



O/O SUB DIVISIONAL OFFICER (C), BADKHAL
कार्यालय उपमण्डल अधिकारी (ना०), बडखल

To

The Registrar General,
National Green Tribunal,
New Delhi.

Memo no.- 5705/Reader

Dated: 02-12-2024

Sub: Regarding Status Report on behalf of Joint Committee in compliance of Order dated 27.08.2024 in OA no. 1068/2024 in the matter of Jatinder Sethi & Ors. Vs Union of India & Ors.

In this connection, please find enclosed herewith the Status Report on behalf of Joint Committee in compliance of Order dated 27.08.2024 in OA no. 1068/2024 in the matter of Jatinder Sethi & Ors. Vs Union of India & Ors.

DA/ as above

Sub Divisional Magistrate,
Badkhal

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

Original Application No. 1068/2024.

IN THE MATTER OF:

Jatinder Sethi & Ors.

Applicants

Versuss

Union of India & Ors.

Respondents

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Date:

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
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Original Application No. 1068/2024

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**STATUS REPORT ON BEHALF OF JOINT COMMITTEE IN COMPLAINT OF ORDER
DATED 27.08.2024.**

1.0 Background

This original application has been filed by the residents of Lakewood City, residential colony Sector - 39, Village Lakkarpur, Faridabad. The plea of the applicants is that various parcels of land including Khasra No. 1387, Village Anangpur, Tehsil Ballabgarh, District Faridabad are located adjacent to the south-east side of the colony and on that land the activity of illegal storage of sand, concrete stone, loading and unloading thereof and its sale, grinding, making of quartzite stone by various unknown persons is in progress which is causing serious air and noise pollution and creating health hazard to the residents of the colony.

Directions of Hon'ble NGT: -

The Hon'ble National Green Tribunal (Principal Bench), New Delhi vide its Order dated 22.08.2024, we deem it proper to constitute a Joint Committee comprising of the representative of the Member Secretary, Commission for Air Quality Management (CAQM), Member Secretary, Central Pollution Control Board (CPCB), Member Secretary, Haryana State Pollution Control Board (HSPCB), District Magistrate, Faridabad and DFO, Faridabad. District Magistrate, Faridabad will act as the nodal agency in the Joint Committee. Joint Committee will visit the site, ascertain the legality/illegality of the work which is being done, the nature of land on which the work is being done, if the requisite permissions are available with the persons carrying on the activities, the details of the persons/entities involved in 3 such activity and violation of norms by them. Joint Committee will also suggest the requisite remedial/punitive action. Let this exercise be completed by the Joint Committee within a period of two months and a report be filed immediately thereafter.

2.0 Factual Report.

That, in compliance of aforementioned Hon'ble NGT's Order dated 22.08.2024, A Joint committee comprising of following members has been constituted:-

Sr.No	Name and Designation of Officer	Nominee/ Representative of
1.	Dr. Vikas Singh, Scientist 'E'.	Commission for Air Quality Management in National Capital Region and Adjoining Areas.
2.	Sh. Danish Meena, Scientist "C".	Member Secretary, Central Pollution Control Board (CPCB).
3.	Sh. Amit Maan, Sub-Divisional Magistrate, Badhkal, Faridabad.	District Magistrate, Faridabad.
4.	Sh. Sandeep Singh, RO, Faridabad.	Member Secretary, Haryana State Pollution Control Board (HSPCB).
5.	Sh. Rajeev Tejyan.	DFO, Faridabad.

All the above listed members of the joint committee visited the site in question on dated 04/11/2024 for inspection and during inspection, the said land was found to have construction materials such as fine sand, coarse sand, gravels of various sizes, stones, C&D materials etc. The site had trucks, dumpers, excavators etc. The site also had a few workers, huts. The said land appears to be used for storage and sales of the construction materials. The storage and sale of construction material involves loading, unloading and transportation of such materials which is a potential source of atmospheric dust impacting the air quality in the vicinity of said land. Demolition solid waste materials were seen at the site that were used for the landfilling and may be for recycling. Stone blocks and chips of various sizes were also seen at the site indicating stone chipping/shaping works at the site. Though the work of chipping/shaping was manual. The material was not covered and lying open to the atmosphere (Photographs is attached as **Annexure R/1**). As per the report of concerned Patwari the land is ger mumkin Pahhad and ownership is registered as shamlet deh as per the land record. The report of Patwari is attached as **Annexure R/2**. It was informed by the DFO that the said land having Khasra no. 1387 in village Anangpur is notified under Section 4 of Punjab Land Preservation Act, 1900 vide notification no. S.O. 104/P.A/1900/S.3/92 dated 18/08/1992. The said land notified u/s 4 of PLPA, 1900 is forest land by virtue of the orders of the Hon'ble Supreme Court. No non forestry activities could be carried out in this land without obtaining permission from the Ministry of Environment, Forest and

Climate Change (MoEF&CC) under the provisions of Forest (Conservation) Act, 1980. The activities being carried out at the said location are in violation of Forest (Conservation) Act. The Forest Department has issued the SCN to Avtar Bhadana s/o Nahar Singh R/o-Village Anangpur Faridabad vide letter no. 1778 dated 07-11-2022 for removal of all unauthorized structures/stock. The copy of Show Cause Notice is attached as **Annexure R/3**. A forest offence report no. 078/0453 dated 29-03-2024 was also issued regarding unauthorized building material stock and the prosecution case no. 07 F of 2024-25 was also filed in Hon'ble Environment Court. The requisite permissions were not available when asked for from the persons available at site during the inspection. The committee noted that during the inspection, the activities were limited due to the Diwali holidays. However, during operations, the site could be a potential source of dust and noise pollution. The Dust generated from loading / unloading operations.

- Noise generated during loading and unloading operations.
- Dust generated due to the vehicular movement on the unpaved roads with high dust load.
- Diesel exhaust emissions at the site due to vehicular operations.
- Use of bio-mass by the site workers for cooking and heating purpose.

Violations

- Entire operations/activities are in violation of the provisions of the Forest (Conservation) Act, 1980 and Punjab Land Preservation Act, 1900. The activities being carried out constitutes a forest offence as the status of the land in question is forest land and the offenders are liable to be prosecuted as per law.

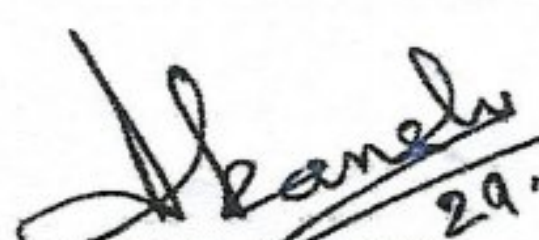
Roads within the site were not paved and had a huge amount of dust. This leads to huge amounts of dust during heavy vehicle and machinery movement.


- The site contains construction materials and those were not covered and left Open.
- The use of water sprinklers/spray was not seen.
- The C&D waste materials were used for filling and levelling of natural land.


- Missing higher barricades to arrest dust and noise. Limited fencing was Available but in broken condition.
- Sale/loading/unloading of construction materials on forest land or non-- Designated sites.
- Unauthorized use of electricity supply.
- Site/unit is not following the Guidelines on DUST mitigation measures in handling Construction material & C&D wastes and the Guidelines on Environmental Management of Construction & Demolition (C & D) Wastes.

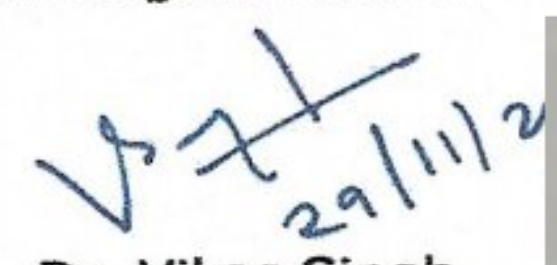
Remedial/Punitive actions

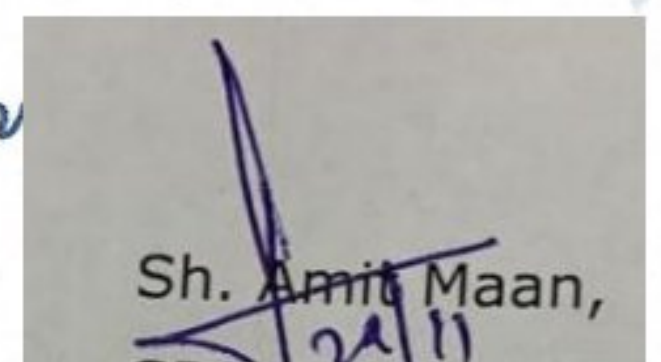
- Close the site/unit immediately and ban all the activities including the storage/sale/resale of the construction materials at the said land.
- Restoration of the said land by active plantation/greening activities.


Smt. Akansha
Tanwar,
RO,HSPCB,
Faridabad



Sh. Danish
Meena, Scientist
"C".CPCB


Sh. Rajeev
Tejyan. DFO,
Faridabad.


Dr. Vikas Singh,
Scientist "E".
CAQM


Sh. Amit Maan,
SDM, Badhkal,
Faridabad.




 **GPS Map Camera**

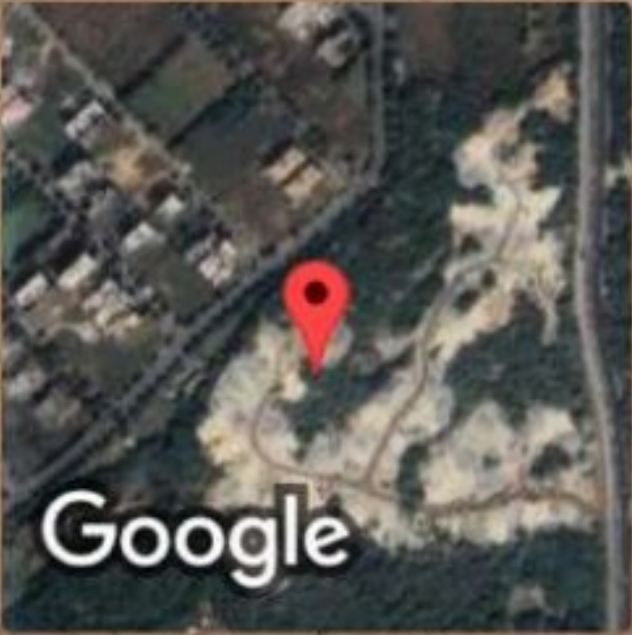


Salkhuua Bajar, बिहार, India
Mahadev Mantra Bad 12 Shitala, महादेव टेम्पल मार्ग, Lakewood
City, Surajkund, Salkhuua Bajar, Faridabad, बिहार 852126, India
Lat 28.475782° Long 77.286524°
04/11/24 03:47 PM GMT +05:30






 **GPS Map Camera**



Faridabad, Haryana, India
2nd Floor, C-37, Lakewood City Rd, Lakewood City,
Surajkund, Faridabad, Haryana 121009, India
Lat 28.475498° Long 77.284785°
04/11/24 03:27 PM GMT +05:30



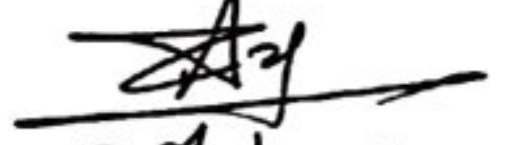
 **GPS Map Camera**



Faridabad, Haryana, India
2nd Floor, C-37, Lakewood City Rd, Lakewood City,
Surajkund, Faridabad, Haryana 121009, India
Lat 28.474891° Long 77.284291°
04/11/24 03:23 PM GMT +05:30

श्री मानजी

'शासना' शासना की पालना में विपरीत की जाति की मुलाविक राजस्व
 विकास अग्रसार गांव - अकगपुर की जावनी वर्ष 1976-77 की खबट
 नं. 247 में रकम नं. - 1387 रकबा $\frac{3}{76} - \frac{B}{11}$ गी.मु.पदा. दे
 मिली प्रत्यक्ष शासना दे दे दे रिपोर्ट सेवा में पेश है।


 28/11/2024

Deputy Conservator of Forests,
Faridabad Forest Division, Forest Department, Haryana
Sector 14, Bypass Road, near Rose Garden, Faridabad, 121007 Tel:0129-2286760
Email:dfobd2@gmail.com

No. 1778

Dated: 7/11/22


To,
Avtar Bhadana Farm,
Village Anangpur

Sub:- Notice under section 20 of PLPA, 1900 read with section 66 and section 35, 52 and 77 of Indian Forest Act, 1927 read with section 2 of Forest Conservation Act, 1980 and direction of Hon'ble Supreme Court order dated 21.07.2022 in Civil Writ petition no. 10294 and order dated 23.07.2021 in SLP no. 7220-21, respectively.

This notice pertains to land bearing Khasra/ Kila number 1266,1205 1387,1388 of revenue estate of village Ananagpur, district Faridabad. The said land is notified under section 4 of Punjab Land Preservation Act vide notification bearing no S.O.104/P.A.2/1900/S.3/92 dated 18.08.1992 and after the 25th day of October, 1980 (the day when the Forest Conservation Act of 1980 took effect). The legal status of said land requires prior approval of the Central Government under section 2 of Forest Conservation Act before the land can be put to any non-forestry use. You have constructed structures on the said land after 25th October 1980 and have put it under use for residential purpose/boundary wall without obtaining prior approval of the Central Government under section 2 of the Forest Conservation Act of 1980. Thus, the mentioned constructions and other activities on the subject land are unauthorized. The said violations attract action under section 20 of PLPA, 1900 read with section 66 and section 35, 52 and 77 of India Forest Act, 1927 read with Section 2 of Forest Conservation Act, 1980 and directions of the Hon'ble Supreme Court order dated 21.07.2022 in Civil Writ Petition no. 10294 and order dated 23.07.2021 in SLP no. 7220-21, respectively.

You are hereby, afforded an opportunity to remove all unauthorized structures and stop operation of all non-forestry activities from your land bearing khasra nos 1266,1205 1387,1388 in revenue estate of village Anangpur within a period of 15 days failing which action for removal of the unauthorized structures and stopping of non-forestry activities will be enforced under provisions of law for which you yourself will be responsible.

In case you have to present any fact which is contrary to the facts given in this notice, you may place them by way of written representation to the undersigned by post or e-mail within 15 days of issue of this notice.


Deputy Conservator of Forests
Faridabad