

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

MA No.113/2024

IN

Original Application No. 173/2022

**In the matter of:**

Sh. Ram Singh Son of Sh. Angchuka  
Village and Post office- Mane  
Tehsil-Spiti, District -Lahaul and Spiti  
Himachal Pradesh

.....PETITIONER

**VERSUS**

1. State of Himachal Pradesh through Principal Secretary (Forests), to the Government of Himachal Pradesh with headquarters at Shimla.
2. Principal Secretary Public Works Department Government of Himachal Pradesh, Shimla.

.....RESPONDENTS

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*Anubhav Sr*

Respondent No.1  
Through  
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**COMPLIANCE REPORT IN COMPLAINT TO ORDER DATED 15.01.2025 IN ORIGINAL APPLICATION NO. 173/2022 TITLED AS RAM SINGH VERSUS STATE OF H.P. & ORS. ON BEHALF OF GOVERNMENT OF HIMACHAL PRADESH, BY WAY OF AFFIDAVIT,**

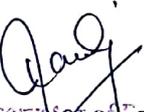
**MAY IT PLEASE YOUR LORDSHIPS:**

I, Preeti Bhandari w/o Shri Krishan Kumar aged 38 years, presently working as Conservator of Forests, Wildlife (South) Circle, HP Forest Department do hereby solemnly affirm and declare on oath as under:-

*Preeti Bhandari*  
 Conservator of Forests,  
 Wildlife (South), Shimla-171002



1. That the deponent is competent to file this affidavit on behalf of Forest Department of State of HP.
2. That the contents of the Affidavits filed by the Deponent before this Hon'ble Tribunal may be read as part and parcel of the present affidavit and the contents thereof are not being repeated for the sake of brevity.
3. That at the outset the Deponent states that it has the highest regard and respect to the orders passed by this Hon'ble Tribunal and there is no intention to not comply with any direction which may be passed by this Hon'ble Tribunal or any Courts in India. The Deponent being a responsible public servant understands that it is her duty both as a Citizen of India as well as on account of her being a public servant to abide by and implement the orders, directions and judgments passed by this Hon'ble Tribunal. The replying Deponent/respondent No.1 tenders her unconditional and unqualified

  
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this Hon'ble Tribunal and given the impression that the replying respondent has disobeyed orders passed by this Hon'ble Tribunal.

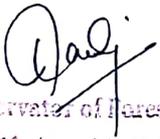
4. That this Hon'ble Tribunal vide Judgment/order dated 15.01.2025 was pleased to pass the directions, relevant operative part of which is reproduced herein as under:-

*"1. Action plan dated 13.01.2025 has been filed by respondent no.1 and affidavit dated 13.01.2025 has been filed by respondent no.2.*

*2. Dr. Abhishek Jain, IAS, Secretary, PWD, Ms. Preeti Bhandari, Conservator of Forest (South) Shimla and Mr. Mandar Jeware, DFO, Spiti have appeared in person and submitted that due compliance will be made by respondents with the orders passed by this Tribunal.*

*3. Learned Counsel for State of Himachal Pradesh seeks time to file further compliance report.*

*4. Compliance report be filed at least three days before the date of hearing fixed.*



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5. *List on 18.03.2025 for further proceedings/orders."*

5. That, it is humbly submitted that the FCA proposal was forwarded to the Ministry of Environment, Forests & Climate Change (MoEF&CC) on dated 13.01.2025.

6. That the FCA case was further scrutinised by Inspector General of Forests (IGF), MoEF&CC and some queries were raised through Essential Detail Sought (EDS) within PARIVESH 2.0 portal on dated 19.02.2025. Out of the queries raised, 4 queries pertained to User agency i.e. HPPWD and same was forwarded to User agency by DCF Wildlife Spiti, after attending all queries raised on Part-2, on dated 28.02.2025 for uploading its replies. The User agency has replied to the observations raised on dated 10.03.2025 and further, the case was forwarded to PCCF-cum-Nodal Officer (FCA) Shimla by DCF Wildlife Spiti, on dated 11.03.2025. Further, the FCA proposal has been subsequently forwarded to

  
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MoEF&CC through State Secretary on dated 12.03.2025, annexed as Annexure I.

7. That the PCCF (HoFF), Himachal Pradesh vide letter no. Ft. 42-414/2022 (FCA) HP Forest Department dated 08.01.2025 conveyed to Secretary, HPPWD that the Penal CA amounts are to be deposited into the Compensatory Afforestation Management and Planning Authority (CAMPA) account. However the proposal uploaded on PARIVESH portal 2.0 bearing online No. FP/HP/ROAD/514215/2024 for seeking ex-post facto approval for the diversion of forest land under the provisions of the Van (Sanrakshan Evam Samvardhan) Adhiniyam 1980, has not received Stage-1/In-principle approval yet and accordingly as per the Van (Sanrakshan Evam Samvardhan) Rules 2023, amount compensatory levies (Net Present Value, Compensatory afforestation etc.) are to be realised after Stage-1/In-principle approval by MoEF&CC and the matter for allowing HPPWD to deposit the penal CA amount

  
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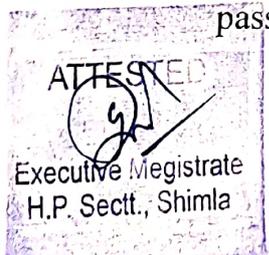


before Stage-1/In-principle approval has been taken up with MoEF&CC. the PCCF-cum-Nodal Officer FCA, Shimla vide his letter no. Ft.42-414/2022(FCA) HP Forest Department dated 08.01.2025 has requested MoEF&CC to enable the HPPWD to deposit the amount of CA on PARIVESH portal before Stage-1 approval in compliance to the directions by Hon'ble Tribunal in the orders dated 23.12.2024. Response of MoEF&CC is still awaited in this regard.

8. That, the replying Respondent has been making all efforts to implement the orders of this Hon'ble Tribunal and the deponent assures that the orders of the Hon'ble Tribunal will be implemented in letter and spirit.

9. In view of the averments made hereinabove, the compliance report by way of affidavit may kindly be taken on record and appropriate orders as deemed fit and proper in the facts and circumstances of the case may kindly be

passed, in the interest of justice.



Co-Deponent Forests,  
Wildlife (South), Shimla-171002

Verification:-

I, the above-named deponent do hereby declare on oath that the Contents of my above affidavit are true and correct to the best of my knowledge and belief and are as per information derived from official records. No part of it is wrong and nothing has been concealed.

Verified at Shimla on this 13<sup>th</sup> day of March 2025.

*[Signature]*  
DEPONENT  
Wildlife (South), Shimla-171002



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Declared before me on 13<sup>th</sup> day of March.  
2025 on oath (Solemnly Affixation)  
by Shri. Keshi Bhargava Conservator of Forest  
who is personally known to the or who Wildlife (South) Shimla  
has been identified by Sh Mohan Lal  
who is personally known to me. Supdt & Insp - I  
of Wild life (South) Shimla

*[Signature]*  
Supdt & Insp

*[Signature]*  
Executive Magistrate  
H.P. Sectt., Shimla

Proposal No.:	FP/HP/ROAD/514215/2024
Project Name:	Construction of road from Poh Maldan to Dankhar Hellpad km 0/00 to 12/460
State:	HIMACHAL PRADESH
Proposal Submission Date:	11/12/2024
Area(In Ha):	7.5479

S. No.	Activity	Activity Start date	Activity End date
1	Submitted	11/12/2024	11/12/2024
2	Processed by DFO for Scrutiny and Recommendation	11/12/2024	11/12/2024
3	Processed by UA due to EDS by DFO	11/12/2024	11/12/2024
4	Submitted	11/12/2024	11/12/2024
5	Processed by MS for Acceptance in PSC-I	11/12/2024	13/12/2024
6	Processed by UA due to EDS by MS after PSC-I	13/12/2024	17/12/2024
7	Processed by MS for Acceptance in PSC-I	17/12/2024	20/12/2024
8	Processed by DFO/CF/Nodal Officer after acceptance in PSC-I	20/12/2024	04/01/2025
9	Processed by MS for Recommendation in PSC-II	04/01/2025	07/01/2025
10	Processed by UA due to EDS by MS after PSC-II	07/01/2025	09/01/2025
11	Processed by MS for Recommendation in PSC-II	09/01/2025	09/01/2025
12	Processed by DFO due to EDS by MS After PSC-II	09/01/2025	09/01/2025
13	Processed by MS for Recommendation in PSC-II	09/01/2025	09/01/2025
14	Processed by Nodal Officer for Recommendation after PSC-II	09/01/2025	10/01/2025
15	Processed by State Secretary for Recommendation after PSC-II	10/01/2025	13/01/2025
16	Processed by Technical Officer - MoEFCC, HQ	13/01/2025	17/02/2025
17	Processed by AIGF - MoEFCC, HQ	17/02/2025	18/02/2025
18	Processed by IGF - MoEFCC, HQ	18/02/2025	19/02/2025
19	Processed by State Secretary due to EDS by MoEFCC, HQ	19/02/2025	19/02/2025
20	Processed by Nodal Officer due to EDS by State Secretary	19/02/2025	19/02/2025
21	Processed by DFO due to EDS by Nodal Officer	19/02/2025	28/02/2025
22	Processed by PP due to EDS by DFO	28/02/2025	10/03/2025
23	Processed by DFO due to EDS by Nodal Officer	10/03/2025	11/03/2025
24	Processed by Nodal Officer due to EDS by State Secretary	11/03/2025	12/03/2025
25	Processed by State Secretary due to EDS by MoEFCC, HQ	12/03/2025	12/03/2025
26	Pending at Technical Officer - MoEFCC, HQ	12/03/2025	N/A

  
Conservator of Forests,  
Wildlife (South), Shimla-171002