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CWP-PIL-110-2025 (O&M)
CWP-PIL-340-2025 (O&M)
CWP-3576-2025 (O&M)

SUKHRAJ KAUR CHAHAL
V/S
STATE OF PUNJAB AND OTHERS

Present: Mr. R. B. S. Chahal, Advocate and
Mr. Shubham Thakur, Advocate
for the petitioner in CWP-PIL-110-2025.

Mr. Ajaivir Singh, Advocate
for the petitioner in CWP-PIL-340-2025.

Mr. Anand Chibbar, Senior Advocate assisted by
Ms. Ateevraj Sandhu, Advocate
for the petitioner in CWP-3576-2025 and
for respondent No.18 in CWP-PIL-110-2025.

Mr. Maninder Singh Garcha, Addl., AG, Punjab assisted by
Ms. Priyanka Malik, Advocate and
Ms. Mehak Kanwar, Advocate
for respondents No.12 & 13-PSPCL.

Mr. D. S. Patwalia, Senior Advocate assisted by
Mr. Gauravjit S. Patwalia, Advocate and
Mr. Lagan K. Sidhu, Advocate
for respondents No.15 & 16.

Mr. Anshul Pareek, Advocate for
Mr. Saurav Verma, Advocate
for respondent No.9-PPCB.

Ms. Kavita Arora, Advocate
for respondent No.14 in CWP-PIL-110-2025.

Mr. Munish Jolly, Advocate
for respondents No.13 to 15 in CWP-PIL-340-2025.

Mr. Shekhar Verma, Advocate and
Ms. Neetu Singh, Advocate
for the respondent-GMADA.

1. These Public Interest Litigation(s) (**PIL**) and Civil Writ Petition
(**CWP**) raise serious concerns regarding the environment and ecology in the

vicinity of Chandigarh. It would be worthwhile to notice the genesis of the controversy at the outset.

2. It transpires that a news item published in the *Hindustan Times* on 22.01.2004, contained the title "*Forest Hill Club under Central Government Scanner.*" The Club was found to be functioning in Village Karoran, District Ropar (now District Mohali), Punjab, which is about 08 kms from Chandigarh. The news report indicated that the establishment of the aforesaid country club was in gross violation of the provisions of law, as the land on which the club is situated was forest land. This Court took *suo motu* cognizance in CWP No.1134 of 2004, and examined the nature of the land. The Division Bench referred to the provisions of the Punjab Land Preservation Act, 1900 (for short, the '**PLP Act, 1900**'). As per the records, the entire land of the village, admeasuring about 3700 acres, was '*forest land*'. Directions had also been issued for its preservation as '*forest land*'. The Division Bench, therefore, allowed the writ petition and issued a direction for restoration of the land as '*forest land*', as in the Annual Administrative Report of the village, the area itself was shown as '*forest land*' of the Forest Department. Reliance was also placed upon the judgment passed by the Hon'ble Supreme Court of India in ***T. N. Godavarman Thirumulkpad vs. Union of India and others, (1997) 2 SCC 267***. Certain reports of the Expert Committee were also referred to and relied upon for the said purpose.

3. The Division Bench judgment was carried in appeal before the Supreme Court by the owner of the club in ***B. S. Sandhu vs. Government of India, 2014 (12) SCC 172***. The Supreme Court allowed the appeal of the owner of the club by observing that the mere inclusion of the area within the

limits of the PLP Act, 1900 does not *ipso facto* lead to the conclusion that the land is ‘forest land’. The Supreme Court found fault with the reasoning of the Division Bench and observed that the nature of the land as on the date of enforcement of the Forest (Conservation) Act, 1980 (for short, the '**Act of 1980**') ought to have been determined and, based upon such determination alone, the provisions of the Act of 1980 could have been enforced. For such purpose, the Court issued a direction to the State of Punjab to determine the nature of the land. The conclusions contained in paragraphs 15 to 24 of the judgment of the Supreme Court are extracted hereinafter:-

“15. After hearing the learned counsel for the parties, we find that the reason why the entire 3700 acres of land in Village Karoran, District Ropar, was included in the list of “forest land” submitted by the State Government to this Court in February 1997 is that in the records of the Forest Department, Government of Punjab, the said land was shown to be under the Forest Department, Government of Punjab. We have, therefore, examined the Annual Report of the East Punjab (Forest Department) included in the compilation filed on behalf of the State Government on 22-2-2014 and we find that the land in the Village Karoran, District Ropar, is recorded as land under the control of the Forest Department because the land was closed under the PLP Act, 1900. This is also clear from Para 5 of the affidavit of Shri J.S. Kesar, IAS, Financial Commissioner and Secretary to Government of Punjab, Department of Forests and Wildlife Preservation, filed in this Court in October 1999 extracted hereinbelow:

“5. The basis for inclusion of all the areas closed under the PLPA, 1900 as “forest areas” in the earlier affidavits was that the same were being reported in the Annual Administrative Reports of the Forest Department since several decades under the category “closed under the PLP Act, 1900”. Though the areas closed under the PLPA, 1900 were not specifically recorded as forest areas because of the fact that they were included in the Annual Administrative Reports of the State Forest Department. As such, besides the areas with tree cover even cultivated fields and habitations in the areas notified under the PLPA, 1900 were depicted as “forest areas” by the Expert Committee and included in Annexure G of the affidavit dated 21-2-1997 filed by the State Government in the

Hon'ble Apex Court. It is thus reiterated that the Expert Committee included the cultivated/habitation areas closed under the PLP Act, 1900 in the list of forest areas only because these stood included in the Annual Administrative Reports of the Department as "Areas closed under the PLPA, 1900".

Thus, the basis of including the entire land in Village Karoran as forest area in the affidavit of the State Government in this Court is that the land was closed under the PLP Act, 1900 and therefore was forest area.

16. The High Court has also taken a view in the impugned order [Court on Its Own Motion v. State of Punjab, (2004) 4 RCR (Civil) 619 : (2005) 2 ICC 16 (P&H)] that as the entire land of Village Karoran, District Ropar, was closed in the PLP Act, 1900, it was "forest land" for the purpose of Section 2 of the Forest (Conservation) Act, 1980. Para 53 of the impugned order [Court on Its Own Motion v. State of Punjab, (2004) 4 RCR (Civil) 619 : (2005) 2 ICC 16 (P&H)] of the High Court is quoted hereinbelow: [Court on Its Own Motion case [Court on Its Own Motion v. State of Punjab, (2004) 4 RCR (Civil) 619 : (2005) 2 ICC 16 (P&H)] , RCR (Civil) p. 644]

"53. For the reasons aforementioned and relying upon the expression 'forest' and 'forest lands' as defined by Their Lordships in T.N. Godavarman case [T.N. Godavarman Thirumulpad v. Union of India, (1997) 2 SCC 267] and the principles laid down in M.C. Mehta case [M.C. Mehta v. Union of India, (2004) 12 SCC 118] , we hold that the entire land of Village Karoran which has been notified under Section 3 of the PLP Act, 1900 and is regulated by the prohibitory directions notified under Sections 4 and 5 thereof, is a 'forest land' and attract the provisions of Section 2 of the Forest (Conservation) Act, 1980, if sought to be used for 'non-forest purposes'."

17. Hence, the first question that we have to decide is whether the conclusion of the High Court that the land which is notified under Section 3 of the PLP Act, 1900 and is regulated by the prohibitory directions notified under Sections 4 and 5 of the aforesaid Act is "forest land" is correct in law. Sections 3, 4 and 5 of the PLP Act, 1900 as it was originally enacted are extracted hereinbelow:

"3. Whenever it appears to the local Government that it is desirable to provide for the better preservation and protection of any local area, situated within or adjacent to the Sivalik mountain range or affected or liable to be affected by the debodisement of forest in that range or by the action of chos, such Government may, by notification, make a direction accordingly.

***4 Power to regulate, restrict or prohibit, by general or special order, within notified areas, certain matters.—**In respect of areas notified under Section 3 generally or the whole or any part of any such area, the local Government*

may by general or special order temporarily or permanently, regulate, restrict or prohibit—

(a) the clearing or breaking up or cultivating of land not ordinarily under cultivation prior to the publication of the notification under Section 3;

(b) the quarrying of stone or the burning of lime at places where such stone or lime had not ordinarily been so quarried or burnt prior to the publication of the notification under Section 3;

(c) the cutting of trees or timber, or the collection or removal or subjection to any manufacturing process, otherwise than as described in clause (b) of this sub-section of any forest produce other than grass, save for bona fide domestic or agricultural purposes;

(d) the setting on fire of trees, timber or forest produce;

(e) the admission, herding, pasturing or retention of sheep or goats or camels;

(f) the examination of forest-produce passing out of any such area; and

(g) the granting of permits to the inhabitants of towns and villages situate within the limits or in the vicinity of any such area, to take any tree, timber or forest produce for their own use therefrom, or to pasture sheep or goats or to cultivate or erect buildings therein and the production and return of such permits by such persons.

5. Power in certain cases, to regulate, restrict or prohibit, by special order, within notified areas, certain further matters.—In respect of any specified village or villages, or part or parts thereof, comprised within the limits of any

area notified under Section 3, the local Government may, by special order, temporarily regulate, restrict or prohibit—

(a) the cultivating of any land ordinarily under cultivation prior to the publication of the notification under Section 3;

(b) the quarrying of any stone or the burning of any lime at places where such stone or lime had ordinarily been so quarried or burnt prior to the publication of the notification under Section 3;

(c) the cutting of trees or timber or the collection or removal or subjection to any manufacturing process, otherwise than as described in clause (b) of this sub-section, of any forest produce for bona fide domestic or agricultural purposes; and

(d) the admission, herding, pasturing or retention of cattle generally other than sheep and goats, or of any class or description of such cattle.”

18. It will be clear from the language of Section 3 of the PLP Act, 1900 extracted above that for the better preservation and protection of any local area, situated within or adjacent to Shivalik mountain range which is liable to be affected by debodisement of forests in that range or by the action of “cho”, such Government may by notification make a direction accordingly. The expression “local area” has not been defined in the PLP

Act, 1900 and may include not only “forest land” but also other land. In Section 4 of the PLP Act, 1900 extracted above, the local Government was empowered by general or special order, temporarily or permanently to regulate, restrict or prohibit various activities mentioned in clauses (a), (b), (c), (d), (e), (f) and (g) thereof. A reading of these clauses would show that activities such as cultivation, pasturing of sheep and goats and erection of buildings by the inhabitants of towns and villages situated within the limits of the area notified under Section 3 can be regulated, restricted or prohibited by a general or special order of the local Government. All these activities are not normally carried on in forests. Similarly, under Section 5 of the PLP Act, 1900, the local Government was empowered by special order, temporarily or permanently to regulate, restrict or prohibit the cultivating of any land or to admit, herd, pasture or retain cattle generally other than sheep and goats. These activities are also not normally carried on in forests.

19. In our view, therefore, land which is notified under Section 3 of the PLP Act, 1900 and regulated by orders of the local Government under Sections 4 and 5 of the PLP Act, 1900 may or may not be “forest land”. Therefore, the conclusion of the High Court in the impugned order that the entire land of Village Karoran, District Ropar, which has been notified under Section 3 of the PLP Act, 1900 and is regulated by the prohibitory directions notified under Sections 4 and 5 thereof is “forest land” is not at all correct in law. The basis for inclusion of the entire area in Village Karoran, District Ropar, in the list of forest areas in the State of Punjab pursuant to the order dated 12-12-1996 of this Court in T.N. Godavarman Thirumulpad v Union of India [T.N. Godavarman Thirumulpad v. Union of India, (1997) 2 SCC 267] is legally not correct. Similarly, the conclusion of the High Court in the impugned order [Court on Its Own Motion v. State of Punjab, (2004) 4 RCR (Civil) 619 : (2005) 2 ICC 16 (P&H)] that the entire land in Village Karoran, District Ropar, having been notified under Section 3 of the PLP Act, 1900 and being under the regulatory regime of Sections 4 and 5 of the said Act is “forest land” is also legally not correct.

20. In fact, the High Court failed to appreciate the meaning of “forest” and “forest land” in Section 2 of the Forest (Conservation) Act, 1980 as given by this Court in the order dated 12-12-1996 in T.N. Godavarman Thirumulpad v. Union of India [T.N. Godavarman Thirumulpad v. Union of India, (1997) 2 SCC 267] . The relevant portions of the order dated 12-12-1996 of this Court in T.N. Godavarman Thirumulpad v. Union of India [T.N. Godavarman Thirumulpad v. Union of India, (1997) 2 SCC 267] on

the meaning of the words “forest” and “forest land” is extracted hereinbelow: (SCC pp. 269-70, para 4)

“4. The Forest (Conservation) Act, 1980 was enacted with a view to check further deforestation which ultimately results in ecological imbalance; and therefore, the provisions made therein for the conservation of forests and for matters connected therewith, must apply to all forests irrespective of the nature of ownership or classification thereof. The word ‘forest’ must be understood according to its dictionary meaning. This description covers all statutorily recognised forests, whether designated as reserved, protected or otherwise for the purpose of Section 2(i) of the Forest (Conservation) Act. The term ‘forest land’, occurring in Section 2, will not only include ‘forest’ as understood in the dictionary sense, but also any area recorded as forest in the Government record irrespective of the ownership. This is how it has to be understood for the purpose of Section 2 of the Act. The provisions enacted in the Forest (Conservation) Act, 1980 for the conservation of forests and the matters connected therewith must apply clearly to all forests so understood irrespective of the ownership or classification thereof.”

(emphasis supplied)

The underlined portion of the order dated 12-12-1996 in T.N. Godavarman Thirumulpad v. Union of India [T.N. Godavarman Thirumulpad v. Union of India, (1997) 2 SCC 267] would show that the Forest (Conservation) Act, 1980 was enacted with a view to check “further deforestation” and was to apply to all forest irrespective of the nature of ownership or classification thereof. Hence, Section 2 of the Forest (Conservation) Act, 1980 puts a restriction on further deforestation of “forest land” and would apply to any land which at the time of enactment of the Forest (Conservation) Act, 1980 was “forest land” irrespective of its classification or ownership. This is exactly the view taken also by the CEC in its recommendations dated 10-9-2003 in IA No. 727 in T.N. Godavarman case [T.N. Godavarman Thirumulpad (85) v. Union of India, (2014) 12 SCC 187] .

21. Para 8 of the recommendations dated 10-9-2003 of the CEC in IA No. 727 is extracted hereinbelow:

“8. After examining the submissions made by the applicant, affidavit filed by the State Government of Punjab and the ‘No Objection’ given by MoEF, the CEC is of the view that deletion of areas, which were under cultivation/habitation prior to 25-10-1980 i.e. enactment of the FC Act, would not be against the spirit of the FC Act, and this Hon'ble Court's order dated 12-12-1996 [T.N. Godavarman Thirumulpad v. Union of India, (1997) 2 SCC 267] , if such areas were

included in the “list of forest area” on technical reasons alone. However, the areas closed under Section 4 of the PLPA are recorded as “forest” in the Forest Department's records for the last 40-50 years. This Hon'ble Court by order dated 12-12-1996 [T.N. Godavarman Thirumulpadv.Union of India, (1997) 2 SCC 267] has held that areas recorded as ‘forest’ in Government records are forest for the purpose of Section 2 of the FC Act. It would therefore be necessary to obtain prior approval of the Central Government under Section 2 of the FC Act, for deleting such areas from the “list of the forest area” after following the procedure as laid down in the Forest (Conservation) Rules, 1981, and the guidelines issued by the Central Government for implementation of the said Act. Irrespective of the merits of the case, it would not be appropriate to allow deletion of such area from the ‘list of forest area’ without following the prescribed procedure and provisions of the Forest (Conservation) Act.”

22. Thus, what the High Court was called upon to decide is whether the land on which the Forest Hill Golf and Country Club of Col. B.S. Sandhu was situated was forest land as on 25-10-1980 irrespective of its classification or ownership. This is a factual question and the High Court should have decided this factual question on the basis of government records as on 25-10-1980 and other materials filed before the High Court, but the High Court has instead decided this question by reference to the provisions of the PLP Act, 1900 and the records of the Forest Department in which the land was shown to be under the Forest Department because of the fact that the land was closed under the PLP Act, 1900 several decades before the enactment of the Forest (Conservation) Act, 1980. Moreover, by recording a blanket finding that all land in Village Karoran, District Ropar, was “forest land” for the purpose of Section 2 of the Forest (Conservation) Act, 1980, the High Court has affected the legal rights of several villagers, agriculturists, farmers, shop owners, inhabitants of Village Karoran, District Ropar, who were carrying on their respective occupations on their land even before the enactment of the said Act on 25-10-1980. In our view, the High Court should have been very careful before recording findings which affect the property rights of persons protected by Article 300-A of the Constitution.

23. We have also examined the two decisions of this Court in the first and second cases of M.C. Mehta [M.C. Mehta v. Union of India, (2004) 12 SCC 118] , [M.C. Mehta v. Union of India, (2008) 17 SCC 294] cited on behalf of the State of Punjab and we find that the aforesaid decisions have been rendered in the case of Aravalli Hills in the State of Haryana

and it was held therein that as the State Forest Department had been treating and showing the areas as “forest”, in fact and in law, the area was forest and non-forest activities could not be allowed in such areas without the prior permission of the Central Government under Section 2 of the Forest (Conservation) Act, 1980. In these two decisions, this Court has not enquired into the basis of inclusion of the areas in forest by the State Forest Department nor has this Court considered as to whether a land becomes “forest land” by mere inclusion of the same under the notification under Section 3 of the PLP Act, 1900. In the present case, on the other hand, the State Government has in its affidavit stated before this Court that the basis of inclusion of the entire land of Village Karoran, District Ropar, in forest areas in the records of the Forest Department of Government of Punjab was that the land was closed under the PLP Act, 1900 and we have found this basis as not correct in law.

24. We, therefore, set aside the finding of the High Court that the entire land in Village Karoran, District Ropar, is “forest land” for the purpose of Section 2 of the Forest (Conservation) Act, 1980 and remand the matter to the High Court for fresh hearing and fresh order in accordance with law. Consequently, all directions in the impugned order [Court on Its Own Motion v. State of Punjab, (2004) 4 RCR (Civil) 619 : (2005) 2 ICC 16 (P&H)] which flow out of the aforesaid finding of the High Court that the land was “forest land” for the purpose of Section 2 of the Forest (Conservation) Act, 1980 are set aside. We, however, make it clear that we have not set aside the directions for investigation by CBI in the impugned order.”

4. Relying upon the observations made by the Supreme Court in the aforesaid matter, a Division Bench of this Court, in a writ petition filed by Gram Panchayat, Bari Karoran, reiterated the directions issued by the Supreme Court in its judgment dated 28.05.2014, which reads as under:-

“The present writ petition lays a challenge to the two notifications both dated 13.8.2010 (Annexures P/8 and P/9) to the extent they impose what are alleged to be necessary restrictions with regard to use of land which is de-notified under the Punjab Land Preservation Act, 1900 (hereinafter to be referred to as “the PLPA”). Certain other consequential reliefs are also being sought including acceptance of building plans of inhabitants of the area of Naya Gaon. A relief is also sought for implementation of the Final Master Plan-2021 A.D. providing for a road from PGI to Village Kaimbala passing through villages Karoran and Kansal and a road from

Khuda Ali Sher to Kaimbala side as per map (Annexure P/14). The petitioner also seeks de-notification of the remaining area falling in the revenue estate of villages Karoran and Nada from the list of forest areas and, thus, removal of restrictions, regulations and prohibition imposed under Sections 4 and 5 of the PLPA.

Post completion of pleadings, on 4.3.2014, we had opined that it would be appropriate to await the final view of the Hon'ble Supreme Court in Civil Appeal Nos.4682-4683 of 2005, referred to aforesaid. This was in the context of the stand taken in the affidavit of Financial Commissioner & Principal Secretary to Government of Punjab itself averring that since the Division Bench of this Court in CWP-1134-2004, decided on 12.10.2004 had categorically held that all areas notified under the PLPA are forest areas and attract the provisions of the Forest (Conservation) Act, 1980 and also the Indian Forest Act, 1927, as also by reason of the pending appeals before the Hon'ble Supreme Court, i.e., Civil Appeal Nos.4682-4683 of 2005, the present petition ought not to be entertained.

The affidavits filed on behalf of Ministry of Environment & Forests referred to certain directions passed by the Hon'ble Supreme Court and the averments of the State Government that the Expert Committee constituted by the State Government included cultivated/habitation areas closed under the PLPA in the list of forest areas only because they were included in the Annual Administrative Reports of the department as such were taken note of. It is also averred in the affidavit on behalf of Conservator of Forest that the appropriate course of action would be to await the judgment of the Hon'ble Supreme Court in Civil Appeal Nos.4682-4683 of 2005.

The judgment has since been delivered, as noted aforesaid. The question to be examined is as to what is the effect of the judgment. A perusal of the said judgment shows that the Hon'ble Supreme Court has proceeded to examine the opinion of the High Court whereby latest entries of revenue record were discarded and records of Forest Department were taken into account to hold that the land in question was forest land. The Hon'ble Supreme Court did not agree with this conclusion of the High Court that the land notified under Section 3 of the PLPA and regulated by prohibitory directions notified under Sections 4 and 5 thereof is forest land. It opined that land which was notified under Section 3 of the PLPA and regulated by orders of the Local Government under Sections 4 and 5 may or may not be forest land.

In a nutshell, the ratio of the judgment of the Hon'ble Supreme Court is that whether a land is a forest land or not would depend on the land records and merely because the land is notified under Section 3 of the PLPA would not ipso facto make it forest land. The second limb is that the land has to be recorded as forest land as on 25.10.1980 irrespective of its classification or ownership.

If we may say, the complete ground reality has changed in view thereof and learned Additional Advocate General cannot dispute the proposition that an exercise would have to be carried out by the State Government now to identify such land as is forest land as per the revenue record which he claims would take some time. He, however, states that insofar as the main notifications are concerned, which are predicated on the notification(s) under the PLPA, there would have to be segregation of land between forest land and non forest land.

The aforesaid course of action is something which cannot be disputed even by learned senior counsel for the petitioner who submits that the impugned notifications would only apply to such of the land which would be forest land. It is his case that the land in question, involved in the present proceedings, is not forest land, an aspect which would have to be verified by the State Government.

We, thus, dispose of the writ petition in the following agreed terms:

- (i) It is for the State Government to proceed to identify the forest land in terms of the parameters laid down by the Hon'ble Supreme Court in Civil Appeal Nos.4682- 4683 of 2005 titled as B.S. Sandhu vs. Government of India and others, decided on 21.5.2014 based on the revenue record and the test laid therein;*
- (ii) The notifications would in substance apply only in case the land in question is forest land in the revenue record;*
- (iii) Insofar as land of the petitioner is concerned, the aforesaid exercise be carried out to take a call on whether what is alleged by the petitioner, i.e., it is not forest land is correct or not and a reasoned decision be communicated to the petitioner on or before 03.07.2014, as prayed by learned Additional Advocate General;*
- (iv) If the land in question is not forest land, then appropriate development works as per the Final Master Plan and Notified Area Committee of Naya Gaon should be undertaken as the claim is that the ground reality is really pathetic on account of all development works having stopped; and*
- (v) The directions already contained in the order dated 4.3.2014 for action qua construction unauthorisedly carried out on a proposed road and clearance of garbage would be implemented on or before 03.07.2014 with visible photographs.*

*The petition accordingly stands disposed of.
List for compliance on 11.07.2014.”*

5. In the present bunch of petitions, a grievance has been raised to the effect that, in terms of the directions issued by the Supreme Court, the demarcation of forest land has not been carried out. Some of the applicants have alleged that while adopting a discriminatory approach, some of the restaurants have been shut down in the area, yet a large number of other commercial activities have been allowed to flourish, with massive constructions being permitted in the area. It has also been submitted that the officials of the State of Punjab are colluding, since many of the senior officers have managed to secure prime farmland located extremely close to Chandigarh, which is one of the most sought-after locations for developing an urban township in the country.

6. While entertaining the matter, orders were passed. The State of Punjab has, till date, not filed any affidavit reporting compliance with the directions issued by the Supreme Court in **B. S. Sandhu** (supra). One affidavit of the Forest Department officials has been filed, but that would not serve the purpose, once the specific direction issued by the Supreme Court is to the State of Punjab, to carry out the necessary demarcation of forest land in the light of the observations contained in **B. S. Sandhu** (supra).

7. Learned Additional Advocate General, Punjab, states that certain affidavits have been filed by the Chief Secretary, Government of Punjab, but our attention has not been invited to any affidavit which refers to the actual demarcation of ‘forest land’ in the area. Mere filing of affidavits without actually undertaking the requisite exercise for demarcation of ‘forest land’ would neither have the approval of this Court, nor can it have any sanctity in the eyes of law.

8. The area in question, *i.e.*, Village Karoran, District Ropar (now District Mohali), is situated in the foothills of the Shivalik Hills and is an environmentally fragile area. Its preservation is of utmost importance for the protection of the environment and ecology. The manner in which such an area is being allowed to be commercialized, without effective steps being taken for the preservation of the forests, not only violates the mandate of the PLP Act, 1900 but also reflects the failure on the part of the State to preserve the environment.

9. In such circumstances, this Court cannot shut its eyes to the grievances raised in the present cases.

10. Considering the fact that in the revenue records, as well as in other records of the State, the areas situated in Villages Karoran, Nada, Parch, Sunk, Majrian, Choti Bari Nagal, Parol, Siswan, Pallanpur, Saini Majra, Dulwan, Burana, Gochar, Mirzapur, Tarapur and Sultanpur are *prima facie* shown to be ‘forest land’, and their demarcation has not yet been carried out notwithstanding the directions issued by the Supreme Court as far back as the year 2014, we deem it appropriate to restrain all construction/development activities in in the said village(s). We also direct the State of Punjab as well as the Deputy Commissioner, Mohali, to ensure that appropriate demarcation of ‘forest land’ is carried out in the adjoining/nearby villages, namely Karoran, Nada, Parch, Sunk, Majrian, Choti Bari Nagal, Parol, Siswan, Pallanpur, Saini Majra, Dulwan, Burana, Gochar, Mirzapur, Tarapur and Sultanpur, in a similar fashion as directed by the Supreme Court. No further transfer or alienation of land by any mode, including GPA/POA, *etc.*, shall be permitted in the said village(s), as we have serious doubts regarding the credibility of the revenue entries in view

of the serious allegations of manipulation of such entries, whereby parts of such land have been declared to be private land. Any violation of this direction shall be treated as an act of contempt, for which appropriate proceedings shall be initiated to hold the person(s) responsible guilty.

11. We also direct the Chief Secretary to the Government of Punjab to immediately constitute an appropriate team of Forest and Revenue Officers to examine the old revenue records and determine the area of forest land as it existed on the date of enforcement of the Act of 1980, within a period of **six weeks** from today. Mere inclusion of an area within the controlled area under the PLP Act, 1900 shall not *ipso facto* be the sole criterion for determining whether the land is '*forest land*'. The team for such identification of forest land shall be headed by the Chief Conservator of Forests, and shall also include an officer not below the rank of Principal Secretary to the Government of Punjab. The team may avail the services of junior officials/officers of the Revenue Department for identification of the '*forest land*'. The entire revenue record of the aforesaid villages shall be kept in the safe custody of the two officers indicated above.

12. The Chief Secretary shall also ensure that Xerox copies of the revenue records of these villages are handed over to the Registrar General of this Court for safe custody, within a period of **one week** from today. The Chief Secretary shall further ensure that, if any report has already been submitted with regard to the demarcation of forest land before the Supreme Court, as is being alleged, the same shall also be taken into consideration.

13. We further direct that for a period of **six weeks** or till the conclusion of this exercise, no further mutation entries, *etc.*, shall be made in the revenue records.

14. The Deputy Commissioner, Mohali, shall remain present before the Court, along with the records mentioned above, on the next date of hearing.

15. Adjourned to **14.09.2026**.

16. A photocopy of this order be placed on the files of the other connected cases.

[ASHWANI KUMAR MISHRA]
ACTING CHIEF JUSTICE

[ROHIT KAPOOR]
JUDGE

JULY 22, 2026
Rahul Joshi