

HP State Pollution Control Board,

Below BCS, Phase-III, New Shimla

No. PCB-OA No. 471/2022- 12303

Dated: 14.09.2022

To

✓
The Registrar General
Hon'ble National Green Tribunal
Faridkot House, Copernicus Marg, New Delhi-110001

Subject: Compliance to Hon'ble NGT's order dated 07.07.2022, passed in O.A. No. 471/2022 titled as Kultar Singh Vs. Forest Department & Revenue Department (ATR of Joint Committee).

Sir,

Please refer to the afore-cited subject matter, which relates to encroachments upon the forest land in H.P wherein, vide order dated 07.07.2022, following directions were passed by the Hon'ble NGT:-

"1. The applicant is willing to undertake afforestation in such forest land but no land is being made available to the applicant by the Forest Department....."

2. In view of the averments made in the application, we are of the view that the factual position needs to be verified and remedial action is required to be taken on the basis thereof by the concerned Statutory Authorities. Accordingly, we constitute a Joint Committee comprising of representative of Principal Secretary Forests, Government of Himachal Pradesh, State PCB, and District Magistrate, Shimla, Himachal Pradesh and direct the same to undertake site visits, look into the grievances of the applicant, verify the factual position and take remedial action in accordance with law by following due process within one month from the date of receipt of a copy of this order. The State PCB will be the Nodal agency for coordination and compliance.

.....List the matter for further consideration on 23.09.2022.....".

In compliance to afore-cited order dated 07.07.2022, the Joint Committee constituted by the Hon'ble NGT has submitted a Report which is annexed at **Annexure R-1** and may kindly be placed on record please.

(Encl: as above)

Yours faithfully,



**Apoorv Devgan, IAS
Member Secretary
HPSPCB, Shimla**

Joint Inspection Report of the Committee Constituted in Compliance to Order Passed By Hon'ble National Green Tribunal in OA No. 471 Of 2022, titled as Kultar Singh V/s Forest Department & Revenue Department on dated 07.07.2022.

Background Note:- Hon'ble National Green Tribunal passed the following orders on 07.07.2022 in the matter of O.A. No. 471 of 2022, titled as Kultar Sing Vs. Forest Department and Revenue Department.

"1. The applicant is willing to undertake afforestation in such forest land but no land is being made available to the applicant by the Forest Department.....

2. In view of the averments made in the application, we are of the view that the factual position needs to be verified and remedial action is required to be taken on the basis thereof by the concerned Statutory Authorities. Accordingly, we constitute a Joint Committee comprising of representative of Principal Secretary Forests, Government of Himachal Pradesh, State PCB, and District Magistrate, Shimla, Himachal Pradesh and direct the same to undertake site visits, look into the grievances of the applicant, verify the factual position and take remedial action in accordance with law by following due process within one month from the date of receipt of a copy of this order. The State PCB will be the Nodal agency for coordination and compliance....."

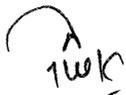
In compliance to the orders passed by Hon'ble National Green Tribunal dated 07.07.2022, Principal Secretary, Forests further authorized Chief Conservator of Forests Shimla, District Magistrate Shimla authorized Sub Divisional Officer (Civil) Jubbal and Member Secretary, HPSPCB Shimla authorized Regional Officer, Shimla to carry out joint inspection. The committee of authorized officers carried out the joint inspection of Jubbal & Kharapathar area on 30.08.2022 along with petitioner Sh. Kultar Singh Ghezta.

- The Chief Conservator of Forest, Shimla apprised the petitioner and other committee members that, Forest department has identified a Govt. land comprising of Khasra No. 188, Charagah Drakhtaan at Patwaar Circle Khara Pather, Tehsil Jubbal, Distt. Shimla (HP) having an area of 45-54-29 bighas (3 hectare) which is suitable for plantation. He added that Forest department agrees for collaborating with NGO of the petitioner for carrying out plantation on identified forest land without handing over/transferring possession of the land.
- He further informed that the matter of illegal encroachment of forest land is already under the consideration of Hon'ble High Court of HP in CWP No. 1093 of 2016 & other related petitions. The Forest department is implementing the

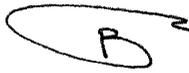
directions passed by Hon'ble High Court and filing the progress report of the same from time to time. Latest quarterly progress report of Rohru Forest Division in encroachment cases for the quarter ending on 30.06.2022 submitted by Divisional Forest Officer, Rohru is annexed as **Annexure-I**.

- Thereafter, the committee visited the spot identified by the Forest department along with the petitioner at Kharapathar. The petitioner found the identified area suitable for plantation through his NGO. He further requested Forest department to provide such land to his NGO in future also so that he can continue his mission to carry out plantation in Jubbal area.

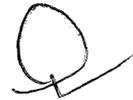
It is pertinent to mention here that the petitioner, Sh. Kultar Singh Ghezta expressed his satisfaction with the action taken by the Forest department. He apprised that as the Forest department has provided suitable land to his NGO to carry out plantation, his purpose to file petition in the Hon'ble National Green Tribunal has been fulfilled and he is ready to withdraw the case. The statement of petitioner was recorded and is enclosed as **Annexure-II**.



Lalit Kumar
**Regional Officer,
HPSPCB, Shimla**



Rajeev K Sankhyan
**Sub-Divisional Officer (C),
Jubbal**



S.D. Sharma (IFS)
**Chief Conservator of Forest,
Shimla**

No. C-Voll (i) RK/2022-23

2949

H.P. Forest Department

Dated Rohru, the

49 JUL 2022

From :- D.F.O Rohru.

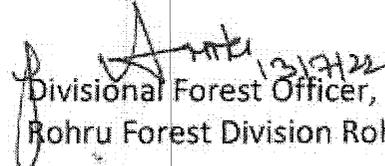
To:- C.C.F Shimla.

Sub_ect :- Quarterly Progress Report of Encroachment Cases for the quarter ending 30.06.2022.

memo,

The quarterly progress report of encroachment cases for the quarter ending 30.06.2022 in respect of Rohru Forest Division is sent herewith on the prescribed Performa for favor of further necessary action please.

Encl- As above.


Divisional Forest Officer,
Rohru Forest Division Rohru.



Statement showing the position of eviction of encroachment cases under the HP H.P Public Premises and land (Eviction & Rant Recovery) Act 1971 by DFO-cum Collector as on 30.06.2022 (More than ten bighas)

PROFORMA- 1 (B)

Sr. No.	Name of division	(A) No. of cases challaned in DFO –cum – Collector court.										Remarks
		RF		DPF		UPF		Other		Total		
		No	Area	No	Area	No.	Area	No.	Area	No.	Area	
1	Rohru	-----	-----	71	74-22-52	356	377-99-47	-----	-----	427	452-21-99	
		(B) No. of cases decided/ eviction order passed out of (a) above										
				70	70-52-28	350	370-52-75	-----	-----	420	441-05-03	
		(C) No. of cases in which eviction actually obtained out of (b) above.										
				55	52-03-41	317	328-12-86	----	-----	372	380-16-27	
		(D) No. of cases in which appeals filed before Commissioner.										
						9	4-40-19	----	----	9	4-40-19	
		(E) No. of cases in which appeals filed before Civil Court										
		-----	-----	-----	-----	-----	-----	----	-----	-----	-----	

J. Anant Singh
 Divisional Forest Officer,
 Rohru Forest Division Rohru

Statement show the position of eviction of encroachment cases under the H.P Public Premises and land (Eviction & Rant Recovery) Act 1971 by DFO-cum Collector as on 30.06.2022 (less than ten bighas)

PROFORMA-I(a)

Sr. No	Name of Division	(A) No. of cases challaned in DFO- cum-Collector court.									
		RF		DPF		UPF		Other		Total	
		No	Area	No.	Area	No.	Area	No.	Area	No.	Area
1	Rohru	----	-----	673	139-07-25	1271	326.28-87	-----	-----	1944	465-36-12
(B) No. of cases decided/ eviction order passed out of (a) above											
		-----	-----	672	138-93-95	1240	314-20-15	-----	-----	1912	453-14-10
(C) No. of cases in which eviction actually obtained out of (b) above.											
		-----	-----	410	92-59-07	569	178-86-33	-----	-----	979	271-45-40
(D) No cases in which appeals filed before commissioner											
		-----	-----	13	4-11-02	-----	-----	-----	-----	13	4-11-02
(E) No. of cases in which appeals Field civil court											
		-----	-----	-----	-----	-----	-----	-----	-----	-----	-----


 Divisional Forest Officer,
 Rohru Forest Division Rohru

II Statement show the position of eviction of encroachment cases filed by Forest Department in the Revenue Court Under Section 163 of HP Act 1954 on 30.06.2022.

(A) No. of cases challaned in the revenue Court.									
RF		DPF		UPF		Other		Total	
No.	Area	No.	Area	No.	Area	No.	Area	No.	Area
-----	-----	395	64-52-30	1255	138-64-86	-----	-----	1650	203-17-16
(B) No. of cases decided /eviction order passed out of (a) above									
				31	7-09-63			31	7-09-63
(C) No. of cases in which eviction actually obtained out of (b)									
				31	7-09-63			31	7-09-63
(D) No. of cases in which appeals filed before commissioner.									
-----	-----	-----	-----	-----	-----	-----	-----	-----	-----
(E) No. of cases in which appeals decided by Divisional Commissioner.									
-----	-----	-----	-----	-----	-----	-----	-----	-----	-----



 Divisional Forest Officer,

 Rohru Forest Division Rohru

PROFORMA-III

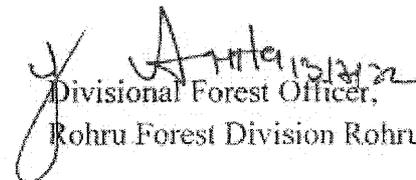
Information regarding registration of FIRs in encroachment cases for the quarter ending 30.06.2022

No. of cases in which FIR lodged.											
No of cases in which DRs issued under IFA 1927		Area encroached more than 10 bighas		Permanent structure made in forest land		Boundary pillars tempered with		Offence encroachment committed repeatedly		Encroachment in PAN	
No.	Area in hac	No.	Area in hac	No.	Area in hac	No.	Area in hac	No.	Area in hac	No.	Area in hac
60	20-171	421	444-70-74	2		2-02-64	--	-----	-----	-----	-----

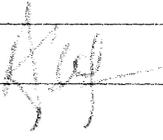
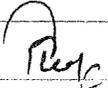
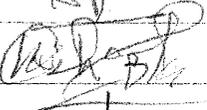
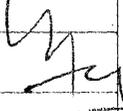
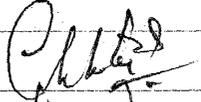
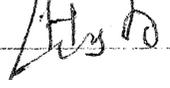
PROFORMA-IV

Disposal of encroachment cases received under the Policy of Govt. for regularization encroachments for the quarter ending 30.06.2022

No. of cases received for Regularization		Encroachment evicted by encroachers		No of cases challaned in the court		Balance cases	
No	Area in hac	No.	Area in hac	No.	Area in hac	No	Area in hac
3082	1075-09-73	59	16-50-40	547	220-86-67	----	-----


 Divisional Forest Officer,
 Rohru Forest Division Rohru

Attendance of meeting held on 30-8-2022 in the Chairmanship of Sh. Rajeev Sankhyan Sub-Divisional Magistrate Jubbal regarding OA No. 471/2022 titled Kultar Singh V/s HP Forest Department & Revenue Department.

Sr. No.	Name, Designation & Address with email ID	Mobile No.	Signature
1	Rajeev K. Sankhyan, SOM, Jubbal	9816662244	
2	S.D. Sharma CCF Shimla	9816023362	
3	Ankit Kumar Singh DCR Rohru	8888833171	
4	Ranjit Tarkar, EE HPSPCB Shimla	7018168221	
5	Deepak Dagar, AEE, HPSPCB, Shimla	9418282007	
6	L.R. Kashyap, Tehsildar Jubbal	94184-1055	
7	KULTAR SINGH GHETTA Complainant	981582086	
8	Roshan Lal R/o Jubbal	9816473814	
9	Chetvi Lal B/o Jubbal	981639442	
10	Happy, Patwari, Khosrothar	91459868907	

राजस्व विभाग, हिमाचल प्रदेश - नकल जमाबंदी

एस.सी.ए रसीद संख्या: 2242143621611007

जिला : शिमला
तहसील : जुब्बल
कानूनगोवृत : जुब्बल
पटवार वृत : खड़ापत्थर
हदबस्त न. : 18/1

नाम : ...
पिता/पति : .

नकल शुल्क : 1.00
सेवा शुल्क : 10
कुल शुल्क : 11

मोहाल : जाचली

साल : 2014-2015

रकबा ईकाई: है-आ-सैं

खेवट नं.	खतौनी नं.	नाम मालिक व एहवाल	नाम काश्तकार व एहवाल	नाम चाह व दीगर वसायल आबपाशी	नम्बर खसरा हाल	रकबा हर खेत व मिजान खाता मय किस्म अराजी मीट्रीक ईकाइयों में	हिस्सा या पैमाना हकीयत व तरीका बाछ	कैफियत
1	2	3	4	5	6	7	8	9
170 मिन	324 मिन	सरकार हिमाचल प्रदेश	कब्जा स्वयं ताबे हकूक बर्तन बर्तनदारान		188	45-54-29	कब्जा व पड़ता बशरह	मोट :- बरये रपट न. 87
162	327		मुताविक नक्शा वर्तन			चरागाह दख्तान	खेवट न.(1)	दिनांक 19.11.2007 आड हन से खाता हजा का सालम हिस्सा मिन जानिब सरदार सिंह बहक SBICKharapathar के मास बदले मु. 2,00,000 में ता अदायगी कर्जा आड रहन है।
बशरहा खेवट न. (1)								ZZ 234 वरास्त 235 तबदील कब्जा 246 तबदील कब्जा 251 तबदील कब्जा Z Z Z

Khassra No. area verified from Jamabandi Year 2014-15

23/8/2022

LOK MITRA KENDRA
Madan Computer Centre

Certified that this copy has been generated from the database of Revenue Department. To Verify, enter the Copy No above Bar Code at Central Server- HP as accessed by the Lok Mitra Kendra LMK Parali on 30-August-2022. Jam0915226240

For Validity Refer : Notification No Rev-C/F/10-1/2009 Dated 14-Feb-2011

हमन जी कुलवार सिंह क्षेत्रा पुड जी स्व जी मस्कर
आयु 78 वर्ष निवासी क्षेत्रा निवास निम्न ही मस्कर कु
जिला सिन्धुपु

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सहाय्य 30/08/22
- 1 - 1

हमन निमा नि ग्रामीय राष्ट्रीय एरित प्राधिकरण द्वारा
No. 471/2022 के दिनांक 31/7/2022 का पारित आदेश
की अनुपालना में आज दिनांक 30/08/2022 को वन, वन
प्रशासन व प्रदूषण नियंत्रण बोर्ड के विभागीय अधिकारियों
द्वारा नभन्वारीयों की उपस्थिति में मुझे मुद्रा सहयोग
के संबंध में माल जाचली में ख. नं० 188 के चरागाह
में हस्तगत किया की सखारी भूमि जो आंक पर
खाती है व पांघोसपण के लिए उपयुक्त है जो
लगभग 3 हेक्टर भूभाग विस्थापित गया। वन विभाग
के अधिकारियों द्वारा इसकी स्थिति सू. पी. एम. (OPP)
में वन विभाग के सहयोग से मैं उक्त भूमि पर
अपनी No. 471 का दायित्व से पांघोसपण करने में तैयार
सहमत हूँ विभागीय अधिकारी से जैसा अनुमति है कि
कालांतर में मुझे व मेरे No. 471 का पांघोसपण हेतु
ऐसी खाती भूमि उपलब्ध कराई जाती रहे। उक्त
कारण (Case) कायम करने का जैसा सम्भव होगा ही
हूँ व तदनुसार मैं विभागीय अधिकारी से

P.T.O

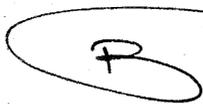
पूजा: सन्तुष्ट हूँ व राष्ट्रीय हरीत प्राधिकरण से
पत्र अपना क्लर (copy) वापस लेना चाहता हूँ
यही मेरा ध्यान है पदवार सुना सही पात्रा
20/11/22


30/8/22

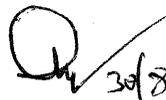
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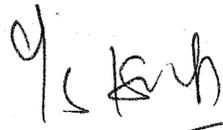
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 30/8/22

SDM, Jubbal


30/8/22
CCF Shimla


10/10/22
EE 4PS/CS Shimla


Tehran


DCF Rohru