

Item No. 06

Court No. 2

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 428/2023

S. C. Kaushal

Applicant

Versus

State of Punjab

Respondent

Date of hearing: 01.08.2023

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Application is registered based on a letter petition received by Post

ORDER

1. The Applicant, S.C. Kaushal, President of Patarkar Morcha Association (Regd.), Punjab has sent present letter petition, which has been treated and registered as Original Application, complaining about encroachment on gram panchayat land and illegal cutting of about 150 trees by the encroachers.

2. The Applicant has submitted that Lord Krishna College was constructed by Land mafia comprising Man Singh Dham son of Surjan Singh resident of Kapurthala and others by encroaching upon land measuring 10 acres 6 Kanals owned by Gram Panchayat Badshahpur, Block Dhilwan, District Kapurthala. The encroachers have illegally cut and sold about 30 years old 150 trees. The applicant made complaints dated 14.06.2022 and 16.09.2022 regarding encroachments and complaints dated 16.09.2022 and 28.12.2022 regarding illegal cutting of trees but no action has been taken on the same.

3. *Prima facie*, the averments made in the application regarding illegal cutting of trees raise questions relating to environment arising out of the implementation of the enactments specified in Schedule I to the National Green Tribunal Act, 2010.

4. In view of the above, we consider it appropriate to seek response from (1) the State of Punjab through Chief Secretary, Government of Punjab, (2) the Deputy Commissioner, Kapurthala (3) the Divisional Forest Officer, Kapurthala, (4) the District Development and Panchayat Officer, Kapurthala, (5) the Sarpanch Gram Panchayat, Kapurthala and (6) the Manager, Lord Krishna College, Badshahpur, District Kapurthala who are impleaded as respondent Nos. 1 to 6. The registry is directed to prepare and attach memo of parties with the paper book accordingly. Notices be issued to Respondent Nos. 1 to 6 requiring them to file their response to the averments made in the application by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

5. Further, we also consider it appropriate that a Joint Committee be constituted to verify the factual position regarding illegal cutting of trees from the gram panchayat land and take appropriate remedial action. Accordingly, we constitute a Joint Committee comprising of Punjab State Pollution Control Board (PSPCB), Divisional Forest Officer (DFO), Kapurthala and Deputy Commissioner (DC), Kapurthala and direct the same to meet within one week, undertake visits to the site, look into the grievances of the applicant, verify the factual position and take appropriate remedial action by following due course of law. The PSPCB will be the nodal agency for coordination and compliance.

6. Factual and Action taken Report may be submitted within three weeks by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

7. List for further consideration on 01.09.2023.

8. A copy of this order, along with a copy of the application and documents attached with the same, be forwarded to the PSPCB, DFO, Kapurthala and DC, Kapurthala by e-mail for requisite compliance.

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

August 01, 2023
Original Application No. 428/2023
JG