

Item No. 03

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: 01.09.2023

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER.**

Applicant: Applicant in person (Through VC).

Respondents: Mr. Abhinav Jain and Mr. Shashwat Roy, Advocates for
Respondent no. 4
Ms. Divita Vyas, Advocate for Respondent no. 6.

Application is registered based on a letter petition received by Post

ORDER

1. The Applicant- Mr. 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. Vide order dated 01.08.2023 this Tribunal impleaded respondents no. 1 to 6 and ordered issuance of notices to them requiring them to file their response to the averments made in the application and this Tribunal also constituted a Joint Committee to verify the factual position regarding illegal cutting of trees from the gram panchayat land and take appropriate remedial action and submit its factual and action taken report within three weeks.

3. In compliance thereof, replies have been filed by DFO, Jalandhar vide email dated 25.08.2023 and by DDPO, Kapurthala vide email dated 31.08.2023.

4. Ms. Divita Vyas, Advocate has appeared for Respondent no. 6 and seeks adjournment for filing of reply/response on its behalf.

5. Request is allowed. Respondent no. 6 is directed to file its reply/response within one month 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.

6. However, Report has not been submitted by the Joint Committee. The Joint Committee is directed to submit its report within one month 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. In case of failure to submit the report with the permitted period exemplary cost may be imposed on members of the Joint Committee.

7. List for further consideration on 30.10.2023.

8. In view of the facts and circumstance of the case, we also consider personal appearance of the District Development and Panchayat Officer, Kapurthala (physically) and Deputy Commissioner, Kapurthala (through VC) on the next date of hearing to be essential for producing the relevant documents regarding compliance with environmental norms and assisting this Tribunal in just and proper adjudication of the questions involved in the case and they shall remain present before this Tribunal on that date accordingly.

9. A copy of this order, be forwarded to the PSPCB and DFO, DC and DDPO, Kapurthala by e-mail for requisite compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

September 01, 2023
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