

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

Original Application No. 1176/2024

Jagdish Kalra

Applicant

Versus

Haryana State Pollution Control Board & Ors.

Respondent(s)

Date of hearing: 18.09.2025

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Tarun Cummra, Adv. for Applicant.

Respondents: Mr. Rahul Khurana & Mr. Hasil Jain, Advs. for R - 1 to 3 & 6 to 7
Ms. Suhasini Sen & Ms. Masooma Rizvi, Advs. for MoEF & CC

ORDER

1. In this Original Application (OA), the applicant has raised a grievance about illegal felling of trees by respondent no. 8 in HUDA Sector- 11, Panipat, Haryana.

2. The reply filed by respondent no.6 dated 04.03.2025 discloses as under:

"3. That the park of area approximate 500 sq yards located in Sector 11, HUDA, Panipat falls in the jurisdiction of answering respondent. On inspection of site, it was found that "one Peepal" tree has axed below the stem. Heavy pruning of two trees were also executed in park in question. The trees pruned are having new leaves at present.

4. That on occurring of incident of felling of trees, Executive Engineer of MC, Panipat issued a letter bearing no. 1760 dated 25.07.2024 referring to SHO, Police Station Chandnibagh Panipat for initiating action against unknown person(s) for illegal

cutting of trees in the park situated in Sector 11, HUDA, Panipat. In continuation of letter no. 1760 dated 25.07.2024, a letter bearing no. 853 dated 13.01.2025 is also disseminated to SHO, Police Station, Chandnibagh, Panipat for initiating such action.

5. That on requisition of MC, Panipat dated 25.07.2024 and 13.01.2025, an FIR No. 61 dated 25th Jan 2025 has been lodged by Chandnibagh Police Station under Section 3 of Prevention of Damage to Public Property Act 1984 for action against unknown person(s) for illegal cutting/pruning of trees in sector 11, HUDA, Panipat.

6. That Head Constable (HC), Virendar Kumar, No.3255 HAP, has been appointed Investigating Officer (IO) in this case. Further any assistance required by the IO, the same will be provided by the MC, Panipat.”

3. It has been pointed out by the Learned Counsel for the applicant that though the illegal felling of a fully mature Peepal tree and heavy pruning of other two trees has been done by the respondent no.8 but the FIR (page-85) has been registered against the unknown persons.

4. He has also drawn the attention of the court to the newspaper report which was published immediately after the incident disclosing about the complaint made to the Deputy Commissioner, Dr. Virender Kumar Dahiya, who on the complaint had directed registration of the FIR. The DC has been impleaded as respondent no.7.

5. The record reflects that the illegal felling of tree had taken place on 09.07.2024. The photographs on Page-36, Annexure- A7 reveals that a fully mature Peepal tree has been cut. The newspaper report dated 12.07.2024, page-35, discloses that the illegal felling of tree had come to the knowledge of the respondent no.7-DC yet no action was taken. The OA was filed in the month of September, 2024 and notice in the OA was issued on 24.09.2024. Even thereafter, the action was not initiated and the FIR

has finally been lodged on 25.01.2025 that too against the unknown persons.

6. The newspaper report Annexure-A6-page 35 dated 12.07.2024 states that on the protest by local residents, the tractor trolley involved in the illegal felling of tree was left behind by the violators by running away from the spot. It is strange that the respondent authorities have waited for almost 06 months and thereafter registered the FIR that too against the unknown persons. This does not reflect that the respondent authorities were serious about taking action against the person responsible for illegal felling of the tree.

7. Mr. Rahul Khurana, Learned Counsel representing respondent no.7- Deputy Commissioner seeks a weeks' time to obtain further instructions on behalf of the respondent no.7.

8. List on 08.10.2025.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

September 18, 2025
Original Application No. 1176/2024
AM