

**BEFORE THE HON'BLE NATIONAL GREEN
TRIBUNAL, PRINCIPAL BENCH NEW DELHI****OA No. 187/2023**

Shailandra Kumar Yadav

Applicant

Versus

State of H.P.

Respondent

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Date : 10.02.2025

Place : Theog


Respondent
Divisional Forest Officer
Theog Forest Division, Theog
Through



Divyanshu Kumar Srivastava
48, Lawyers' Chamber, Supreme Court of India
Tilak Marg, New Delhi 110001

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**Report in compliance to the order dated 5-11-2024
passed in above titled OA**

Respectfully submitted –

1. That this Hon'ble Tribunal on 5-11-2024 passed the following order –

“In this Original application, the Tribunal is considering the issue of plying a large number of horses in the small area of Kufri, creating environmental hazards and resulting in pollution of various kinds.

In order to remediate the esteemed concerns of the Hon'ble Tribunal the Forest Department had earnestly counted the actual number of horses plying in the area by carrying out the verification of horses on the basis of applications received by the horse-owners. Thereafter, pollution being generated due to horse dung and the plastic garbage being generated by the incoming tourist was estimated. Thereafter, under guidance of the senior officers and HP Pollution Control Board efforts

were made to understand the cause and mitigation of the pollutants by visiting the Patanjali Organic Research Institute (PORI), Haridwar. Efforts are also being made to collect and dispose-off garbage and horse-dung regularly as an immediate measure to mitigate the pollution. So far the control over the number of horses is concerned meetings were conducted with the leaders of the horse-owners' groups in which they were coerced to reduce the number of horses to 700 from the actual number of horses plying over the trail. The denial of consent on the part of horse-owners' group leader had led the Department to sincerely suggest the Hon'ble Tribunal to allow only one horse per application of the total 386 applications (Table No. 3) to ply over the Kufri-Mahasu trail on rotational basis.

2. *In pursuance to the earlier direction of the Tribunal the DFO, Theog has filed the report dated 01.11.2024. In that report, it has been stated that as per record 1029 horses are registered in Kufri and a horse on an average discharges 15-20 kg of dung every day and the horse stays in Kufri for about 8 hours a day. Therefore, the average generation of cow dung per horse is estimated to be 5-6 kg approximately. To remediate/mange the cow dung the HP PCB has suggested the following measures :-*
- (1) *Installation of bio-methanation plant of capacity of 5-6 MT/day by the State of Himachal Pradesh. The DFO, Theog, has submitted that an expenditure of about Rs. 5-6 Crores is required to set up such a bio-methanation plant. The report does not reflect any action taken or proposal initiated for setting up such a plant.*
 - (2) *It is also stated in the report that as an immediate measure Forest Department should check the calorific value of the dried horse dung cake*

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and explore the possibility of setting up Screw/Filter Press Machine for dewatering of the horse dung followed by a horse dung cake sets log manufacturing machine so that it can be used as fuel in the kiln in nearby Cement Plant of boiler of any industry. In this regard, also only the suggestion is made in the report, but no proposal or action has been disclosed.

In order to remediate / manage the horse dung problems in the Kufri, the Forest Department had taken following actions –

- a. The department has assessed the quantity of horse dung accumulated from February 2024 to December 2024. The total number of horse trips plied in the Kufri-Mahasu trail is 2,63,489 and assuming each horse plied thrice a day the amount of horse dung fallen in the trail is 440 MT (determined by taking into account 5 Kg/horse/day). Taking the account of trips, the horse-dung quantity fallen in the forest is estimated in the range of 400 to 500 MT.
- b. To manage the horse dung in the Kufri-Mahasu a meeting was convened chaired by the Member-Secretary of the Himachal Pradesh Pollution Control Board, Chief Conservator of Forests Shimla, DFO Theog, Environmental Engineer HPPCB on 26.11.2024 in the head-quarters of the HP Pollution Control Board (**Annexure R I - Minutes of the meeting at the Regional Office, HP Pollution Control Board, Shimla**). It

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was apprised by the Member-Secretary that the Uttarakhand State had managed the similar problem in Gauri Kund (Sonprayag), Uttarakhand with the help of Patanjali Research Foundation. Thereafter, it was decided to visit the Patanjali Organic Research Institute (PORI), Haridwar, Uttarakhand and to learn the efforts taken in resolving the issue of horse-dung.

- c. The team of Forest Officers/Officials visited the Patanjali Organic Research Institute (PORI), Haridwar to study the process in which horse dung was converted into agriculturally useful organic manure. The detailed discussions held with the Scientists/Researchers regarding management of the collected horse dung in Kufri-Mahasu Peak based on their experience gained by Patanjali Research Foundation in the similar problem at Gauri Kund, Uttarakhand. The details of discussion is enclosed as **Annexure R II** (*Minutes of the visit of members from the Forest Department of Himachal Pradesh at Patanjali , Haridwar on 09.01.2025*) and based on the discussions and learnings from the visit, the following action plan was devised by the Forest Department for managing the dung is as follows:

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- i. The horse dung can be used in the forest nurseries after storage in the pits at Kufri. The collected horse dung will get reduced to 70 percent of about **280-350 MT** of original mass. Later on, the stored horse dung will be treated with the earth worms for preparation of vermi-compost and the horse dung will further reduce to around 50% to about **200-250 MT** (of the original mass) which will eventually be used in nurseries @ 300-400 gms in each polythene bag to be used for raising the seedlings. The final vermi-compost will be used in the following nurseries of Theog/Shimla Forest Divisions as provided in the **Table No. 1**

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Table 1 – Proposed use of composted horse-dung in various nurseries

Sr. No	Name of the Nurseries	Plants available in the nursery	Average plants raised in the last three years.	Quantity of horse dung to be consumed.
1	Sainj	07 Lakhs	02-03 Lakhs	80-120 MT
2	Nahol	02 Lakhs	0.7-1.0 Lakhs	30- 40 MT
3	Reoghathi	01 Lakhs	0.5-0.7 Lakhs	20-35 MT
4	Dhanain	02 Lakhs	0.7-1.0 Lakhs	30-40 MT
5	Thachi	01 Lakhs	0.5-0.7 Lakhs	20-35 MT
Proposed consumption of Horse dung				180-270 MT

- ii. In the forest area nearby Kufri, an earlier dug pit (**Annexure R III - Photograph of the pit (5 x 5 x 2 m) deposited with horse-dung**) was modified with new dimensions 5 x 5 x 2 m. The accumulated horse-dung in Kufri was collected mechanically

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and dumped in the newly modified pit. Another pit with size 3 x 3 x 2 m (**Annexure R IV - Photograph of two pits (3 x 3 x 2 m) created for transferring composted horse-dung from the pit in Annexure III)**) was dug for shifting from the first pit after 15-20 days for self-composting in the newly dug pit.

- iii. Two samples were collected from the field (fresh sample and 10 days old) and these were sent to the Patanjali Research Foundation for getting the analysis report to determine the physiochemical-composition of the horse-dung(**Annexure R V - Copy of letter regarding analysis of samples of horse dung sent to Patanjali Research Foundation, Haridwar**), in order to corroborate the claim of Patanjali Research Foundation upon the effect of time period on the usefulness of the horse-dung. First sample was taken on 01.02.2025 and the second sample was collected from the pit in which the horse-dung was dumped on 20-1-2025.
- iv. The possibility of using the manure for nurseries in the other forest divisions and in the agriculture land of farmers on the commercial lines will also be explored in future, if the results are in

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consonance with the claims of the usefulness of the composted horse-dung. Since, the cow-dung is expensive; the self-composted horse-dung will be used as a substitute and will also help in saving the money spent on purchasing the cow dung for the forest nurseries.

- v. In order to test the calorific value of the horse-dung, the sample of horse-dung was sent to the Nalagarh based Shiwalik Solid Waste Management Limited Laboratory. The calorific value of sample (**Annexure R VI - Copy of test report for the calorific value of horse dung**) was found to be 2930 cal/gm. It was suggested by the HP Pollution Control Board officers that the calorific value of the sample should be higher than 2500 cal/gm thus suggesting the sample eligible for use in the boilers. Therefore, the Forest Department has another option for disposal by briquetting of the horse-dung. During discussion with the team of Patanjali Organi Research Institute (PORI), Haridwar, they offered the role of an Advisory for setting up of *plant* for briquetting of dried horse-dung using dryer similar to **the dryer-plant** set up at the Patanjali Food Park in Haridwar. The

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establishment of this plant would cost at least **Rupees 70 crores.**

- vi. During the visit to the Patanjali Institute, Haridwar, the Department was provided with two options. The first option for disposal of horse-dung was by using it as manure in the Forest Nurseries. It is the cost-effective method involving less labour. The process would involve storage of horse-dung in the pits and thereafter carriage of dried horse-dung to Nurseries for vermi-composting. The only pre-requisite is that of the preparation of the pits, which the Department had already dug out (**Annexure III and IV**). There are numerous nurseries in the Department using manures for raising of seedling and there is continuous annual demand of manures. The availability of horse-dung as a free raw-material round the year would certainly help lowering the cost of raising of plants. Keeping in view the requirement of vermi-compost in the Nurseries of Theog and Shimla Forest Division, as shown in **Table No. 1**, the annual production of horse-dung would suffice the requirement of dung for use in vermi-compost. If in case there more collection of the

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horse-dung it can be supplied to Nurseries of other Forest Divisions of Himachal Pradesh. Whereas on the other hand, the method involving the briquetting of horse-dung is capital intensive and costly method added with higher recurrent cost involving wear and tear of machinery and higher bills of electricity. The availability of at least 1 hectare of land for establishment of the ***dryer-plant*** and the skilled labour would be a pre-requisite. Therefore, the benefits of the first option of using the horse-dung for vermi-composting outweighs the second option of briquetting of dung using the dryer-plant.

- (3) *The report also states about the regulation of movement of horses and restricting their time between 10:00 AM to 5:00 PM. We find that earlier, the action taken report was submitted by the State of Himachal Pradesh stating that the meeting of the Chief Secretary with the concerned Department was held on 02.02.2024, and a remedial measure of reducing 10% horses in each subsequent year was reported.*
- (4) *The said report of the State encloses a letter dated 8.02.2024 (page 122) submitted by all three horse Unions expressing their readiness and willingness to reduce the number of horses from 1029 to 700. Though almost months have passed thereafter, the number of horses has not been reduced.*

As per the directions of Hon'ble Tribunal, in order to conduct the census of horses plying over the Kufri-Mahasu trail, the Forest Department advertised (**Annexure R VII -**

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Notice for inviting applications from horse-owners and media coverage) in the news daily/notice boards of prominent offices and places to submit applications to the office of DFO, Theog Forest Division for plying horses in the Kufri-Mahasu Peak. In response to the applications received, a Committee was constituted by the Chief Conservator of Forests vide office-order No. 96 dated 29.10.2024 (**Annexure R VIII - Copy of the order of constitution of screening committee for physical verification of horses**) to physically verify the each horse plying in the horse trail. The detail of committee members is as follows:

1. DFO Theog / Chairman
2. RFO Theog/ Member
3. RFO Kufri(WL) / Member
4. Veterinary Officer/ Member
5. Block Officer Cheog/ Member Secretary.

The department received 547 applications from the owners of 1091 horses. Whereas, the verification in the field revealed that the actual number of horses was only 936 of 496 applicants/horse-owners (**as provided in Table No. 2**) and the remaining horses were not physically produced/present during verification and the detail is given below:

Table 2 – Verified number of horse-owners' applications and verified horses

Sr. No	Name of the Panchayat	Distance from Kufri	Tehsil	Distt.	Verified applications	Verified No. of horses

1.	Bani	17	Theog	Shimla	25	42
2.	Barog	32	Theog	Shimla	11	22
3.	Bhogra	33	Sunni	Shimla	1	2
4.	Cheog	11	Theog	Shimla	29	52
5.	Dadas	23	Theog	Shimla	4	7
6.	Darbhog	7	Shimla Gramin	Shimla	84	160
7.	Dehna	12	Theog	Shimla	49	88
8.	Dhamandari	40	Theog	Shimla	20	37
9.	Dharech	45	Theog	Shimla	1	2
10.	Fagli	25	Shimla Shahri	Shimla	1	2
11.	Jais	50	Theog	Shimla	1	2
12.	Jogindernag ar	197	J/Nagar	Mandi	1	2
13.	Junga	28	Shimla Gramin	Shimla	3	6
14.	Koti	19	Shimla Gramin	Shimla	1	2

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15.	Kufri/Shwah	3	Shimla Gramin	Shimla	69	136
16.	Majhar	12	Theog	Shimla	78	151
17.	Makhrol	12	Theog	Shimla	45	84
18.	Baldeyan	24	Shimla Gramin	Shimla	2	3
19.	Moolkoti	4	Shimla Gramin	Shimla	1	2
20.	Mogra	30	Sunni	Shimla	1	2
21.	Nala	5	Shimla Gramin	Shimla	24	46
22.	Neen	8	Shimla Gramin	Shimla	3	6
23.	Sanjauli	10	Shimla Gramin	Shimla	2	4
24.	Satog	20	Theog	Shimla	1	2
25.	Sunni	35	Sunni	Shimla	2	4
26.	Devrighat	8	Theog	Shimla	1	2
27.	Shateyan	3	Theog	Shimla	33	63
28.	Tiyali	19	Theog	Shimla	1	2
29.	Patgair	8	Shimla Gramin	Shimla	2	3

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	Total	496	936
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After completion of scrutiny, the Executive Committee meeting was conducted on 23.01.2025 with stakeholders to reduce the horses' number to 700 as per the readiness and willingness of three horse unions. Leaders of the horse-owners' groups stated that their Ld. Counsel will plead the case for horses before the Hon'ble Tribunal and they did not agree for the reduction of the number of horses (**Annexure R IX - Copy of proceedings of the meeting with owners of horse-groups held on 04.02.2025**). Based on the verification of applications and horses, it was revealed that most of the horses plying in the trail were from 29 Panchayats covering 4 Tehsils of District Shimla and 1 Tehsil of District Mandi (about 200 km from Kufri). Hence it is pleaded before the Hon'ble NGT that the horses from the Eco Development Committee /Watershed area i.e. D 104 Kangar (90 ha) and R IV Teer-Mahasu C1 (42.2 ha) only may be allowed to operate in the trail. The details of horses that may be allowed to move in the Kufri-Mahasu trail based on the area of operation of the Eco-Development Committee is given in **Table No. 3** below:

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Table 3 – Proposed list of applicants and horses to ply in Kufri-Mahasu trail

Sr. No.	Name of the Panchayats	Distance from Kufri (KM)	Tehsil	District	No. of applications	No. of horses
1.	Darbhog	7	Shimla Gramin	Shimla	84	160
2.	Dehna	10	Theog	Shimla	49	88
3.	Kufri/Shwah	3	Shimla Gramin	Shimla	69	136
4.	Majhar	12	Theog	Shimla	78	151
5.	Makhrol	12	Theog	Shimla	45	84
6.	Moolkoti	4	Shimla Gramin	Shimla	1	2
7.	Nala	5	Shimla Gramin	Shimla	24	46
8.	Neen	8	Shimla Gramin	Shimla	3	6
9.	Shateyan	3	Theog	Shimla	33	63
Total					386	736

It is prayed before the Hon'ble Tribunal that the remaining Panchayats which falls far away from the EDC/Watershed area may not be allowed to operate in the trail. As per the preamble of the Re-revised HP Eco Tourism Policy 2017 (**Annexure R X - Copy of the preamble of the Re-revised Policy on Development of Eco-Tourism in Himachal Pradesh, 2017**), the main objective was to create the livelihood opportunities for the local communities and commercial interests cannot be allowed operate. In order to comply with the reduction of horses, it is submitted before the Hon'ble Tribunal that every

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household that operates two horses, it may be allowed to operate one horse per household i.e. 386 horses on rotation basis up to the carrying capacity. It is further submitted before the Hon'ble Tribunal that the horse-owner may not be allowed to replace the dead or infirm horse.

3. *Learned Counsel appearing for Horse Union has submitted that each horse owner is paying ₹50 per horse per trip to the Forest Department, therefore, the Forest Department is collecting Rs.1 lakh per day which can be utilized for managing the cow dung and remediating the problems in that area. The factum of collection of ₹50 per horse per trip is not denied by DFO, Theog appearing virtually. Therefore, the State is directed to produce a complete account of the amount which has been collected from the horse owners in the last five years and its utilization for remediating the problem.*

The information stated by the Learned Counsel appearing for Horse Union before the Hon'ble Tribunal regarding the entry fee is not correct. The entry fee at the rate of Rs. 50 per tourist is collected by the Forest Department from tourists directly. As per the knowledge of the deponent, the horse-owners were previously registered with SADA (Special area Development Authority) and they used to pay Rs. 100 per horse annually to SADA for renewal of registration. Since 2023, the renewal of registration was not done by SADA thereafter. At present these horse-owners do not pay anything to the Eco-Development Committee. The department registered Eco-Development

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Committee, Kufri-Mahasu on 8-2-2024 (**Annexure R XI** - Copy of the certificate of the registration of the "Eco-Development Committee, Kufri-Mahasu" under Himachal Pradesh Societies Registration Act, 2006) as per H.P Eco-tourism Re-revised Policy, 2017 and H.P Societies Registration Act, 2002. The detail of revenue generated from entry-fee since February, 2024 to December 2024 as given **Table No. 4** below:

Table 4 – Revenue generation and its distribution as per Re-revised

Eco-Tourism Policy, 2017

Sr. No	Month	Gross Income	No. of Tourists visited	Revenue Generation Details			
				GST 18%	20 % State Govt. Share	20% State HP ECOSOC	60% Division Share
1	Feb. 2024	514585	10291	92625.30	102917	102917	308751
2	Mar. 2024	1177360	23547	211924.80	235472	235472	706416
3	Apr. 2024	1671750	33435	300915.00	334350	334350	1003050
4	May. 2024	3574550	71491	545270.00	714910	714910	2144730
5	Jun. 2024	2255000	45100	0	451000	451000	1353000

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6	Jul. 2024	538608	10772	0	107721.6	107721.6	323164.8
7	Aug. 2024	282837	5656	0	56567.4	56567.4	169702.2
8	Sep. 2024	431989	8639	0	86397.8	86397.8	259193.4
9	Oct. 2024	1016725	20328	0	203345	203345	610035
10	Nov. 2024	1711650	23552	0	342330	342330	1026990
11	Dec. 2024	1772500	35450	0	354500	354500	1063500
Total		14947554	288261	1150735	2989511	2989511	8968534

It is submitted before the Hon'ble Tribunal that the Eco-Development Committee, Kufri-Mahasu has been collecting the entry-fee since its constitution from the incoming tourists from February 2024 onwards till December 2024. Thus the data of entry-fee collection from February 2024 to December 2024 is provided in the **Table No. 4**, therefore data of entry-fee for the last five years is not available and hence it cannot be provided. The total monthly collection since February 2024 to December, 2024 is ₹1.49 crores and the detail has been listed and compiled in the **Table No. 4**. As per item No.

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30 of the approved byelaws of the Eco-Development Committee, Kufri-Mahasu (**Annexure R XII - Copy of bye-laws of the Eco-Development Committee, Kufri-Mahasu with clause No. 30 depicting sharing mechanism of revenue**), out of the total revenue collection, 20% share amounting to ₹29.89 lacs was transferred to the Himachal Pradesh Government, and the other 20% amounting to ₹29.89 lacs was transferred to the State level Eco-Tourism Society of Himachal Pradesh (ECOSOC) and ₹11.50 lacs was deposited as GST till the month of May 2024. The balance amount of 60% amounting to ₹89.68 lacs of the total revenue collection is being utilized in the activities for the as per the “Action Plan” that was submitted before the Hon’ble Tribunal for development of Eco-Development Committee, Kufri-Mahasu. These activities are detailed in **Table No. 5** below –

Table 5 – List of activities undertaken since February, 2024

S. No.	ACTIVITY	AMOUNT
1.	Cobbling of Bridle-Path/Horse-Trail	28,62,011.00
2.	Railing along the Horse Trail	6,97,340.00

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3.	Improvement of Walking Trail	4,78,600.00
4.	Removal/Transportation of Horse Dung	4,25,250.00
5.	Sign-Boards and Awareness Material	2,62,400.00
6.	Protective terracing around the Trees	1,60,425.00
7.	Sculpture	4,64,626.00
8.	Expenditure on Entry ticket/Machines etc.	1,80,781.00
9.	Meetings (Governing Body/Executive Committee/Stakeholders)	46,957.00
10.	Barriers for regulation of Horses/Tourists -3 Nos	1,39,800.00
11.	Security Cabin (Gumti)	5,97,881.00
12.	Service provider for Entry ticket regulation/collection.	22,000.00
13.	Preparation of Action Plan	37,000.00
14.	Purchase of Equipment	67,918.00
15.	Preparation of Estimates	9,899.00

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16.	Development of Entry Gate No.-1	8,80,000.00
17.	Development of Toilet facility* (expenditure to be incurred as tenders opened on 06.02.2025)	10,65,000.00
Grand Total		83,97,888.00

**Tenders were opened on 6-2-2025*

The activities that are in progress it is planned to spend the amount detailed below –

**Table 6 – Proposed list of activities to be undertaken in
Eco-Development Committee, Kufri-Mahasu**

S. No.	ACTIVITY	AMOUNT
1.	Development of Entry Gate No. 2	15,23,000.00
2.	Ticket Counter @ Entry Gate No. I	7,52,000.00
3.	Cobbling of horse-trail (100 m) at Mahasu	39,00,000.00
4.	Cobbling of Horse-trail (100 m) at Kufri	25,00,000.00
5.	Development of Animal sculptures	10,00,000.00
6.	Providing gazebos at Mahasu	7,00,000.00

The detail of expenditure being spent in the area of Eco-Development Committee is hereby provided and the amount of ₹ 83,97,888.00 was utilized according to the

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earlier submitted **Action Plan**. It is submitted before the Hon'ble Tribunal that as the revenue collection progresses the activities pertaining to the sanitation, development and beautification of the Eco-Development Committee, Kufri-Mahasu, will continue and the pictures of the works carried out in the field is included as **Annexure R XIII** (*Photographs of works being carried out in the Eco-Development Committee, Kufri-Mahasu*).

4. *The report of DFO, Theog dated 01.11.2024 also discloses that MoU has been signed with Nav Chetna Transporters by Shri Nag Devta Ashrit Samuh, Teer Mahasu constituted under Eco-Development Committee, Kufri-Mahasu for the regular weekly garbage disposal and till now 3194 kg of garbage has been disposed of but the report does not disclose the extent garbage which has been piled up at different places in the area concerned which is yet to be remediated/disposed of.*

It was submitted before the Hon'ble Tribunal that "Shri Nag Devta Aashrit Samuh, Teer Mahasu" had signed MoU with "Nav Chetna Transporters" for removal of plastic and other garbage from the area of Teer-Mahasu. The "Nav Chetna Transporters" had removed 6431 kg of plastic/garbage upto December, 2024 (as provided in the **Table No. 7**). All efforts are being made to remove the daily addition of garbage at Mahasu peak. Currently five persons have been engaged to collect the garbage and horse dung on daily basis and the horse

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dung is being collected using mechanical means as and when required. The collected materials are disposed of regularly and the area is maintained neat and clean.

Table 7 – Collection of garbage in the Mahasu

Sr. No	Month	Extend of Garbage collected (Kg)	Remarks
	July 2024	1090	Plastic garbage
	August 2024	1367	Plastic garbage
	September 2024	427	Plastic garbage
	October 2024	1538	Plastic garbage
	November 2024	1210	Plastic garbage
	December 2024	799	Plastic garbage
		6431	

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The tourists come to the Kufri-Mahasu Peak through horse trail and an alternate trail by using vehicles. In both trails, tourists are moving in the horses and vehicles left with no scope for garbage dumping and the little garbage found along the trail is being cleaned regularly. In the peak the maximum dumping of garbage happens from the shanties are regularly collected and disposed off. The department also takes efforts by supplying jute bags to the tourists to collect the garbage/plastics found along the trail and on return they are rewarded with a batch to encourage the tourists. The detail of badges and jute bags developed by the department is enclosed as **Annexure R XIV** (*Photos of badges and jute bags being used for awareness among tourists*). There is continuous foot-fall of visitors in the Kufri-Mahasu area and the involvement of local communities/stakeholders in the sanitation and removal of garbage is being done continuously.

5. *The report also makes mention of certain afforestation measures, but the Authorities are required to ensure that due care and caution is taken for the survival of the trees that are planted.*

In the Mahasu peak 150 number of tall plants were planted during the months of July to August at Mahasu peak. In order to protect all plants from grazing by animals, tree-guard is provided around them. For further protection local stakeholder have formed one group named as "Shri Nag Devta

ATTESTED
Oath Commissioner
Vikram Verma

Ashrit Samuh, Teer Mahasu”, which is motivated and being actively involved for care and protection of planted trees.

6. *The DFO, Theog who is the Chairman of the Committee constituted on 29.10.2024 has submitted that the Committee will be interacting with Horse Owners Association and will find a solution to remediate the problem. He has submitted that since the Committee has been recently constituted, therefore, till now, the Committee could not take any action.*

As per the directions of Hon’ble Tribunal, in order to conduct the census of horses plying in the Kufri-Mahasu trail, the Forest Department advertised in the news daily/notice boards of prominent offices and places to submit applications to the office of DFO, Theog Forest Division for plying horses in the Kufri-Mahasu Peak. A Committee was constituted by the Chief Conservator of Forests vide office-order No. 96 dated 29.10.2024 (**Annexure R VIII**) to physically verify the each horse plying in the horse trail. The department received 547

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Oath Commissioner
Vikram Verma

applications from the owners of 1091 horses. Whereas, the verification in the field revealed that the actual number of horses were only 936 belonging to 496 applicants and the remaining the horses were not physically produced/present during verification. After completion of scrutiny, the Executive Committee meeting was conducted on 23.01.2025 with stakeholders to reduce the horses' number to 700 as per the readiness and willingness of three horse unions already submitted before the Hon'ble Tribunal. Leaders of the horse-owners' groups stated that their Ld. Counsel will plead the case for horses before the Hon'ble Tribunal and they did not agree for the reduction of the number of horses (**Annexure R IX**). Based on the verification of applications and horses, it was revealed that most of the horses plying in the trail were from 29 Panchayats covered 4 Tehsils of District Shimla and 1 Tehsil of District Mandi (about 200 km from Kufri). Hence it is pleaded before the Hon'ble NGT that the horses from the Eco Development Committee /Watershed area i.e. D 104 Kangar (90 ha) and R IV Teer-Mahasu C1 (42.2 ha) only may be allowed to operate in the trail. The details of horses that may be allowed to move in the Kufri-Mahasu trail based on the area of operation of the Eco-Development Committee. It is prayed before the Hon'ble

ATTESTED
Oath Commissioner
Vikram Verma

Tribunal that the remaining Panchayats which falls far away from the Watershed of the Eco-Development Committee, Kufri-Mahasu they may not be allowed to ply in the trail. In order to comply with the reduction of horses, it is submitted before the Hon'ble Tribunal that every household that operates two horses, it may be allowed to operate one horse per household and therefore 386 horses on rotation basis up to the carrying capacity as provided in the **Table No. 3**. It is further submitted before the Hon'ble Tribunal that the horse-owner may not be allowed to replace the dead or infirm horse.

7. *He has sought two months to do the needful and submit the report. The prayer is allowed. Let the fresh report be filed by the State of Himachal Pradesh and the DFO, Theog within two months by way of affidavit keeping in view the observations which has been made above."*

That at the very outset, it is humbly submitted that the deponent hold the orders/directions of this Hon'ble Tribunal in the highest esteem and as such can never think of disobeying the orders/directions of this Hon'ble Tribunal. The deponent could not submit the report within two months due to the exhaustive efforts required for completion of this report and hence sincere and unqualified apology is tendered before this Hon'ble Tribunal, which may kindly be accepted by taking a


ATTESTED

[Signature]
Deputy Commissioner
Vikram Verma

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lenient view. This was not due to some intentional or deliberate lapse on his part, however replying respondent once again tenders unconditional apology for any unintentional lapse on his part.

That in view of the above, it is submitted that the present report may kindly be taken on record.


Manish Rampal, HPFS
Divisional Forest Officer
Theog Forest Division, Theog

Divisional Forest Officer
Theog Forest Division, Theog

Through



Divyanshu Kumar Srivastava
48, Lawyers' Chamber, Supreme Court of India
Tilak Marg, New Delhi 110001

Date : 10.02.2025

Place : Theog

ATTESTED

Oath Commissioner
Vikram Verma

**BEFORE THE NATIONAL GREEN TRIBUNAL
(PRINCIPAL BENCH), NEW DELHI
ORIGINAL APPLICATION NO.187/2023**



IN THE MATTER OF:

Shailendra Kumar Yadav

...Applicant

Versus

State of H.P.

...Respondent

AFFIDAVIT

I, Manish Rampal, HPFS s/o Sh. BK Rampal, aged, 54 years presently posted as Divisional Forest Officer, Theog Forest Division, Theog in the State of Himachal Pradesh, do hereby solemnly affirm and state as under: -

1. That I am the Authorised Signatory of the Respondent State in the present matter and I am fully conversant with the facts and circumstances of the case, and I have been duly authorized and am, therefore, competent to affirm this affidavit.
2. I state that I have read the contents of the Reply. I state that the facts contained therein are true to the best of my knowledge and belief as derived from the record.
3. I state that the legal argument in the Reply is based on the legal advice given to me by my Counsel and factual statements are based on documents/records relied upon.

ATTESTED

Oath Commissioner
Vikram Verma

DEPONENT
Divisional Forest Officer
Theog Forest Division, Theog

Identified by Vikram Verma
IDENTIFIED BY

VERIFICATION

I, the Deponent above named, do hereby verify that the contents of paragraph no. 1 to 3 of the above affidavit are true and correct to the best of my knowledge and belief, no part of it is false and nothing material has been concealed therefrom.

Verified at Theog on this 10th day of February 2025.


DEPONENT
Divisional Forest Officer
Theog Forest Division, Theog

Self by oath Commissioner
IDENTIFIED BY


ATTESTED
Oath Commissioner
Vikram Verma


Certified that the above/overleaf named who declared before me on solemn affirmation on this 10 day of 2 20 25 at Theog in the District Shimla HP by Sh Deponant who was identified by Sh Self by oath Commissioner who is personally known to me. The contents of the affidavit are duly read over and explained to the deponent in vernacular who admitted the contents thereof to be true and correct.

Oath Commissioner
Vikram Verma


Minutes of the meeting in compliance to orders passed by Hon'ble National Green Tribunal in OA NO. 187/2023 titled as "Shailendra Kumar Yadav vs State of Hp & Ors" held at Regional Office, Himachal Pradesh Pollution Control Board, Shimla on 26.11.2024

In the meeting following Officers were present –

1. Sh. Anil Joshi, IFS, Member-Secretary , HP Pollution Control Board, Shimla
2. Sh. K. Thirumal, IFS, Chief Conservator of Forests, Shimla Circle
3. Sh. Manish Rampal, HPFS, DFO Theog Forest Division, Theog
4. Sh. Lalit Thakur, Environmental Engineer, HP Pollution Control Board, Shimla

In pursuance to the esteemed orders/directions of the Hon'ble National Green Tribunal, the meeting was conducted in the of the Office of the Member-Secretary, HP Pollution Control Board, Shimla. Meeting started with the welcome note of the Member-Secretary. Members in the meeting were apprised by the Chief Conservator of Forests, Shimla Circle regarding orders which were passed by the Hon'ble National Green Tribunal on dated 05.11.2024 in the matter of "Shailendra Kumar Yadav vs State of HP & Ors."

“...in pursuance to the earlier direction of the Tribunal the DFO, Theog has filed the report dated 01.11.2024. In that report, it has been stated that as per record 1029 horses are registered in Kufri and horse on an average discharges 15-20 kg of dung every day and the horse stays in Kufri for about 8 hours a day. Therefore, the average generation of cow dung per horse is estimated to be 5-6 kg approximately. To remediate/manage the cow dung the HP PCB has suggested the following measures:-

- (1) Installation of a bio-methanation plant of capacity of 5-6 MT/day by the State of Himachal Pradesh. The DFO Theog has submitted that an expenditure of about Rs. 5-6 Crores is required to set up such a bio-methanation plant. The report does not reflect any action taken or proposal initiated for setting up such a plant.*
- (2) It is also stated in the report that as an immediate measure Forest Department should check the calorific value of the dried horse dung cake and explore the possibility of setting up Screw/Filter Press Machine for dewatering of the horse dung followed by a horse dung cake sets log manufacturing machine so that it can be used as fuel in the kiln in nearby Cement Plant of boiler of any industry. In this regard, also only the suggestion is made in the report, but not proposal or action ass been disclosed...”*

Discussions were held with an objective to find an eco-friendly solution to mitigate the pollution and other environmental hazards caused by the accumulation of horse-dung and its improper disposal as there were numerous horses plying in the Kufri-Mahasu trail. It was apprised by the Chief Conservator of Forests, Shimla Circle that due to the accumulation of horse-dung, it was posing serious environmental hazards. Member-Secretary stated that Uttarakhand State was facing similar problem of horse-dung due to plying of excessive number of horses on the Kedar-Nath track. The local environment faced excessive pressure due to the accumulation of horse-dung due to the lack of proper disposal mechanisms. The Uttarakhand Government in close coordination with the Patanjali Research Foundation had managed to solve the problem of pollution caused by the horse-dung at Gauri-Kund (Sonprayag). It was informed by the Member-Secretary that the Patanjali Research Foundation was also working on the "Namami Gange" project and it was also using the sludge and animal waste for producing various kinds of manures. These manures were being sold in the market under different names. Thereafter, the Member-Secretary suggested that the officers/officials may visit the Patanjali Research Foundation at Haridwar in order to discuss the problem pertaining to disposal of horse-dung being faced in the forests at Kufri-Mahasu of the Theog Forest Division. The Environmental Engineer added that the Patanjali Research Foundation was also working on the briquetting technique of the horse-dung and other waste material. If the calorific value of the horse-dung present in

the Kufri-Mahasu area was found to be high enough than the threshold level (which is 2500 cal/gm as per energy requirements of the industry), the possibility of the supplying of horse-dung briquettes to boilers of nearby industries in general and cement industry in particular can also be explored. Thereafter, based on the discussions in the meeting it was decided by the Chief Conservator of Forests, Shimla Circle in consent with the Member-Secretary, HP Pollution Control Board, and other members that a team of Officers/Officials of the Theog Forest Division would visit the Patanjali Research Foundation, Haridwar. The visit to the Patanjali Foundation would explore the possibilities of effective disposal of horse-dung and look-out for available methodologies for utilization of the horse-dung in an eco-friendly manner and mitigate the hazards of pollution caused by the accumulation of dung on the horse-trail at Kufri-Mahasu.

The meeting ended with the vote of thanks.



Divisional Forest Officer
Theog Forest Division, Theog

Minutes of the visit of members from the Forest Department of Himachal Pradesh at Patanjali, Haridwar held 9th January 2025

A team of various Forest Department Authorities from the Forest Department of Himachal Pradesh visited the Patanjali Organic Research Institute (PORI) to gain experience in managing and manufacturing manure from dung and other waste materials. Then after a meeting, the team was held with Param Pujya Acharya Balakrishna Ji. The team also visited the Patanjali Research Foundation (PRF) and got insights into the herbarium, painting museum and herbal garden.

The following were involved in the visit and meeting:

1. Sh. K. Thirumal (Chief Conservator Forests)
2. Sh. Manish Rampal (DFO THEOG)
3. Sh. Ramesh Jhangta (Range Officer Theog)
4. Dr. Vedpriya Arya (Head, Patanjali Herbal Research Department)
5. Dr. Ajay Kumar Gautam (Scientist, Patanjali Research Foundation)
6. Dr. Prashant Chauhan (Scientist, Patanjali Research Foundation)
7. Dr. R.K. Shukla (General Manager, PORI)
8. Sh. Sunil (Block Officer)
9. Sh. Vinod (Forest Guard)

The team visited Patanjali Organic Research Institute (PORI) to understand the process of how dung can be converted into agriculturally useful organic manure. A detailed discussion of the team was held with Dr. R.K. Shukla (General Manager, PORI) about different points on collection, storage, drying and manure formation. The step-by-step parts of the dung processing unit were visited by the team and they were get familiar with the process of screening, drying, granule formation, enriching, etc.

After having the visit and detailed discussion, a meeting of the team was held with Param Pujya Acharyashree Ji. The team discussed their problem of environment-friendly management of horse dung produced at hill station Kufri, Shimla, Himachal Pradesh, India. The following points were discussed in the meeting. The following suggestions were made by Pujya Acharyashree Ji and Patanjali team that can be implemented on an urgent basis for safer management of horse dung at Kufri, Shimla, Himachal Pradesh:

1. Acquiring land for collection composting of horse dung.
2. Establish a thermal drying plant for drying horse dung to reduce harmful microbiomes and further manure processing unit. With this process, the produced manure can be consumed in-house in different forest nurseries.
3. A model Nursery can be developed for utilizing the produced manure and for the distribution of plants.

4. A Memorandum of Understanding (MOU) can be signed to carry out this work as a joint venture or the role of Patanjali as an Advisory Body.

Apart from the safe disposal of horse dung, some possibilities for future projects were also discussed. The detailed points are given below:

1. Flora of Himachal Pradesh.
2. To provide training to traditional healers in Himachal Tribal Areas.
3. Geo-tagging and Geomapping of all forest and agricultural land.
4. Work as a Soil Testing lab facility provider.
5. Establishment of theme-based herbal Gardens at various suitable locations.

Dr. Ajay Kumar Gautum
Scientist
Patanjali Research Foundation

ANNEXURE III



PIT SIZE OF 5 X 5 X 2 m
FILLED WITH HORSE DUNG
ON 20.01.2025

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ANNEXURE IV



TWO PITS EACH WITH SIZE
3 x 3 x 2 m FOR SUBSEQUENT
SHIFTING OF HORSE DUNG
FROM 5 x 5 x 2 m PIT

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ANNEXURE R V



Himachal Pradesh Forest Department

Theog Forest Division, Theog

Email: dfotheog1985@gmail.com Tele. & Fax. No.: 01783-238264

No. Ft(OA No.-187/2023) 5479 Sale
Dated Theog, the 31/1 /2025.

To: Dr. Vedpriya Arya,
Head, Herbal Research Division,
Patanjali Research Foundation,
Haridwar, Uttarakhand, India

Subject: Regarding analysis of horse dung.


Madam,

This is with reference to discussion held with your kind self on dated 09.01.2025 on the subject cited above.

In this context, it is submitted here that two samples of horse dung (1 Kg each) out of which one is collected and stored on 20th January and another one is fresh collection are herewith sent through special messenger for its analysis regarding preparation of manure.


It is requested that the samples may kindly be analysed and reports be sent to this office as earliest possible.

Encls: As above.


Divisional Forest Officer
Theog Forest Division, Theog

Endst. No. (OA No.-187/2023) 5479-82 /Sale dated 31/1 /2025

- (1) Copy is forwarded to CCF Shimla for favour of information please.
- (2) Copy is forwarded to Sh. Geeta Ram, Peon O/o Theog Forest Division for information and necessary action. He is directed to submit the sample at Patanjali Research Foundation, Haridwar.


Divisional Forest Officer
Theog Forest Division, Theog

Received
02 samples for
analysis


- 1 Jan 2025



Shivalik Solid Waste Management Limited (LABORATORY DIVISION)

Regd. Office : Village Majra, P.O. Dabhota, Teh. Nalagarh, Distt. Solan Himachal Pradesh-174 101
 Telefax : 01795-260427, E-mail : rajeev.thakur@bell.co.in , Website : www.sswml.com
 GSTIN : 02AAJCS7647D1ZE CIN:U33130HP2005PLC028806



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TEST REPORT

F77,8-01
Rev 01

Sample cum Report Identity	SSWMLTC12094-24-4348	Date	28.12.2024	Pages	1/1
To	*M/s Himachal Pradesh Forest Department, Theog Forest Division, Theog, Shimla Distt. -Solan (H.P.)				
Customer Reference	Quotation On dtd:11.12.2024; F-7.1-01 dtd:28.12.2024				
Date & Mode of Receipt of Sample	28.12.2024, Submitted by the Party				
Sample Marking/ Identity	1 kg, Received in plastic Poly Bag, ["Solid Waste-Horse Dung]				
Sampling / Testing Protocol	---				
Sampling Date/ Time	---	Environmental Condition	---	Sampling Team	---
Period of Analysis	28.12.2024 - 28.12.2024				

Sr. No.	Parameters	Unit	Result	Standard Limits	Method Reference
1	Calorific value	cal/gm	2930	---	SOP No. T/HW-03: 2019

- Note:- 1. '*' mark represents that information provided by the Party.
 2. "The results apply to the sample as received" for customer supplied sample.

Reviewed By
DR. DEEP KUMAR

Authorized Signatory
SUMAN LATA

*****END OF REPORT *****

Terms and conditions governing the test report issued

1. The test report shall not be reproduced in full or Part nor shall be used for promotional or publicity purpose without approval of the lab in writing.
2. The results relate only to the items tested.



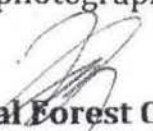
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H.P. Forest Department
Eco Development Committee
Kufri-Mahasu



It is to inform the general public that as per the directions of Hon'ble National Green Tribunal (OA No. 187/2023) the Eco-Development Committee Kufri Mahasu has been registered under Himachal Pradesh Societies Registration Act 2006 (Act No. 25 of 2006) on dated 08.02.2024 with Deputy Commissioner-cum-Additional Registrar of Societies, Himachal Pradesh for management of eco-tourism activities in the jurisdiction of Theog Forest Division.

In order to regulate the horses, applications are invited for registering the horses that will ply over the Kufri-Mahasu trail (track), according to guidelines provided in remedial measures by Hon'ble NGT. Horse-owners can visit the office of Divisional Forest Officer, Theog Forest Division Theog w.e.f. 26.02.2024 to 02.03.2024 from 10:00 AM to 5:00 PM. No application will be entertained after 02.03.2024. All horse owners are required to submit the following documents for registration with EDC:-

1. ID proof (Aadhar Card or valid ID Proof recognized by the Govt. of H.P.) of the owner alongwith two photographs.
2. Proof already registered with SADA.
3. Photograph of Horse.
4. Veterinary Health registration certificate issued by the Veterinary Department.
5. Horse/stable Attendant's ID proof alongwith 2 photographs.

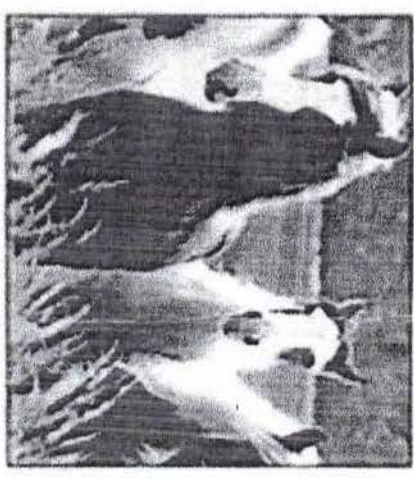

Divisional Forest Officer
Theog Forest Division, Theog

Ames - Ujala

11/3/2024

गर्जा पर गजापर - गजा गजा गजा गजा

शिमला। वन विभाग ने कुफरी में
 घोड़ों के पंजीकरण की अंतिम
 तिथि बढ़ाकर दस मार्च कर दी है।
 पहले दो मार्च तक पंजीकरण की
 अंतिम तिथि तय की थी। लेकिन
 वन विभाग के पास एक भी
 आवेदन नहीं आया है। जटिल
 कागजी कार्यवाही और रोजगार
 जाने के डर से घोड़ों के मालिक पंजीकरण करवाने से कतरा रहे
 हैं। एनजीटी ने इलाके में प्रदूषण कम करने के लिए घोड़ों की
 संख्या 850 से घटाकर 217 करने के आदेश वन विभाग को दिए
 हैं। विभाग 15 अप्रैल को एनजीटी को रिपोर्ट सौंपेगा। डीएफओ



Sanjiv, PR

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ANNEXURE R VIII 152

HP Forest Department
Shimla Forest Circle, Shimla
Office Order

Office order No / 96 Dated 29/10 /2024

A Screening committee of following Officers/ Officials is constituted to verify the application received by the DFO Theog office as per Hon'ble NGT directions under OA No. 187/2023 under EDC Kufri Mahasu of Theog Forest Division and submit the list of eligible horses to be plied in the forest area .

- | | | |
|------------------------------------|----|------------------|
| 1. DFO Theog | :- | Chairman |
| 2. RFO Theog | :- | Member |
| 3. RFO Kufri (WL) | :- | Member |
| 4. Veterinary Officer | :- | Member |
| (local to be decided by DFO Theog) | | |
| 5. Block Officer Choeg | :- | Member Secretary |

The terms and condition for the committee is as under :-

1. The horse owner should be from the EDC area .
2. Number of horses/owner to be decided by the Committee.
3. Membership fees to be suggested by the committee for the approval of GB.
4. Any other issue to be decided by the committee.

RO Theog
for n/a
4/11/2024

29/10/2024
Chief Conservator of Forests
Shimla Forest Circle, Shimla

Endst.No. 4061-63 Dated 29/10 /2024

Copy is forwarded to following for information and necessary action .

- 1. DFO Theog
- 2. RFO Theog & B.O Cheog (through DFO Theog)
- 3. RFO Kufri (WL) through DFO (WL) Shimla
- 4. Office order file.

Sole
4/3
4/1/24

29/10/2024

Chief Conservator of Forests
Shimla Forest Circle, Shimla

DIVISIONAL FOREST OFFICER
Theog Forest Division
Theog, Shimla H.P.
04 NOV 2024
Diary No. 4032 Sec.

Endst. No. 4180 *Sole* dt. 16/11 /2024

Copy is forwarded to RO Theog for information and necessary action.

Divisional Forest Officer
Theog Forest Div. Theog
14/11/24

ANNEXURE IX

11/फरवरी 12025

उत्तर दिक्क पाट 12025 को वन परिसर/विस्तार विभाग की उपस्थापना से विभिन्न पशु मालिकों से अपनी व्यक्ति के वृत्तिका दाखल से अर्ज प्रेषित की गई। मालिकों के विस्तारित क्षेत्रों पर चर्च की गई। मालिकों का अंतर्गत व निर्गत इस प्रकार है -

1) उत्तर मालिकों से दांडी की संख्या 700 करीब पर चर्च की गई। परंतु उत्तर मालिकों से बताया कि उनके द्वारा पशुधर निर्देशों वाले वृत्तिका से पशु मालिकों से 1089 करीब की उपस्था की गई है जिस कारण इस विषय पर चर्च की नहीं जा सकती है।

2) उत्तर दिक्क पाट 12025 से House जंगल की अर्ज देह शीम राफार करवायी जैसा कि नर दिक्क शीम से संपर्क देह अर्ज उत्तर मालिकों 75/र. पुत्र घोडा / मार देह से पैमान है। व अर्ज अर्ज मालिक से सिद्धा की इस परंतु से संतुल्य है।

3) उत्तर मालिकों से वर विजय करे डोर: पुत्र माली पूर्ण करे डोर की वीर रात्रे से उठकर मध्य-पिन से कान की डोर की है। जिससे वर सिद्धा की डोर वीर से जायती वीर व सवादी को डी मार प्रेमी चरनाओं से बचाया जा सकता है। इस शीम पर CCF विद्या की शीम अर्ज मालिकों से चर्चा की जा रही है।

4) उत्तर मालिकों से सुदूर रात्रे फीस वीर CCF साख विद्या अर्ज से मालिकों को मार देह व CCF साख के सभ्यमानुसार प्रेषित करना चाहिए है।

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मालिकों से निम्न लिखित क्षेत्रों पर चर्च की गई व निम्नलिखित निर्गत सिद्धा रहे -

- | | |
|--------------------------------------|-------------|
| नाम | परावार |
| 1) डाक्टर अर्जाल (वृष नं. 1) प्रधान | CSB |
| 2) डालीगुम राज (वृष नं. 2) प्रधान | CSB |
| 3) राफार मेष (वृष नं. 6) प्रधान | CSB |
| 4) अर्ज (वृष नं. 4) प्रधान | CSB |
| 5) केदार केदार (वृष नं. 3) उप प्रधान | CSB |
| 6) धमराज राज (वृष नं. 8) | Kedra Simli |
| 7) विनार राज वर रफार | CSB |
| 8) शीम मालिक वर राजीव | CSB |

(9) शीतल राधा वन रक्षक
(10) जया चक्रेल वन रक्षक

~~...~~
Shan del...
K. Kaluraj

9

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11

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ANNEXURE RX

Government of Himachal Pradesh
Department of Forests.

No. FFE-B-C(15)-3/2005-III

Dated: Shimla-171002 the 25-02-2017

NOTIFICATION

The Governor of Himachal Pradesh is pleased to notify the "HP Forest Department Re-revised Eco-Tourism Policy- 2017" enclosed as Annexure -I (15-pages) approved by the State Cabinet vide Memorandum under Item No. 97 on dated 17-02-2017.

By Order

(Tarun Kapoor)
Pr. Secretary (Forests) to the
Government of Himachal Pradesh

Endst. No. as above

Dated Shimla-171002 25-02-2017

Copy forwarded for information and n/a to:

- 1 The ACS to the Hon'ble Chief Minister, HP.
- 2 The Private Secretary to Hon'ble Chief Minister, HP.
- 3 The Private Secretary to Hon'ble Forest Minister, HP.
- 4 The Private Secretary to the Chief Secretary to the GoHP.
- 5 All the ACS/Pr. Secretaries/ Secretaries to the GoHP.
- 6 The Principal Chief Conservator of Forests (HoPi) HP, Shimla-1.
- 7 The Principal Chief Conservator of Forests (WL) HP, Shimla-1.
- 8 The Managing Director, HPSFC Ltd. Shimla-171009.
- 9 The Accountant General, H.P. Shimla-4.
- 10 The Sr. Dy. Accountant General, H.P. Shimla-4.
- 11 All the Deputy Commissioners in HP.
- 12 All the Conservators of Forests, Himachal Pradesh.
- 13 All the DFOs in Himachal Pradesh.
- 14 The Controller, Printing and Stationary Department, HP Shimla 171005 with a request to publish the Notification in Extra Ordinary Gazette at early date with 5 extra copies.
- 15 GAD Section, HP Secretariat w.r.t. the cabinet decision dated 17-02-2017.
- 16 Guard file (100) spare copies.

(Sat Pal Dhillon) 25-2-2017

Joint Secretary (Forests) to the
Government of Himachal Pradesh

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HIMACHAL PRADESH FOREST DEPARTMENT

RE-REVISED POLICY

ON

DEVELOPMENT OF ECO-TOURISM
IN HIMACHAL PRADESH

2017

1 | Page

1. PREAMBLE

Himachal Pradesh, known for its rich natural heritage, is amongst the top tourist destinations in the country, both for national as well as international visitors. Recent estimates, place the number at about 160 lakh visitors -more than twice the State's population. However, much of the tourism related activity is concentrated in four major locations, Shimla, Manali, Dharamshala and Dalhousie. A majority of the visitors do not get an opportunity to experience the rich bio-cultural diversity contained in the many Forest areas, Sanctuaries and National Parks that comprise such a large part of Himachal Pradesh.

The Forest Department of Himachal Pradesh framed an Eco-tourism policy during 2005 to enable tourist to experience this national heritage. The policy needed revision mainly due to the procedural requirements of obtaining clearance of Eco-tourism sites under Forest Conservation Act, 1980 as per guidelines of the Ministry of Environment, Forest & Climate Change (MoEF&CC), Government of India. Some changes in the existing policy document have also been necessitated in the context of the evolving understanding of Eco-Tourism concepts and principles.

The Revised Eco-Tourism Policy 2016 aims at bringing the wilderness and virgin ecosystems of Himachal Pradesh closer to visitors and at the same time ensure adequate safeguards and systems for the protection and conservation of these natural resources. By involving local communities, the policy would help in increased livelihood opportunities as well as their involvement in awareness building, protection and conservation. It also envisages generation of financial returns which can be ploughed back into proper up keep and maintenance of the environment. It shall also promote greater understanding and appreciation for natural and cultural heritage.

The ongoing Eco-Tourism projects also need to be re-looked at and reviewed in view of the Central Ministry's guidelines on Eco-Tourism. It may be necessary to evaluate the on-going projects in order to decide on their further continuation after the culmination of the term of these projects.

2. CONCEPT

'Eco-tourism', in a very broad sense, means venturing into and enjoying nature in such a way as to assure that negative impacts on the cultural and natural environment are

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ANNEXURE R XI

Registration No :



HPCD-16942

Certificate of Registration of Societies



Himachal Pradesh Societies Registration Act 2006 (Act No. 25 of 2006)

This is certified that the **ECO DEVELOPMENT COMMITTEE KUFRI MAHASU** located at **DVISIONAL FOREST OFFICE THEOG DISTT SHIMLA-171201** has been registered under the provisions of the Himachal Pradesh Societies Registration Act, 2006 (Act No. 25 of 2006) on the **8th day of February 2024** (08/02/2024).

Given under my hand and seal at **DC Office, SHIMLA**, Himachal Pradesh.



Deputy Commissioner -cum- Additional Registrar of Societies

Himachal Pradesh

RULES AND REGULATION OF THE COMMITTEE

"ECO-DEVELOPMENT COMMITTEE, KUFRI-MAHASU"

TEHSIL THEOG, DISTRICT SHIMLA

SHORT TITLE

1. These Rules and Regulations may be called the Rules and Regulation of the "Eco-Development Committee, Kufri-Mahasu" (hereinafter called the " EDC Rules")

INTERPRETATION

2. Unless it is inconsistent with the subject or context –
 - the "Committee" means the Eco-Development Committee (EDC), Kufri-Mahasu
 - 'in writing' means including printing, lithography and typewriting.
 - 'Year' means the period commencing from the 1st April of the calendar year and ending with the 31st March of the next year.
 - 'Month' means calendar month.

PATRONS

3. Hon'ble Chief Minister of Himachal Pradesh shall be the ex-officio patron of the Committee.


MEMBERS

4. All the citizens of India residing in the operational area of the Eco-Development Committee can become member after paying prescribed fee annually.
5. Non-official members of Governing Body/Executive Committee shall be eligible for admission to the Committee, if he/she is –


- i.) Over 18 years of age and of sound mind
- ii.) Ordinarily resident in the area of operation of the EDC
- iii.) Of good moral character
- iv.) Interested in furthering the cause of the society

Chief Conservator of Forests, Shimla Forest Circle, Shimla. No individual shall be eligible for admission as non-official member of the GB/EC, if –

- a) He/she has applied for bankruptcy; or
- b) He/she has been declared as an insolvent; or
- c) He/she has been sentenced for any offence involving dishonesty or moral turpitude within 5 years preceding the date of his application for admission as a member.


D.F.O. Theog



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विकास खण्ड मशोबरा
तह. व जिला शिमला (हि.प्र.)


Up-Pardhan
Gram Panchayat Kufri-Shawah
Tehsil & Distt. Shimla (H.P.)

ORGANIZATIONAL STRUCTURE

7. The Committee shall have two tier structure as under –

- a) Governing Body
- b) Executive Committee

GOVERNING BODY

8. The Governing Body shall consist of the following 11 members, including the Chairman and Executive Secretary

a) Official Members

1. Chairman Chief Conservator/Conservator of Forests, Shimla Circle
2. Executive Secretary Divisional Forest Officer Theog
3. Member Divisional Forest Officer Shimla Rural.
4. Member Divisional Forest Officer Wild Life Shimla
5. Member Representative of DC Shimla not less than the rank of SDM
6. Member District Tourism Development Officer Shimla

b) Non-Official Members

1. Member Representatives of local Zila Parishad
2. Member Panchayat Pradhan of Kufri and Nalla
3. Member Representative of the local BDC.

Executive Secretary of the Governing Body shall also be the ex-officio Director of the Executive Committee.

The Governing Body shall be empowered to co-opt a maximum of two members to act as experts on the subject, if required any.

9. Whereas, the entire official members shall be ex-officio member of the Governing Body, all the non-official member shall normally hold office for a period of two years from the date of their nomination to the Governing Body.

10. Any of the non-official members who fail to attend three consecutive meetings of the Governing Body without proper cause shall cease to be member thereof.

11. The Chairman shall preside over the meeting of the Governing Body. In his absence, the members present shall elect a Chairman for the meeting.

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Shimla Forest Circle, Shimla

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तहसील जिला शिमला (हि.प्र.)

Aryna Bhardwaj

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12. $\frac{1}{2}$ members (50%) of the Governing Body present in person shall constitute the quorum at any meeting of the Governing Body.
13. Not less than seven clear days' notice of every meeting of the Governing Body shall be given to each member at their address.
14. The Governing Body shall meet at least twice every year.
15. Each member of the Governing Body, except the co-opted member if any, including the Chairman shall have one vote and majority decision shall prevail. In case of equality of votes on any question, the Chairman shall have to cast the decisive vote.
16. Any of the non-official member may be removed from the Society by the resolution of the Governing Body passed by majority of at least $\frac{3}{4}$ of the members present and voting at the special meeting of the Governing Body of which no less than 14 days previous notice shall be given to the member whose removal is in question and to all members of the Governing Body. Such notice shall include a copy of the proposed resolution for removal of the member. However, the member against whom the action is envisaged will not be entitled to vote.
17. The Governing Board shall carry out the following functions –
- To carry out the objectives of the ED Committee as set forth in the Memorandum of Association of the Committee.
 - To manage the affairs and funds of the Committee and exercise all powers of the Committee in accordance with rules of the EDC.
 - To approve the annual profit and loss account and audited balance-sheet of the ED Committee.
 - To look for other avenues to raise funds for the EDC and to accept grants or financial aid from the Government and donations from other public bodies, Corporations, Companies, persons, national or international, for the purposes of Eco-Tourism on such conditions as may be agreed to.
 - To borrow or raise funds that may be required by the EDC on such terms and conditions as may be deemed advisable.
 - To prescribe rates/fees for the services provided to the eco-tourist.
 - To approve the work program and list of activities submitted by the Executive Committee of the EDC and periodically monitor the same.

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- h) To acquire for the EDC any assets, moveable or immovable, on such terms and conditions, as it deems fit, including by way of purchase or entering into agreements (MoUs) for this purpose. Chairman of the Governing Body shall be authorized signatory for this purpose.
- i) To enter into and secure the fulfilment of any contracts/engagements on behalf of the EDC and to institute/defend/compound or abandon any legal proceedings by or against the EDC and to refer any matters, claims or demands to arbitration and observe and perform the Awards.
- j) To engage such service providers as may be necessary to carry out the objective of the EDC and to pay them such remuneration as may be considered expedient.
- k) To develop, erect, alter, improve and maintain any of its assets and to manage, develop, all or part of the assets for cash or any other consideration to promote the objects of the EDC.
18. The Governing Body shall constitute an Executive Committee and delegate to it such powers and functions, as it considers fit.
19. All business discussed or decided at a meeting of the Governing Body shall be recorded in a *Proceedings Book*, which shall be signed by the Chairman of the meeting and all members present.
20. **EXECUTIVE COMMITTEE**
The Governing Body shall constitute an Executive Committee for day to day functioning of the EDC.
21. The Executive Committee shall comprise of the following members –

- | | | |
|----|---|------------------|
| 1. | Divisional Forest Officer, Theog For. Div., Theog | Director |
| 2. | Range Forest Officer, Theog | Member Secretary |
| 3. | Range Forest Officer, Shimla Water Catchment Wild Life Sanctuary | Member |
| 4. | Range Forest Officer, Mashobra | Member |
| 5. | Representatives of local Panchayat | Members |
| 6. | Elected representatives of Horse Owners' Association, Photographers' Association, and Telescopic Association. | Members |

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7. Nominee of the Director

Member

The Director of the Executive Committee shall also be the Executive Secretary of the Governing Body.

22. The Executive Committee shall be responsible for –

- a) Implementation of decisions taken by the Governing Body.
- b) Preparing proposals for activities to be taken up by the EDC and submitting the same to the Governing Body for approval.
- c) Efficient utilization of funds put at its disposal by the Governing Body.
- d) Developing publicity and nature education material for the eco-tourists.
- e) Maintenance of assets, both moveable and immovable, of the Society.
- f) Identification of facilities/services to be provided to the eco-tourists and providing the same.
- g) Capacity building of members of the Society by organizing appropriate training programmes for them in different disciplines viz. Cooperative management, catering, guides, guest/rest house management, management of horses/ponies, porters, management of interpretation centers, nature park management etc.

23. The Executive Committee shall meet at least once in three months to take stock of the progress of various works.

24. Every meeting of the Executive committee shall be presided over by the Director and in his/her absence, by a member chosen by the members present at the meeting to chair for the occasion. Half ($\frac{1}{2}$) of the member(50%) of the Executive Committee present shall constitute a quorum at any meeting of the Executive Committee.

25. Any of the non-official member may be removed from the Society by the resolution of the Executive Committee passed by majority of at least $\frac{3}{4}$ of the members present and voting at the special meeting of the Governing Body of which no less than 14 days previous notice shall be given to the member whose removal is in question and to all members of the Executive Committee. Such notice shall include a copy of the proposed resolution for removal of the member. However, the member against whom the action is envisaged will not be entitled to vote.

26. Not less than three clear days' notice of every meeting of the Executive Committee shall be given to each member of the Executive Committee provided that

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- a) The Director may call an emergency meeting at notice of one day, and
 b) Any inadvertent omission to give notice of the meeting shall not invalidate the proceedings of the meeting.

27. It shall keep record of all such meetings in the prescribed format and send minutes of these meetings to the Governing Body.

FUNDS OF THE SOCIETY

28. The Society shall raise funds as follows -

- a) Funds received from the Circle-level Eco-Tourism Society (ECOSOC)
 b) Grants made by the Government or donations received.
 c) Contributions from other sources.
 d) Income from investments.
 e) Receipts of the EDC from tourists and other sources.
 f) Loans from financial institutions.
 g) Project based funding from national/international donor agencies.

29. Funds received on account of the horses/ponies plying over the "Kufri Trail" shall be maintained separately and shall be reimbursed to the concerned horse/pony owner/s at the day end or as per convenience.

30. Out of total funds received from various sources under Clause 28, will be sent to the account of the Circle-level ECOSOC and in turn the Circle will reimburse the 60% of the receipts based on the approved work-programme of GB. The balance 40% will be transferred to the Govt. of Himachal Pradesh (20%) and State-level Eco-Tourism Society of Himachal Pradesh (20%).

31. The annual plan of operation will be prepared by the Executive Committee in its jurisdiction based on funds received from various sources and those will be approved by the Chairperson of the Governing Body.

32. No portion of the income and property of EDC shall be paid or transferred directly or indirectly; by way of dividend, bonus or otherwise, howsoever by way of profit, to the persons who at any time have been member of the Society or to any of them or to any person claiming through them provided that nothing herein contained shall prevent the payment in good faith of remuneration to any member thereof or other persons in return for any service rendered to the Society or travelling allowance, halting or other charges.

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 Shimla Forest Circle, Shimla



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33. The EDC shall maintain proper accounts and other relevant records and papers and prepare an annual statement of accounts in such form as may be prescribed by the Chartered Accountant. The accounts of the Society shall be audited annually by the Chartered Accountant and any expenditure incurred in connection with the audit of accounts of the Society shall be payable by the Society.

ACCOUNTS AND AUDIT

34. The Society shall maintain such account and other records connected with accounts in such form or manner as may be directed by the authority competent to do so under the Co-operative Societies Act.
35. The Society shall prepare and submit returns and statements as the Registrar may from time to time specify.
36. Accounts of the Society shall be audited annually by Chartered Accountants. The Executive Committee shall record its observations on the audited accounts and forward these to the Governing Body for ratification.

ANNUAL REPORT

37. Draft Annual Report on the working of the Society shall be prepared by the Executive Committee, and shall be placed before the Governing Body for consideration and approval. Copies of the approved Annual Plan shall be supplied to the members of the Society and other concerned.

MISCELLANEOUS

38. No addition, alteration or amendment shall be made to the Rules and Regulations of the Society in force, except by resolutions passed at a meeting of the Governing Body by a two-third majority of the members present.
39. All the elected representatives of Horse-owners' Association, Telescope Association and Photographers' Association to the non-officials members of Executive Committee, will be elected through voting by the members of EDC.

40. Horse Owners presently registered with SADA will only be eligible to become members of EDC, no new membership is allowed.

41. The EDC, may, in the circumstances specified under the relevant provisions of the Co-operative Societies Act, 1860, be wound up and cancelled by the Registrar in accordance with the procedure laid down by such an Act and the rules framed there

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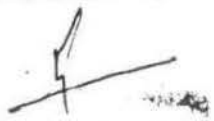
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42. In case the EDC is wound up or dissolved, the Government assets taken over the by the EDC under MoU, shall revert to the Himachal Pradesh Forest Department and any other assets, if remaining after clearing of all debts and liabilities, shall be vested in the Government.
43. All provisions of the Societies Registration Act, 1860 shall apply to Eco-Development Committee, Kufri-Mahasu

This is to certify that the above is a certified copy of the Rules and Regulations of the "Eco-Development Committee, Kufri-Mahasu"

Bye-laws are approved and are acceptable to us.


Chief Conservator of Forests,
Shimla Forest Circle, Shimla

S. No. Name Signature


D.F.O. Tehsil



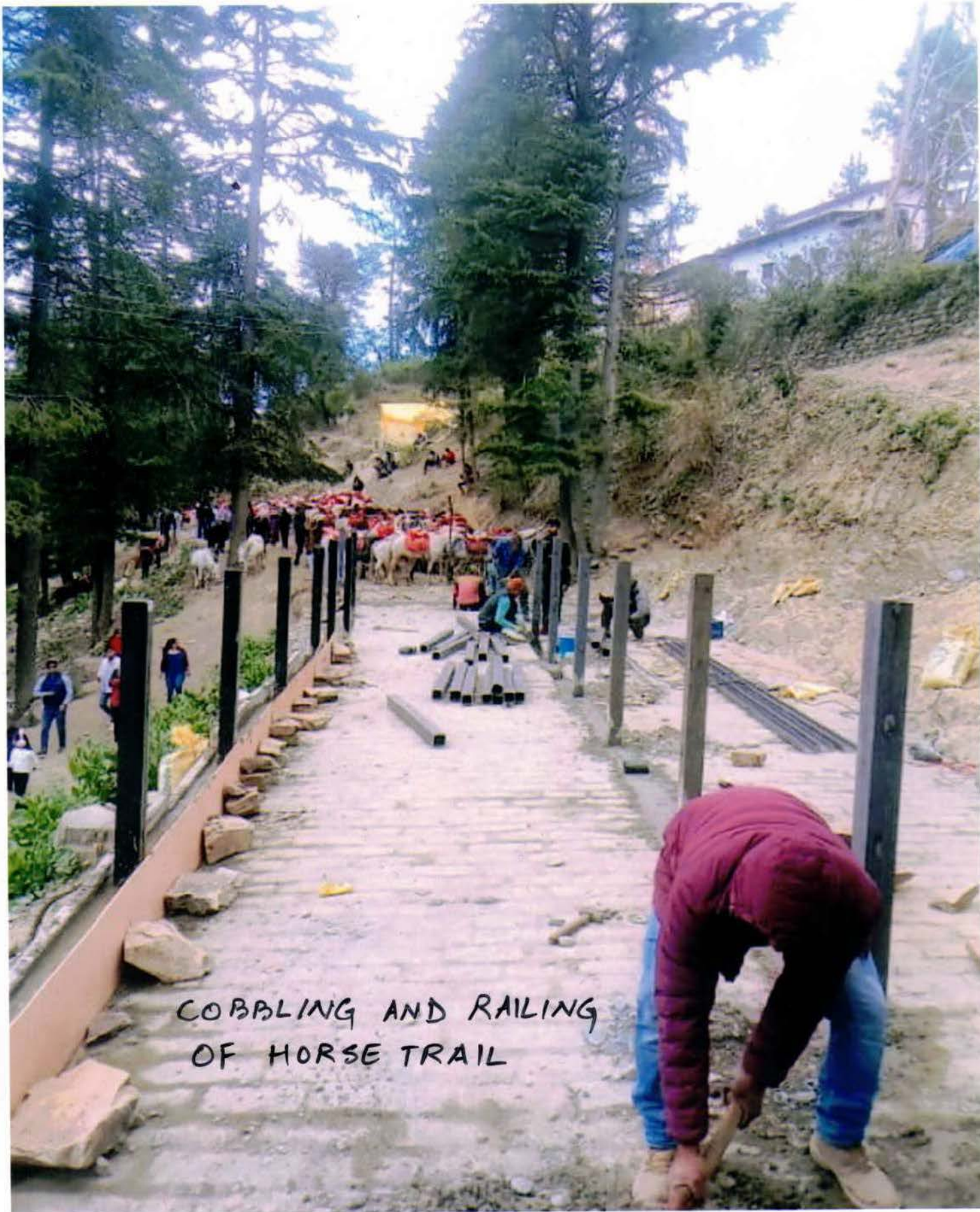
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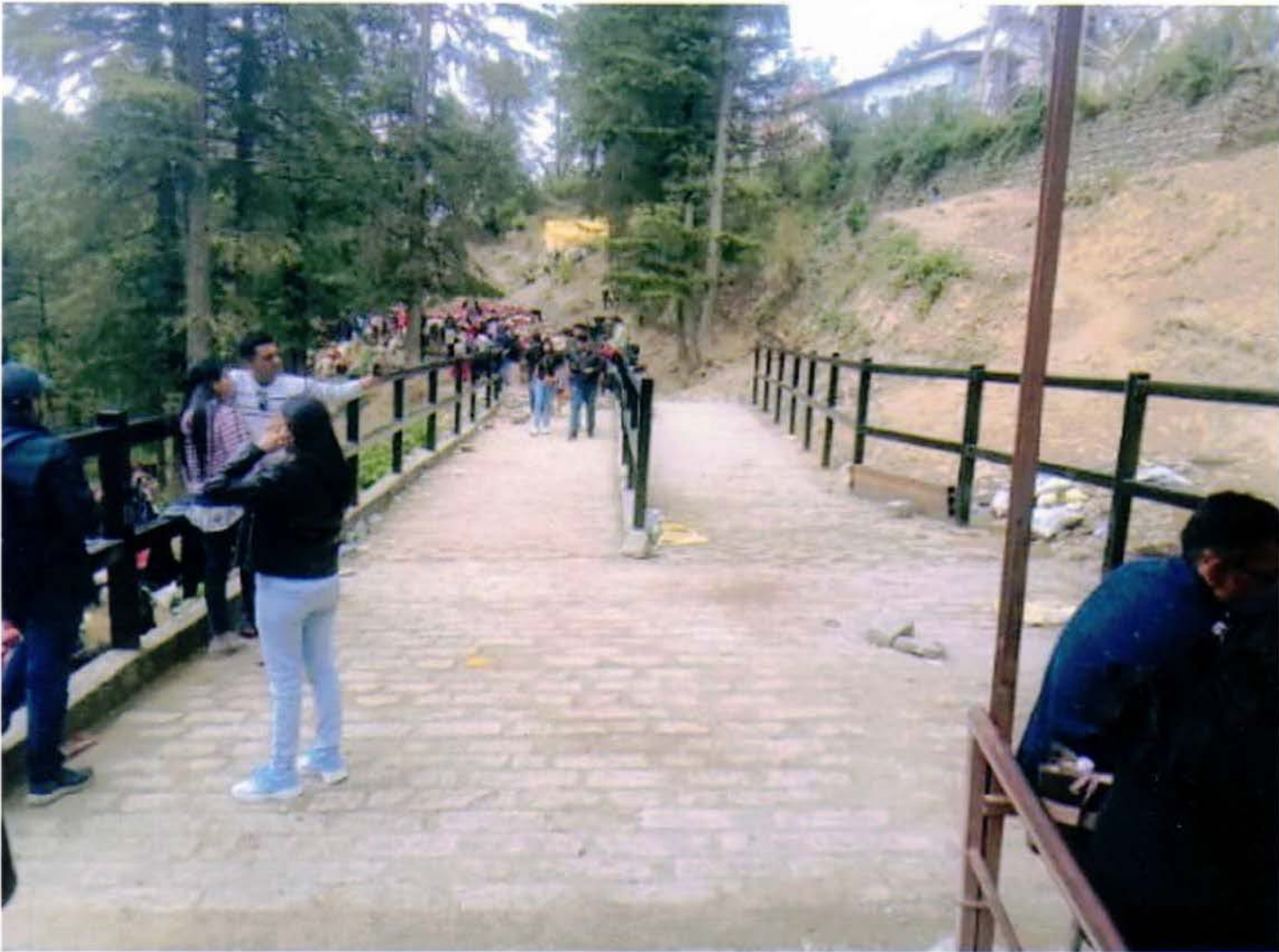


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ANNEXURE R XIII



ANNEXURE R XIII



COBBLING / RAILING OF HORSE TRAIL

ANNEXURE R XIII



DEVELOPMENT OF ENTRY GATE No. 1

ANNEXURE R XIII



TERRACED - PLATFORM AROUND TREES

ANNEXURE R XIII



BEAUTIFICATION AT MAHASU PEAK
USING TRADITIONAL THEME

ANNEXURE R XIII



BARRIER FOR REGULATION
OF HORSES

ANNEXURE R XIII



BARRIER TO RESTRICT
ENTRY OF VEHICLES

ANNEXURE R XIII

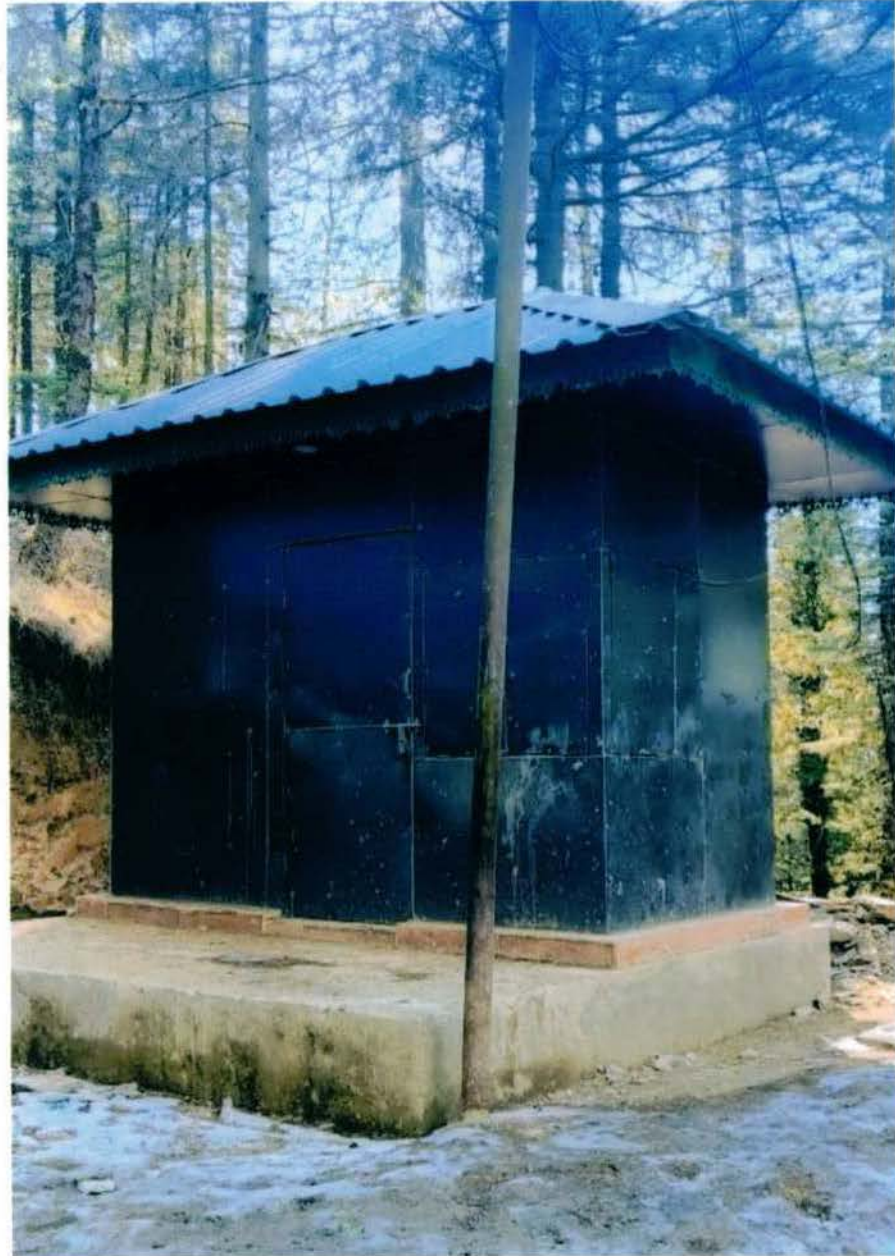


ANNEXURE R XIII



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ANNEXURE R XIII



SECURITY CABIN

ANNEXURE R XIII



AFFORESTATION ACTIVITIES DURING MONSOONS

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ANNEXURE R XIII



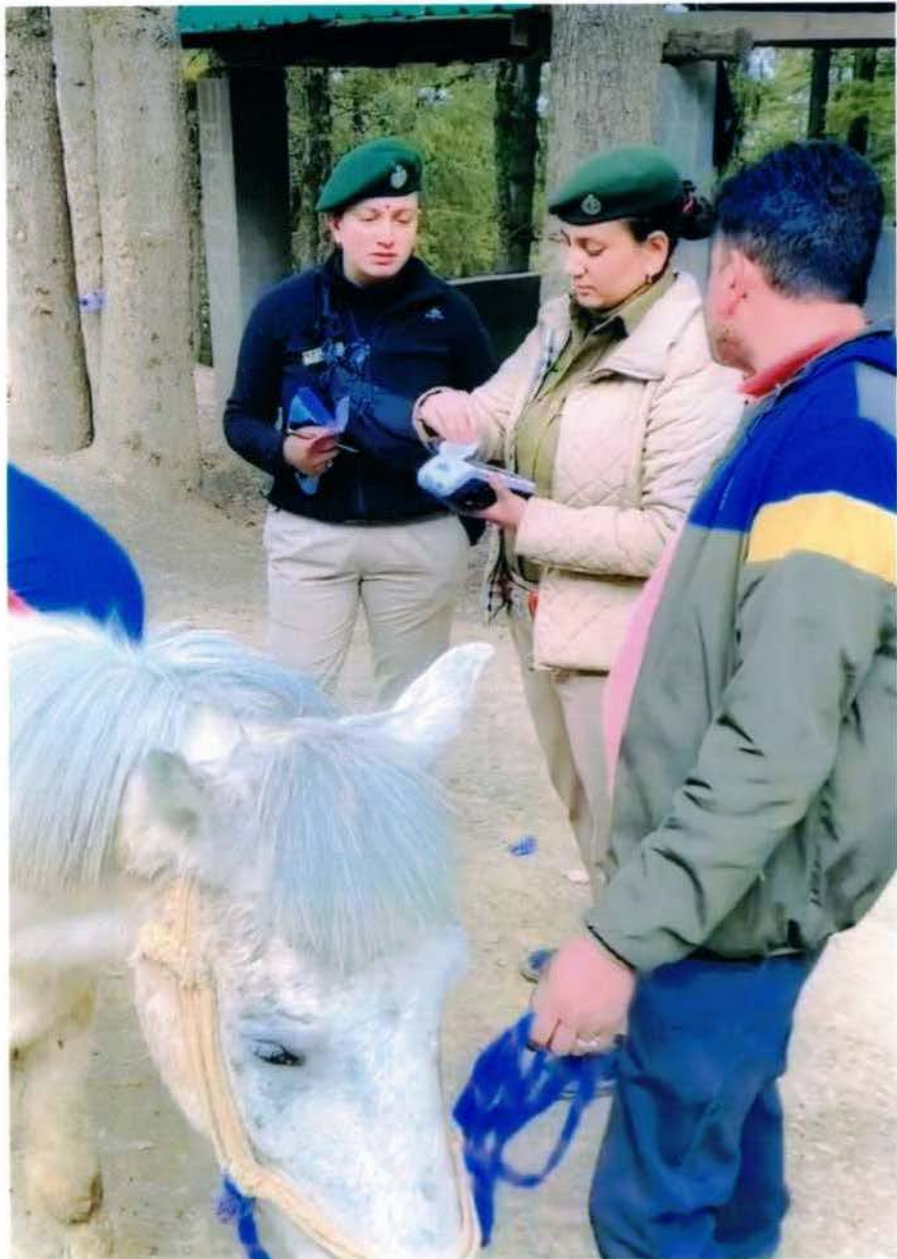
PROTECTION OF EARLIER PLANTED SAPLINGS

ANNEXURE XIII



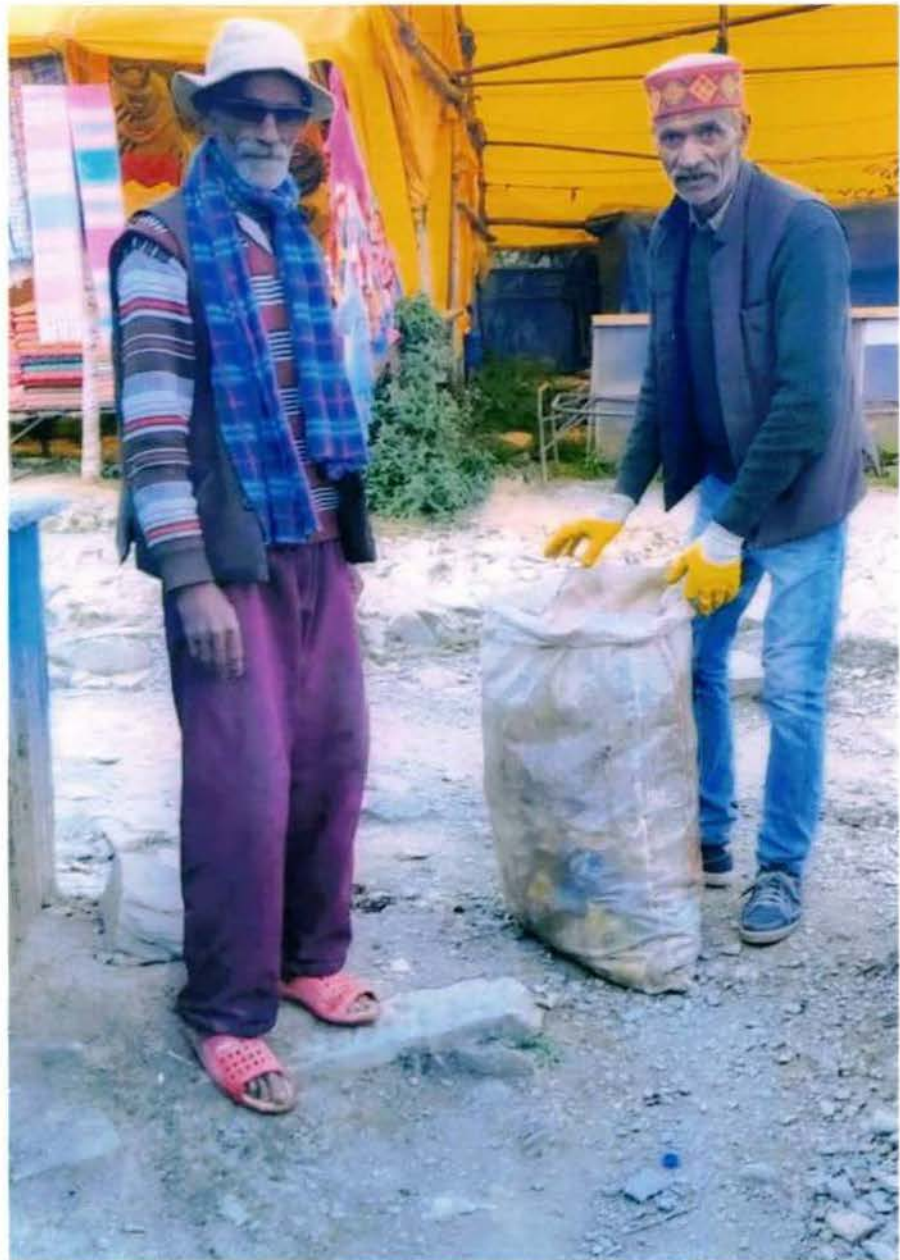
TICKETING MACHINES

ANNEXURE R XIII



COLLECTION OF ENTRY FEES USING
TICKETING MACHINES

ANNEXURE R XIII



COLLECTION OF PLASTIC GARBAGE
AT MAHASU PEAK

ANNEXURE R XIII



GARBAGE DISPOSAL BY
SOLID WASTE - MANAGEMENT UNIT

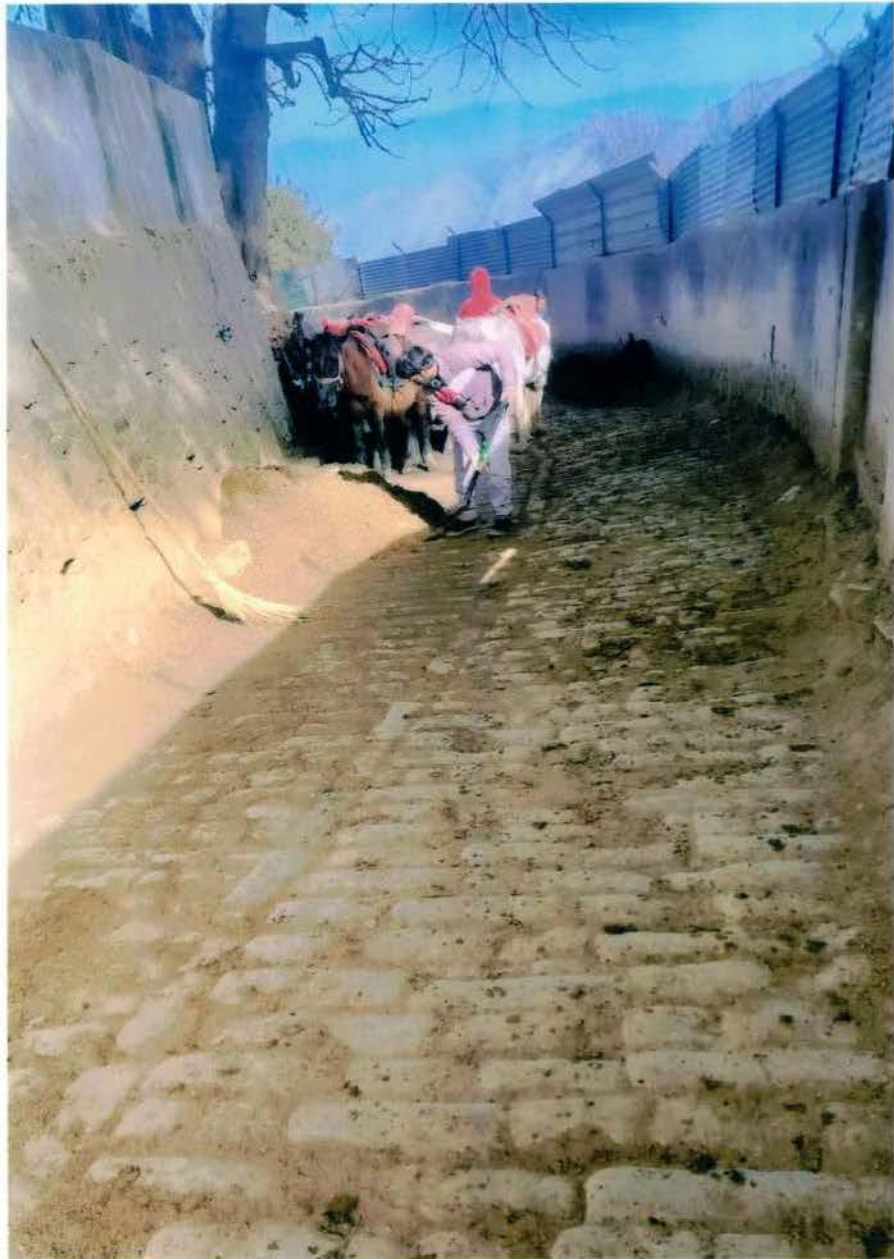
ANNEXURE R XIII



BEFORE CLEANING

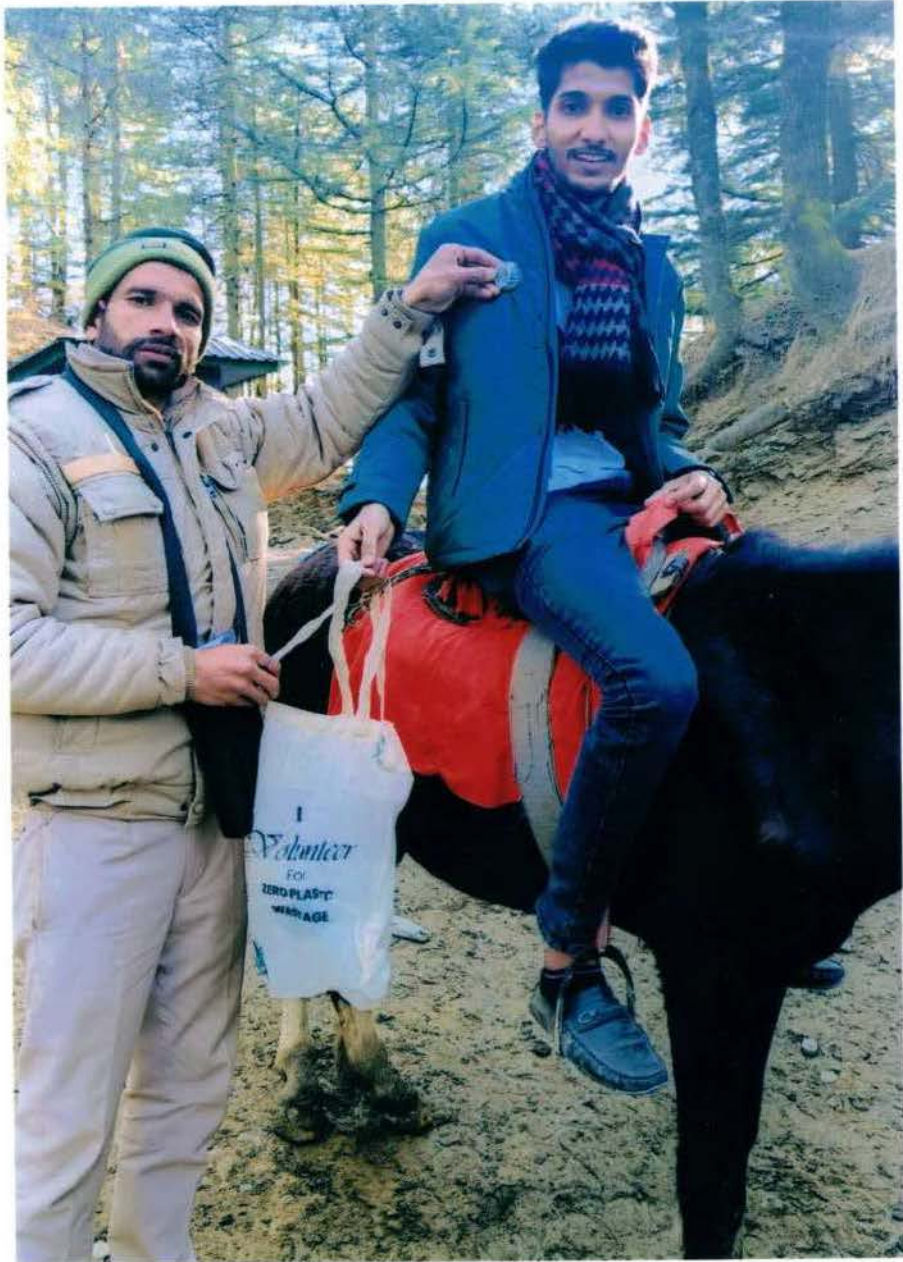
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ANNEXURE R XIII



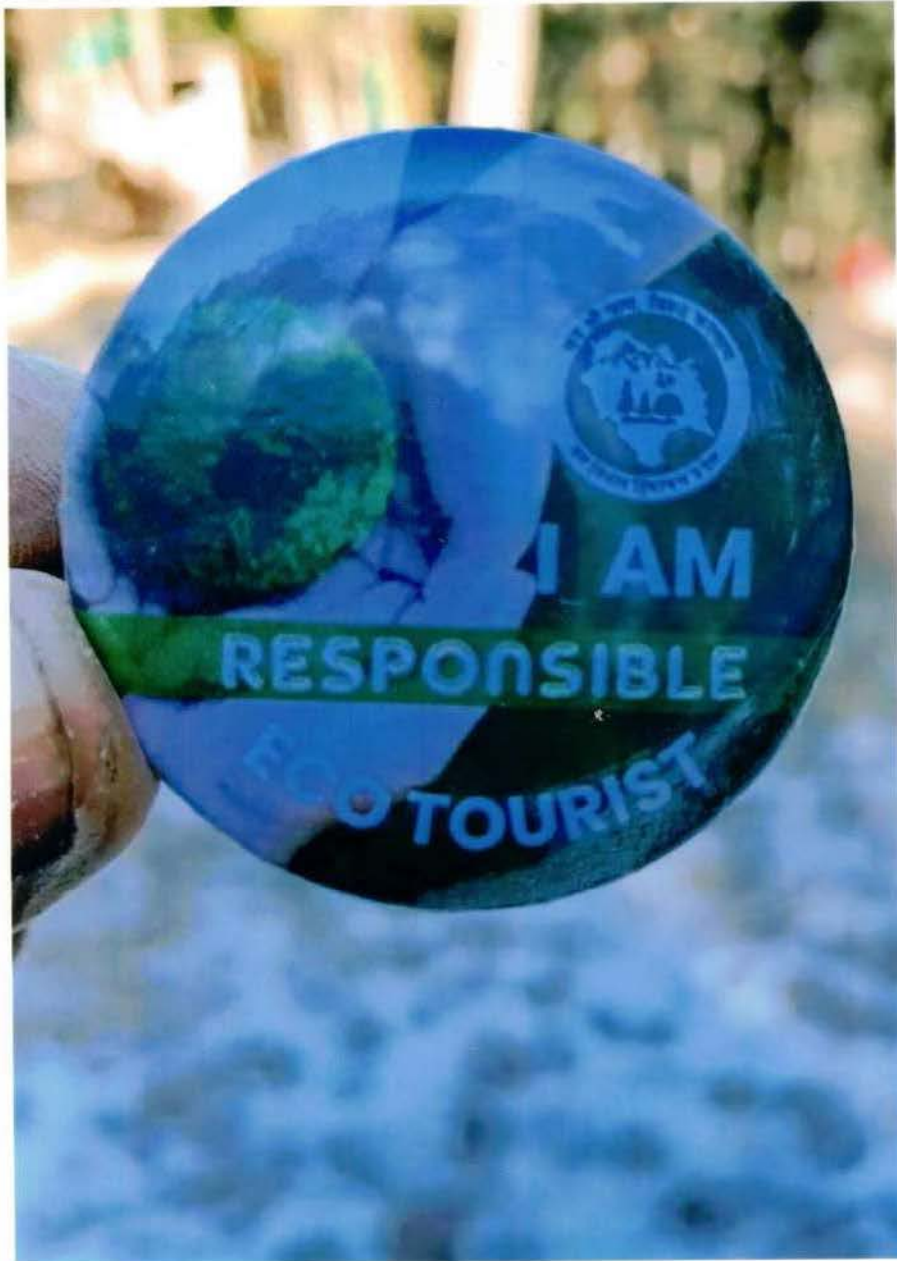
AFTER CLEANING

ANNEXURE XIV



SANITATION AWARENESS AMONG
INCOMING TOURISTS

ANNEXURE R XIV



AWARENESS BADGE