

2+ 841  
ਮਿਤੀ: 25/10/23

ਪੰਜਾਬ ਸਰਕਾਰ  
ਜੰਗਲੀ ਜੀਵ ਸੁਰੱਖਿਆ ਵਿਭਾਗ  
ਦਫਤਰ ਵਣ ਮੰਡਲ ਅਫਸਰ, ਫਾਰੈਸਟ ਕੰਪਲੈਕਸ, ਗਾਂਧੀ ਚੌਕ, ਪਠਾਨਕੋਟ  
(ਐਫ ਸੀ ਏ ਸਾਖਾ)  
dfopathankot@gmail.com  
ਫੋਨ ਨੰ:- 0186-2921857

ਸੇਵਾ ਵਿਖੇ,

ਵਧੀਕ ਪ੍ਰਧਾਨ ਮੁੱਖ ਵਣ ਪਾਲ (ਐਫ ਸੀ) ਅਤੇ  
ਨੇਡਲ ਅਫਸਰ (ਐਫ ਸੀ ਏ)  
ਪੰਜਾਬ, ਐਸ ਏ ਐਸ ਨਗਰ।


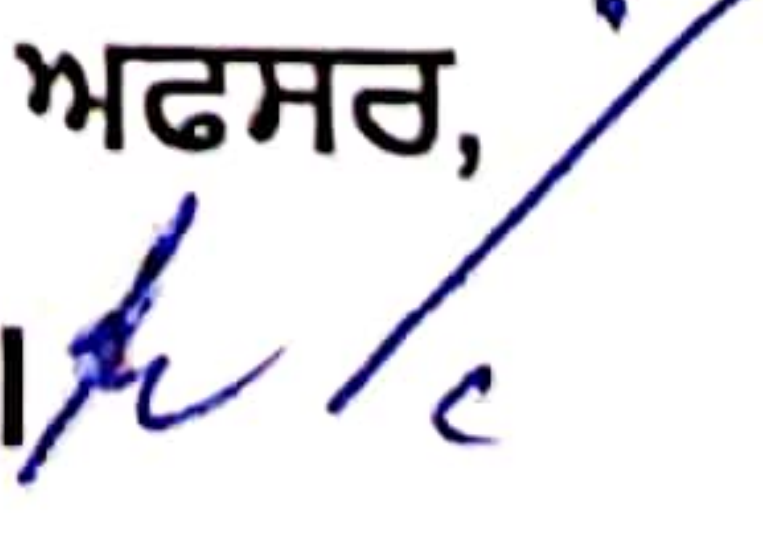
ਵਿਸਾ: Diversion of 0.9606 ha. land for construction of HOTEL BADHANI COUNTRY SIDE on Pathankot to Dalhousie road km 20 left / side at village Bhamrota Khasra No. 387,388,389 Delisted area of section 4 of PLPA 1900 Tehsil Dhar Kalan Forest Division and District Pathankot. Proposal No. FP/PB/Others/36851/2018

ਹਵਾਲਾ: ਆਪ ਜੀ ਦਾ ਫਾਈਲ ਨੰ: Forest-FCA0FC3P/20/2020-FCA/I/612103/2023 ਮਿਤੀ 01/08/2023

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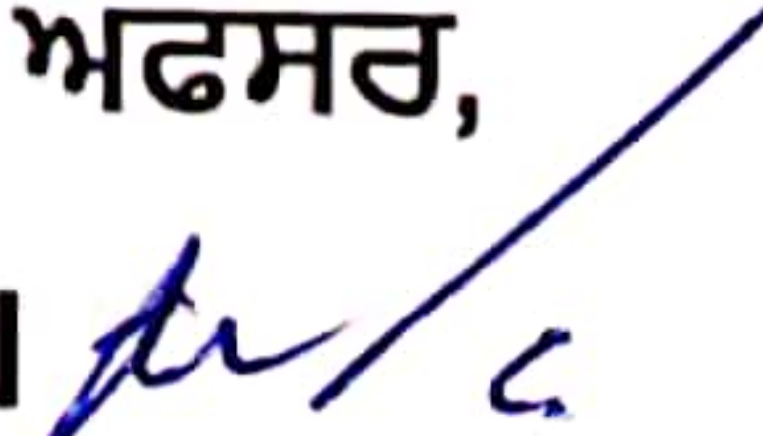

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਹਵਾਲੇ ਅਧੀਨ ਪੱਤਰ ਦੇ ਸਬੰਧ ਵਿੱਚ ਆਪ ਜੀ ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਪਿੰਡ ਹਾੜਾ ਟੀਕਾ ਭਮਰੋਟਾ ਦੇ ਖਸਰਾ ਨੰ: 387, 388 ਅਤੇ 389 ਪੀ. ਐਲ.ਪੀ. ਏ 1900 ਦੀ ਧਾਰਾ 4 ਵਿੱਚੋਂ ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਨੋਟੀਫਿਕੇਸ਼ਨ ਨੰ: 39/9/2010-FT-3/1029 ਮਿਤੀ 14/02/2011 ਰਾਹੀਂ ਡੀਲਿਸਟ ਹੋ ਚੁਕਾ ਹੈ ਅਤੇ ਭਾਰਤ ਸਰਕਾਰ ਦੇ ਫਾਈਲ ਨੰ: 7-4/2015-ROHQ ਮਿਤੀ 27/03/2015 ਰਾਹੀਂ ਜਾਰੀ ਹੋਇਆ ਗਾਈਡਲਾਈਨਜ਼ ਦੀ ਕਾਪੀ ਭੇਜਕੇ ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਉਪਰੋਕਤ ਕੇਸ ਸਬੰਧੀ ਲੋੜੀਂਦੀ ਐਨ.ਓ.ਸੀ.ਭਾਰਤ ਸਰਕਾਰ ਪਾਸੋਂ ਪ੍ਰਾਪਤ ਕਰਕੇ ਇਸ ਦਫਤਰ ਨੂੰ ਭੇਜਣ ਦੀ ਖੇਚਲ ਕੀਤੀ ਜਾਵੇ ਜੀ।

ਨੱਥੀ ਸਹਿਪੱਤਰ

  
ਵਣ ਮੰਡਲ ਅਫਸਰ,  
ਪਠਾਨਕੋਟ। 

ਪਿੱਠ ਅੰਕਣ ਨੰ: 842 ਮਿਤੀ: 25/10/23

ਇਸ ਦੀ ਨਕਲ ਸਮੇਤ ਸਹਿਪੱਤਰ ਵਣ ਪਾਲ ਨਾਰਥ ਸਰਕਲ ਪੰਜਾਬ, ਹੁਸਿਆਰਪੁਰ ਜੀ ਨੂੰ ਸੂਚਨਾ ਅਤੇ ਅਗਲੀ ਲੋੜੀਂਦੀ ਕਾਰਵਾਈ ਲਈ ਭੇਜੀ ਜਾਂਦੀ ਹੈ।

  
ਵਣ ਮੰਡਲ ਅਫਸਰ,  
ਪਠਾਨਕੋਟ।   




**GOVERNMENT OF PUNJAB**  
**DEPARTMENT OF FORESTS & WILDLIFE PRESERVATION**  
**(FOREST BRANCH)**

**NOTIFICATION**

Dated the 14.2.2011

No. 39/9/2010-FT-3/1029

Whereas certain areas of village Hara (H.B. No. 394) comprised within the limits of the local areas is notified under Section 3 of the Punjab Land Preservation Act, 1900, vide Punjab Government, Notification No. 4868-Ft-IV.60/4938 dated 9<sup>th</sup> July, 1960.

2. Whereas Punjab Government while giving effect to the provisions of the Act, imposed certain temporary regulations, restrictions or prohibitions with regard to cutting of trees or timber or the collection, removal or subject to any manufacturing process of any forest produce other than grass, flower, fruit and honey etc. in all private land in village Hara as contained in the Punjab Govt. Notification No. 39 (298) 2005/Ft.3/10591 dated 30/08/05 issued for a period of 30 years under section 4 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 of India in Writ Petition (Civil) No. 202 of 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) 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 4<sup>th</sup> July, 2000 in accordance with the rules, procedure and guidelines laid down under Forest

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Government of India  
Ministry of Environment, Forests and Climate Change  
Regional Office Headquarters Division

Indira Paryavaran Bhawan,  
Allgani, Jor Bagh Road,  
New Delhi-110003  
Dated: 27<sup>th</sup> March, 2015

To: The Addl. Principal Chief Conservator of Forests (C),  
Ministry of Environment, Forests and Climate Change,  
Regional Office (NZ), Bays No. 24-25,  
Sector 31 A, Dabhi Marg, Chandigarh-160030.

Sub: Exclusion of 65670.26 ha of cultivated and habitation area closed under  
Punjab Land Preservation Act, 1900 from the list of forest areas in Districts  
Ropar, Nawanshar, Hoshiarpur and Gurdaspur, Punjab - reg.

Sir,

I am directed to refer to Regional Office (Northern Zone), Chandigarh letter  
no. 9-PBB-532/2014-CHA dated 27.11.2014 on the above mentioned subject and to  
say that this Ministry concurs with the opinion of the Regional Office (Northern  
Zone), Chandigarh that to remove discrimination of land owners of de-listed PLPA  
land *vis-a-vis* owners of other areas closed under PLPA, 1900, in case prior approval  
of Central Government under the Forest (Conservation) Act, 1980 for non-forest use  
of the de-listed PLPA land is sought by the user agency through State Government,  
such de-listed areas shall be treated as 'forest' for the purpose of the Forest  
(Conservation) Act, 1980. However, owner of such land may utilize such delisted  
PLPA areas for the bonafide use of agriculture and for sustaining livelihood as has  
been specified in the orders issued by this Ministry for delisting of such areas.

Yours faithfully,

(H. C. Chaudhary)

Director

Tele-fax: 011-24695339

Copy to:

1. The Guard file.

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(H. C. Chaudhary)

Director



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 16<sup>th</sup> 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 bonafide 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) Ministry of Environment and Forests, Government of India vide F.No. 8-19/2006-FC dated 24<sup>th</sup> July 2009 conveyed approval for de-listing of 55,339.95 ha cultivated and Habitation areas closed under Punjab Land Preservation Act, 1900 from the list of forest areas 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 only be used for bonafide 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 village Hara is concerned, the Governor of Punjab is pleased to delist/denotify the land measuring 1233.54 ha cultivated and Habitation area of village Hara closed under section - 4 of PLPA, 1900 comprised in the Khasra numbers as detailed in Annexure-1 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 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 and 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 Govt. Memo No. 39/578/2005-Forest-3/2945 dated 4-5-2010 (copy enclosed in the Annexure II)

Chandigarh, dated the  
13th January 2011

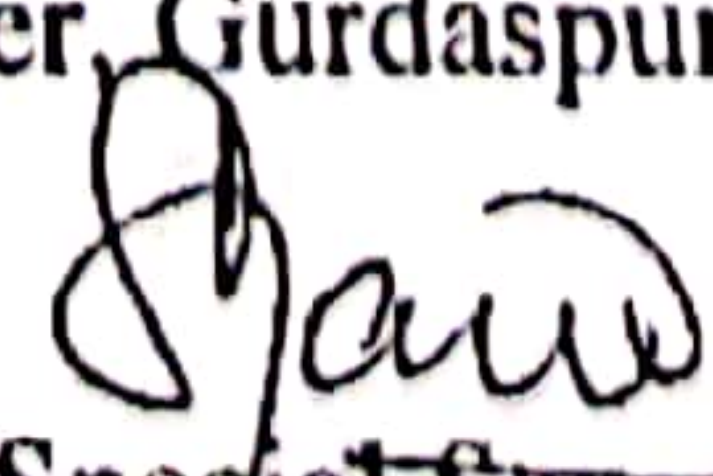
D.S.Bains, IAS,  
Financial Commissioner & Secretary  
to Govt. of Punjab, Department of  
Forests & Wildlife Preservation.

Endst. No.39/9/2010-FT-3/1030

Chandigarh, dated the 14.2.2011

A copy, alongwith 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 20 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, Gurdaspur.

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





(2)

Government of Punjab  
Department of Forests & Wildlife Preservation  
(Forest Branch)

NOTIFICATION

No.39/298/2005/Ft-3/ 1257

Chandigarh, dated the: 30/8/05

Whereas in exercise of the powers conferred by section 4 of the Punjab Land Preservation Act, 1900, the Governor of Punjab was pleased to order that the regulations, restrictions and prohibitions mentioned in the Punjab Government Notification No.4868-Ft-IV-60/4939, dated 9<sup>th</sup> July, 1960, in respect of the areas, which are comprised within the limits of the areas notified under section 3 of the Punjab Land Preservation Act, 1900 by the Punjab Government Notification No.4868-Ft-IV-60/4938, dated 9<sup>th</sup> July, 1960 and mentioned in the schedule appended thereto, shall remain enforced for a period of 15 years in the first instance, with effect from 9.7.1960 and in the second instance the Notification was extended for a period of the 15 years vide Punjab Government Notification No.1784-Ft-III-75/17817 with effect from 10.7.1975 and in third instance the notification was extended for a period of 15 years vide Punjab Government Notification No.39(24)-Ft-III-90/14685, dated 4.7.1990.

And whereas the President of India is satisfied after the enquiry that the regulations, restrictions and prohibitions contained in the aforesaid orders are necessary for a further period of 30 years for the purpose of giving effect to the provisions of the said Act.

Now, therefore, in exercise of the powers conferred by section 4 of the said Act and all other powers enabling him in this behalf the President of India is pleased to regulate, restrict or prohibit by this orders the matters mentioned in the notification of Government aforesaid, for a further period of 30 years with effect from 9<sup>th</sup> July, 2005.

Chandigarh, dated  
16<sup>th</sup> of August 2005

D.S.Jaspal  
Financial Commissioner & Secretary to  
Govt. of Punjab, Department of Forests.

Endst. No.39/298/2005/Ft-3/

Chandigarh, dated the:

A copy with a spare copy of the notification is forwarded to the Controller, Printing & Stationery, Punjab, Chandigarh for publication of the same in the official gazette. 50 copies of the printed notification may be supplied to this department.

Additional Secretary to Govt. Punjab,  
Department of Forests and Wild Life Preservation

Endst. No.39/298/2005/Ft-3/ 10593

Chandigarh, dated the: 30/8/05

✓ A copy is forwarded to the Principal Chief Conservator of Forests, Punjab, Chandigarh w.r.t. his letter No.2312, dated 4.7.2005 for information.

Additional Secretary to Govt. Punjab,  
Department of Forests and Wild Life Preservation





Schedule of Khasra nos. and area of village Hara of Gurdaspur Forest Division where restrictions regulations and prohibitions under section 4 of Punjab Land Preservation Act, 1900 are removed.

District	Tehsil	Name of Village	Hadbast No.	Tika	Area under Cultivation		Area under Habitation	
					No. Khasra	Area	No Khasra	Area
1	2	3	4	5	6	7	8	9
Gurdaspur	Pathankot	Hara	394	Bharmola	355	0 10		
					356	0 11		
					357	1 14		
					358	1 3		
					359	10 7		
					360	1 16		
					361	0 12		
					362 min	8 13		
					368	3 17		
					369	11 2		
					370	2 2		
					387	13 4		
					388	11 11		
					389	15 11		
					390	2 13		
					379	43 7		
					380	25 16		
					376 min	10 0		
					366	4 5		
					427	4 1		
					36	3 3		
					34 min	2 0		
					33	2 13		
					375	13 1		
					29	2 8		
					384	8 0		
					365	4 10		
					386	31 3		
					34 min	2 3		
					374	18 6		
					346	0 11		
					347	0 7		
					348	16 9		
					1/1 min	48 3		
					3	21 1		
					4	7 1		
					5	24 16		
					6 min	17 3		
					7 min	4 0		
					8	17 19		
					9 min	8 0		

Prepared By

Checked By

Supervised By

Divisional Forest Officer  
Gurdaspur Forest Division  
Pathankot