



Government of Jammu and Kashmir,  
Forest, Ecology & Environment Department  
Civil Secretariat, Jammu/Srinagar

Consultant (Judicial),  
Hon'ble National Green Tribunal,  
Principal Bench, New Delhi.

No.FST-Lit/96/2024(7419583)

Dated.18-04-2024

Subject: OA. No.129/2024 - News Item titled "Forest land five times Delhi's geographical area under encroachment govt. data shows" appearing in Deccan Herald dated 05.01.2024.

Sir,

With reference to the subject captioned above, I am directed to forward a copy of Action Taken Report in compliance with the order dated 09.02.2024 passed by the Hon'ble Tribunal in the afore-cited matter and to request you to place the same before the Hon'ble Tribunal, for its kind consideration.

Yours faithfully,

(Pardeep Kumar), IAS

Secretary in the Forest, Ecology &  
Env. Department

Encl:As above.

Copy (with enclosures) to the:-

1. Assistant Inspector General of Forests, Ministry of Environment, Forest and Climate Change, Government of India, New Delhi for kind information and necessary action. This is in reference to communication No. E.No.8/4/2024-FPD dated 26<sup>th</sup> February, 2024.
2. Shri Parth Awasthi, Additional Standing Counsel for Government of J&K in Hon'ble National Green Tribunal-Principal Bench, New Delhi, for information and necessary action.

**Action Taken Report in compliance with the order dated 09.02.2024 passed by the Hon'ble National Green Tribunal in O.A. No. 129/2024 in News Item titled "Forest land five times Delhi's geographical area under encroachment govt. data shows" published in Deccan Herald dated 05.01.2024.**

D) That at the very outset, it is stated that the Hon'ble National Green Tribunal taking note of the News Item titled "Forest land five times Delhi's geographical area under encroachment govt. data shows" published in Deccan Herald dated 05.01.2024 was pleased to pass an order dated 09.02.2024 in O.A. No. 129/2024, which reads as under: -

*"1. This original application under section 14 and 15 of National Green Tribunal Act, 2010 (hereinafter referred to as "NGT Act, 2010") has been registered exercising suo-moto jurisdiction in view of a newspaper report published in daily newspaper "Deccan Herald" dated 05.01.2024 under the title "Forest land five times Delhi's geographical area Under encroachment govt. data shows".*

*2. It is said that across the country there is large encroachment on forest land and broadly more than 7500 square kilometers of the recorded forest area of a total 7,75,288 square kilometers across the country has been encroached upon but no action has been taken by the concerned authorities in this matter. 56 percent of the forest area under encroachment falls under states of Assam, Arunachal Pradesh, Mizoram, Meghalaya, Tripura and Manipur.*

*3. The issue raised in the report is very serious and if the factum that no action has been taken by the authorities is correct that would make the matter more serious requiring immediate attention and action.*

*4. In our view, substantial question relating to environment has arisen.*

5. Mr. Ravinder Kr. Gupta, learned counsel has put in appearance on behalf of Ministry of Environment, Forest & Climate Change (hereinafter referred to as 'MoEF & CC') and states that since the matter relates to various state governments, the ministry has asked the concerned governments to take appropriate action and he may be granted some time to file his response to place on record the action taken by the ministry.

6. We also find that since the issue involves all the States and Union Territories across the country. Additional Chief Secretary/Principal Secretary of Environment & Forests of all the States and Union Territories be impleaded as respondents as under:

...(15) Commissioner/Secretary to the Government, Department of Forest, Government of Jammu & Kashmir, Srinagar...

7. Let notice be issued to all the respondents except MoEF&CC which is already represented. Respondents may file their response within two months by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

8. List on 19.04.2024.”

- II)** That it is further stated that in compliance with the aforesaid direction of the Hon'ble Tribunal, Principal Chief Conservator of Forests & HoFF, J&K vide this department's communication No. FST-Lit/96/2024(7419583) dated 12-03-2024 was requested to take necessary action in the matter and thereafter furnish Action Taken Report by or before 13.03.2024 positively, for its onward submission to the Hon'ble Tribunal and concerned Ministry, which was followed by reminders dated 28-03-2024 and dated 12-04-2024 (Copies jointly attached as **Annexure-I**).
- III)** That after vigorously pursuing the matter with the office of Principal Chief Conservator of Forests & HoFF, J&K, office of the Principal Chief Conservator of

Forests & HoFF, J&K vide its communication No. PCCF/Coord/Encroachment/1052 dated 15-04-2024 submitted the information/data regarding the area under encroachment and evictions made thereof, so far, with the further mention in the communication (supra) that the department is continuously conducting eviction drives to retrieve forest land in Union Territory of J&K. A copy of aforesaid communication dated 15.04.2024 along with its enclosure are jointly enclosed herewith as **Annexure-II**, for kind perusal and consideration of this Hon'ble Tribunal.

- IV) That it is apposite to state that the information/data furnished by the office of PCCF (HoFF), J&K was examined in the department in light of the aforesaid direction of this Hon'ble Tribunal and found insufficient/incomplete. Accordingly, a meeting on the subject was convened today on 18.04.2024 and various directions were passed to the field formations on the subject. A copy of record note of the meeting dated 18.04.2024 is enclosed herewith as **Annexure-III**, for kind perusal and consideration of this Hon'ble Tribunal.

In the premises, it is prayed that keeping in view the above made submissions and those to be urged at the time of hearing, this Hon'ble Tribunal may be pleased to further grant one month time to the answering respondent, to file a supplementary compliance report in the matter.



(Dheeraj Gupta), IAS  
Financial Commissioner (Additional Chief Secretary)

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Government of Jammu and Kashmir  
Forest, Ecology & Environment Department  
Civil Secretariat, Jammu/Srinagar

Annexure 'I'

**TIME BOUND**  
**NGT MATTER**

Principal Chief Conservator of Forests & HoFF,  
J&K.

FST-Lit/96/2024(7419583)

Dated:12-03-2024

**Subject: OA No.129/2024 In re:News Item titled "Forest land five times Delhi's geographical area Under encroachment govt. data shows" appearing in Deccan Herald dated 05.01.2024.**

Sir,

I am directed to forward herewith a copy of Notice dated 19-02-2024 alongwith its enclosures received from Consultant (Judicial), National Green Tribunal, New Delhi and a copy of reference No. E.No.8/4/2024-FPD dated 26-02-2024 received from Ministry of Environment, Forest and Climate Change, Government of India, New Delhi, on the above captioned subject, and to invite kind attention to letter No.PCCF/Lit/NGT/OA/GA/2024/494-96 dated 26-02-2024, with the request to kindly take necessary action in the matter and **furnish action taken report by or before 13.03.2024 positively** for its onward submission to the Hon'ble NGT/concerned Ministry.

Yours faithfully,

  
(Abid Khan) 12/3/2024

Under Secretary to the Government

Encls:A/A.

RS  
12/3

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Government of Jammu and Kashmir  
Forest, Ecology & Environment Department  
Civil Secretariat, Jammu/Srinagar

**TIME BOUND**  
**REMINDER-I**

Principal Chief Conservator of Forests & HoFF,  
J&K.

FST-Lit/96/2024(7419583)

Dated:28-03-2024

**Subject: OA No.129/2024 In re:News Item titled "Forest land five times Delhi's geographical area Under encroachment govt. data shows" appearing in Deccan Herald dated 05.01.2024.**

Sir,

I am directed to invite your kind attention to this department's letter of even no. dated 12-03-2024 (copy enclosed), regarding the subject cited above, and to say that the requisite ATR in the matter is still awaited which may kindly be furnished by or before 01-04-2024 positively.

Yours faithfully,

(Abid Khan) 28/3/2024

Under Secretary to the Government

Encls:A/A.

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Government of Jammu and Kashmir  
Forest, Ecology & Environment Department  
Civil Secretariat, Jammu/Srinagar

**Most Urgent**  
**Reminder-II**

Principal Chief Conservator of Forests & HoFF,  
J&K.

No:- FST-Lit/96/2024(7419583)

Dated:-12.04.2024

Subject:- O.A No. 129/2024 In re: News item titled "Forest land five times Delhi's geographical area under encroachment govt. data shows" appearing in Deccan Herald dated 05.01.2024.

Sir,

I am directed to invite your kind attention to this department's letter of even No. Dated 12.03.2024 followed by reminder dated 28.03.2024, regarding the subject cited above and to say that the requisite ATR in the matter is still awaited which may kindly be furnished today positively.

Yours faithfully,

  
(Abid Khan)-12/4/2024

Under Secretary to the Government

  
12/4

Government of Jammu and Kashmir  
Office of the Pr. Chief Conservator of Forests & HoFF  
Jammu and Kashmir.

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The Financial Commissioner,  
(Additional Chief Secretary),  
Department of Forest, Ecology & Environment,  
Civil Secretariat Jammu/Srinagar.

No. PCCF/ Coord/ Encroachment/1052

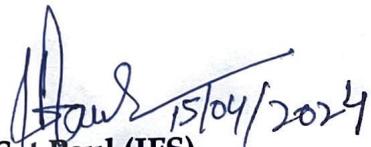
Dated: 15-04-2024

**Subject:** OA No. 129/2024 in re: News Item titled "Forest land five times Delhi's geographical area under encroachment govt. data shown" appearing in Deccan Herald dated 05-01-2024.

Sir,

Kindly refer your letter No: FST-Lit/96/2024 (7419583) dated 12-03-2024 regarding the subject cite above. In this connection, I am directed to forward herewith a copy of desired information for necessary action as annexure "A" at your end. Further the department is continuously conducting eviction drives to retrieve forest land in UT of J&K.

Yours faithfully,

  
Sat Paul (IFS),  
Chief Conservator of Forests,  
(Central)

Copy for information to the:

1. Pvt. Sectt. To PCCF& HoFF for information to PCCF & HoFF.

## Area of Forest Land under Encroachment in UT of Jammu and Kashmir.

S.No	Region	Area under encroachment upto ending 31-03-2023 (OB as on 1 <sup>st</sup> April 2023)		Area evicted upto ending 31-03-2024		Area under encroachment as on date.	
		No of cases	Area (in Ha.)	No of cases	Area (in Ha.)	No of cases	Area in Ha.
1	Jammu	42764	13842.68	642	181.23	42122	13661.45
2	Kashmir	29461	6238.34	918	177.52	28543	6060.82
	<b>Total</b>	<b>72225</b>	<b>20081.02</b>	<b>1560</b>	<b>358.75</b>	<b>70665</b>	<b>19722.27</b>





Government of Jammu and Kashmir,  
Forest, Ecology & Environment Department  
Civil Secretariat, Jammu/Srinagar

**Record Note of the meeting held under the Chairmanship of Financial Commissioner (Additional Chief Secretary), Forest, Ecology & Environment Department on 18.04.2024 at 12.00 noon, to discuss the directions passed in OA No.129/2024 in News Item titled "Forest land five times Delhi's geographical area under encroachment govt. data shows" appearing in Deccan Herald dated 05.01.2024.**

A meeting to discuss and finalize the response of the Department in compliance to the directions of the NGT, passed in OA No.129/2024 in News Item titled "Forest land five times Delhi's geographical area under encroachment govt. data shows" appearing in Deccan Herald dated 05.01.2024, was held under the chairmanship of Financial Commissioner (Additional Chief Secretary), Forest, Ecology & Environment Department on 18.04.2024 at 12 noon in his office chambers at Civil Secretariat, Jammu.

2. The following officers were present in the Meeting:-

1. Principal Chief Conservator of Forests & HoFF, J&K.
2. APCCF/CCF, Kashmir/Jammu.
3. Secretary in the Forest, Ecology & Environment Department.
4. Additional Secretary (Legal), Forest, Ecology & Environment Department.

3. At the outset, the meeting was informed that the Principal Chief Conservator of Forests & HoFF, J&K vide this department's communication No. FST-Lit/96/2024(7419583) dated 12-03-2024 was requested to take necessary action in the matter and thereafter furnish Action Taken Report by or before 13.03.2024 positively, for its onward submission to the Hon'ble Tribunal and concerned Ministry, which was followed by reminders dated 28-03-2024 and dated 12-04-2024. After vigorously pursuing the matter with the office of Principal Chief Conservator of Forests & HoFF, J&K, office of the Principal Chief Conservator of Forests & HoFF, J&K vide its communication No. PCCF/Coord/Encroachment/1052 dated 15-04-2024 submitted the information/data regarding the area under encroachment and evictions made thereof, so far, with the further mention in the communication (supra) that the department is continuously conducting eviction drives to retrieve forest land in Union Territory of J&K.

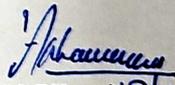
4. Noting that the response of the PCCF J&K as unduly delayed, casual and incomplete, he expressed his concern over the manner the matter was handled, and compliance reported.

PCCF & HoFF, J&K was accordingly asked to separately furnish reasons for delayed and incomplete submission of the compliance report.

5. Noting that the aforesaid order was not put up to him as late as 16/4/2024, he instructed that the office shall ensure that all orders passed by the Hon'ble National Green Tribunal in different cases are put up for his information immediately. Further, the PCCF was also asked to ensure that all orders of Hon'ble NGT received by him should be complied with and requisite information/response is sent to Administrative Department without any delay in future.

6. Following decisions were taken: -

1. Administrative Department will file interim compliance report before the Hon'ble National Green Tribunal on the basis of the present information furnished by the PCCF & HoFF, J&K and seek one month time from the Hon'ble National Green Tribunal to file supplementary compliance report containing full details to be furnished by PCCF & HoFF, J&K.
2. The details shall include interalia, full details of the encroachments, division wise, giving full particulars of the encroacher, the area encroached, the type of use, whether in Municipal Limit or otherwise. The report shall also reveal the action taken by the Forest Department to evict encroachers in the last 5 years.
3. The status of encroachment of forest land shall be updated within two weeks by the office of Principal Chief Conservator of Forests & HoFF, J&K and thereafter shall submit the updated report to the Administrative Department.
4. Wherever the process of demarcation of forest land is still going on, PCCF & HoFF, J&K shall ensure that mapping of encroachments should be done simultaneously. In the areas where the process of demarcation has already been completed, the mapping of encroached area shall be taken up separately and completed in a time-bound manner.

  
(Abid Khan) 18/4/2024  
Under Secretary to the Government

No.FST-Lit/96/2024(7419583)

Dated.18-04-2024

Copy to the:-

1. Principal Chief Conservator of Forests & HoFF, J&K.
2. APCCF, Kashmir/Jammu.
3. Secretary in the Forest, Ecology & Environment Department.
4. Additional Secretary (Legal), Forest, Ecology & Environment Department
5. Private Secretary to Financial Commissioner (ACS), Forest, Ecology & Environment Department.