੱਚ ਉਪਰੋਕਤ ਸ਼ਰਤਾਂ ਨੂੰ ਲਾਗੂ ਕਰਨ ਹਿੱਤ ਹੇਠ ਲਿਖੇ ਨੁਕਤੇ ਧਿਆਨ ਦੇਣ ਯੋਗ ਹਨ :-


 Superintendent
 Divisional Forest Officer
 S A S Nagar


 14/9/22

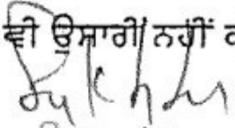
1. The Department of Forests & Wildlife Preservation will issue notification to delist the areas from list of forest areas for which sanction has been obtained from Government of India. As these areas will no longer be categorized as forest, the Department of Forests and Wildlife Preservation will also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

ਇਸ ਤੋਂ ਇਲਾਵਾ ਇਸ ਮੀਟਿੰਗ ਦੀ ਪ੍ਰੋਸੀਡਿੰਗ ਵਿੱਚ ਇਹ ਵੀ ਲਿਖਿਆ ਗਿਆ ਹੈ ਕਿ

"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 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."

ਇਸ ਦੇ ਸਬੰਧ ਵਿੱਚ ਵਣ ਰੋਜ਼ ਅਫਸਰਾਂ ਵੱਲੋਂ ਆਪਣੀ ਰੋਜ਼ਾਂ ਅਧੀਨ ਆਉਂਦੇ ਵੱਖ-ਵੱਖ ਪਿੰਡਾਂ ਦੀ ਗਸ਼ਤ ਦੌਰਾਨ ਵਣ ਰੋਜ਼ ਅਫਸਰਾਂ ਵੱਲੋਂ ਕੁੱਝ ਉਸਾਰੀਆਂ ਦੇਖੀਆਂ ਗਈਆਂ ਅਤੇ ਮੌਕੇ ਤੇ ਫੀਲਡ ਸਟਾਫ ਵੱਲੋਂ ਦੱਸਿਆ ਗਿਆ ਹੈ ਕਿ ਇਹ ਉਸਾਰੀਆਂ ਡੀਲਿਸਟ ਰਕਬਿਆਂ ਵਿੱਚ ਕੀਤੀਆਂ ਗਈਆਂ ਹਨ। ਇਸ ਸਬੰਧੀ ਵਣ ਰੋਜ਼ ਅਫਸਰਾਂ ਪਾਸੋਂ ਪ੍ਰਾਪਤ ਹੋਈ ਨਾਲ ਨੱਥੀ ਇਹਨਾਂ ਉਸਾਰੀਆਂ ਦੀਆਂ ਲਿਸਟਾਂ ਆਪ ਨੂੰ ਭੇਜ ਕੇ ਲਿਖਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਇਨ੍ਹਾਂ ਉਸਾਰੀਆਂ ਦੇ ਸਬੰਧ ਵਿੱਚ ਬਣਦੀ ਕਾਰਵਾਈ ਅਮਲ ਵਿੱਚ ਲਿਆਂਦੀ ਜਾਵੇ। ਮਾਨਯੋਗ ਮੁੱਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਜੀ ਦੀ ਪ੍ਰੋਸੀਡਿੰਗ ਅਤੇ ਸਰਕਾਰ ਦੇ ਫੈਸਲੇ ਅਨੁਸਾਰ ਇਸ ਸਬੰਧੀ ਡੀਲਿਸਟ ਨੋਟੀਫਿਕੇਸ਼ਨ ਦੀਆਂ ਸ਼ਰਤਾਂ ਨੂੰ ਲਾਗੂ ਕਰਨਾ ਲੋਕਲ ਵਿਭਾਗ/ਗਮਾਡਾ ਦੇ ਅਧਿਕਾਰ ਖੇਤਰ ਵਿੱਚ ਆਉਂਦਾ ਹੈ।

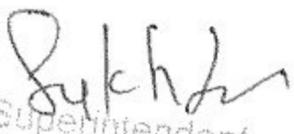
ਇਥੇ ਆਪ ਜੀ ਦੇ ਧਿਆਨ ਵਿੱਚ ਇਹ ਵੀ ਲਿਆਇਆ ਜਾਂਦਾ ਹੈ ਕਿ "ਦਿ ਪੰਜਾਬ ਕੈਪੀਟਲ ਪੈਰਾਫੇਰੀ ਐਕਟ" ਅਨੁਸਾਰ ਇਸ ਐਕਟ ਅਧੀਨ ਆਉਂਦੇ ਰਕਬਿਆਂ ਵਿੱਚ ਗਮਾਡਾ ਪਾਸੋਂ ਪ੍ਰਵਾਨਗੀ ਤੋਂ ਬਿਨਾਂ ਕਿਸੇ ਵੀ ਕਿਸਮ ਦੀ ਕੋਈ ਵੀ ਉਸਾਰੀ ਨਹੀਂ ਕੀਤੀ ਜਾ ਸਕਦੀ ਅਤੇ ਇਸ ਸਬੰਧੀ ਵੀ ਲੋੜੀਂਦੀ ਕਾਰਵਾਈ ਗਮਾਡਾ ਵੱਲੋਂ ਕਰਨੀ ਬਣਦੀ ਹੈ।


Superintendent
Divisional Forest Officer
S.A.S. Nagar

ਉਕਤ ਸਬੰਧੀ ਆਪ ਜੀ ਨੂੰ ਭਾਰਤ ਸਰਕਾਰ ਵਲੋਂ ਪੀ.ਐਲ.ਪੀ.ਏ 1900 ਦੀ ਧਾਰਾ 4 ਅਤੇ 5 ਵਿੱਚੋਂ ਡੀਲਿਸਟਡ ਸਮੇਂ ਜਾਰੀ ਕੀਤੀਆਂ ਸਰਤਾਂ, ਮਾਨਯੋਗ ਪ੍ਰਮੁੱਖ ਸਕੱਤਰ/ਰਾਜ ਸਰਕਾਰ ਦੀ ਹੋਈ ਮੀਟਿੰਗ ਵਿੱਚ ਲਏ ਫੈਸਲੇ ਅਤੇ ਮਾਨਯੋਗ ਸੁਪਰੀਮ ਕੋਰਟ ਜੀ ਦੇ ਹੁਕਮ ਮਿਤੀ 12-12-1996 ਦੇ ਅਨੁਸਾਰ ਗਮਾਡਾ ਨੂੰ ਆਪਣੇ ਪੱਧਰ ਤੇ ਹਦਾਇਤ ਦੇਣ ਦੀ ਖੋਚਲ ਕੀਤੀ ਜਾਵੇ ਕਿ ਉੱਕਤ ਸਰਤਾਂ, ਹੁੱਕਮ, ਰੂਲਜ ਦੀ ਉਲੰਘਣਾ ਨਾ ਹੋਣ ਦਿੱਤੀ ਜਾਵੇ ਅਤੇ ਉਲੰਘਣਾ ਹੋਣ ਤੇ ਬਣਦੀ ਕਾਰਵਾਈ ਕੀਤੀ ਜਾਵੇ।

ਨੱਥੀ/ਸਹਿਪੱਤਰ


ਵਣ ਮੰਡਲ ਅਫਸਰ,
ਸਾਹਿਬਜ਼ਾਦਾ ਅਜੀਤ ਸਿੰਘ ਨਗਰ।


Superintendent
Divisional Forest Officer
S.A.S. Nagar

IN HON'BLE NATIONAL GREEN TRIBUNAL PRINCIPAL
BENCH, NEW DELHI

CIVIL/CRIMINAL/APPELLATE/ORIGINAL/JURISDICTION

ORIGINAL APPLICATION NO. 1204/2024

IN THE MATTER OF

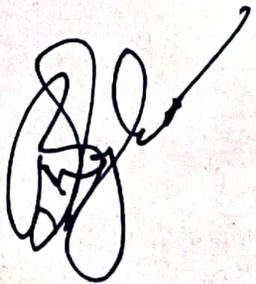
Court on its own Motion

V/s

Principal Chief Conservator of Forests & Others

I, Kanwar Deep Singh (IFS), Divisional Forest Officer, SAS Nagar, Forest Complex, Sector 68, SAS Nagar, Mohali, Punjab. In above petition do hereby appoint and retain ~~Smt/Sh. Bhyendra Singh & Premsagar Pal (Asst. AG)~~ Advocate of the Supreme Court of India to act and to appear for me/us in the above Suit/Petition/Appeal/Reference and on my/ our behalf to conduct and prosecute (or defend) or withdraw the same and all proceedings that may be taken in respect of any application connected with the same or any decree or order passed therein, including proceeding in taxation and application for review. To file and obtain return of documents and to deposits and receive money on my/our behalf in the said suit/Appeal/Petition/Reference and in the above matter. I/We agree to retify acts done by the aforesaid Advocate in pursuance of this authority.

Dated...06.05.2025




PREMSAGAR PAL
Assistant Advocate General (Punjab)
Supreme Court of India
Enrol. No. - D/1500-D/2011
Chamber No. - 230, Patiala House Courts,
New Delhi-110001 Mob.: 9621753727
Email: prems.agarpal@gmail.com


Divisional Forest Officer
S.A.S. Nagar