

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL AT
PRINCIPAL BENCH, NEW DELHI**

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Original Application No187 of 2023

In the matter of:-

Shailendra Kumar Yadav Applicant

Versus

State of H.P. and Others Respondent

**Comments, in reponse to the report submitted by the committee, on
behalf of SADA Kufri**

May it please your Lordship:

1. That the Hon'ble National Green Tribunal pleased to pass an order dated 25th May 2023 in OA No 187 whereby it has been directed to file the comments on the report, filed by the Pollution control board in compliance to its earlier order dated 13th March 2023.
2. That the horses which are operative in the Kufri area, for providing rides to the Tourists from Kufri to Mahasu Peak, were registered by the SADA Kufri. The purpose of registration was to identify the particular Horse with its legitimate owner by the Police Deptt in case of any untoward incident.
3. That the matter was deliberated in length with the Horse owners and respective association to put in place some effective mechanism for their regulated movement as in absence of legitimate rules it is difficult to streamline the horse movement. The SADA does not have legitimate provisions for their regulated movement and in absence of punitive provisions Police Deptt was not in position to issue challan and penalize the defaulters.
4. That the Chairman SADA Kufri cum Deputy Commissioner Shimla decided that the Horses shall associate with Groups and every Group should function under a defined Group leader who will be responsible for any omission and commission on part of individual Horse owner.

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It was decided that there will be total 8 horse Groups with respective group leader and in any case the total number of Horses shall not exceed 1029.

5. That District Magistrate Shimla notified the Horse control Rule 2016 in exercise of the power vested in him U/s 133 of the Criminal Procedure Code 1973 which provides for designated area of operation and halting point for horses. The penalty for each offence has also been notified and Police Deptt was entrusted with the powers to challan the violators.
6. That the appropriate agency for their regulated movement is Police Deptt and the the control should be of the Forest Deptt as the most of the land where horses operate is Forest Land.

That the above reply may kindly be taken on record in the interest of justice and fair play.


Respondent No.3
Deputy Commissioner,
Shimla (H.P.)-171001

Verification:-

That I, the above named deponent do hereby verify the contents of para 1 to 6 of the reply are true and correct to the best of my knowledge and other information received. Nothing relevant has been concealed there from.


Deputy Commissioner,
Shimla (H.P.)-171001

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL AT
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IN THE MATTER OF:-

Shalinder Kumar Yadav

.....Applicant

VERSUS

STATE OF H.P. & OTHERS

.....Respondents

Affidavit.

I, Aditya Negi, S/O Sh. S.K. Negi , aged about 36 years presently working as Deputy Commissioner-Cum-Chairman SADA Kufri, do hereby solemnly affirm and declare asunder :

That the contents of reply from para 1 to 6 to the of the Original Application No. 187 of 2023 are true and correct to the best of my knowledge and nothing material has been concealed therefrom.

I, the above named deponent do further declare that the contents of my above reply are true and correct and nothing material has been concealed therefrom.

Verified on this the 10th Day of July, 2023.

Deputy Commissioner,
Shimla (H.P.)-171001.

Certified that the above was declare on affidavit before me on this 10th day of July 2023 at Shimla Distt. Shimla by Sh. Aditya Negi who is personally being personally how to me. The contents of the affidavit are read over & explained

D.C. Chandra