

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

Original Application No. 129/2024

IN THE MATTER OF:-

News Items titled "Forest land five items
Delhi's geographical area Under
encroachment govt. data shows"
appearing in Deccan Herald dated 05.01.2024.

.....Applicant

VERSUS

Mr. Ravinder Kr. Gupta and Mr. Varun Gupta, Advs. For MoEF&CC (through VC)

.....Respondents.

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Pr. Chief Conservator of Forest (HoFF), Shimla
Himachal Pradesh

Dated: 30/3/2024.
Place: Shimla

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**The Reply to the OA on Behalf of Respondent No 13 of HP Forest Department in
compliance to order dated 09.02.2024.**

May it please your lordships:-

Para 1: That the contents of this para needs no submission by the replying respondent.

Para 2: In this regard, it is informed that in the State of Himachal Pradesh, 7621 Numbers of cases of illegal occupation are pending with concerned DFOs under HP Public Premises land (Eviction & Rent Recovery) Act, 1971 and other related Courts. The Forest Department is taking timely action to evict illegal occupation from time to time based on the outcome of the cases delivered by the respective courts.

Para 3: Para supra Forest Department is taking timely action to evict illegal occupants and protect forest wealth. In addition, regular Monitoring and Evolution is done at higher level to process these cases expeditiously to protect the forest and environment. The Forest Department has developed a web-portal with the name Monitoring of Forest Encroachment Eviction System (MoFEES) to track these cases. The latest summary of the pending cases in different parts of State is attached as Annexure-1.

That the response of the H.P. Forest Department is hereby submitted for kind perusal and consideration of the Hon'ble National Green Tribunal, please.

In compliance the reply being submitted to NGT in the searchable PDF.



Pr. Chief Conservator of Forest (HoFF), Shimla
Himachal Pradesh

Dated: 30/3/2024

Place: Shimla

Status of Monitoring of Forest Encroachment Eviction System (MoFEES) as on dated 06-03-2024

Total No. of Encroachments Detected	Total No. of Encroachments Decided	Total No. of Encroachments Evicted	Pending Cases
12030	5491	4409	7621 ✓

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Attested to be true copy


Superintendent
Grade-I
O/o PCCF (MoEF), H.P. Shimla-1

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BEFORE THE NATIONAL GREEN TRIBUNAL
(PRINCIPAL BENCH), NEW DELHI
ORIGINAL APPLICATION NO.129/2024

IN THE MATTER OF:

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AFFIDAVIT

I, Rajiv Kumar, S/o Sh. Inderjit Kumar about, 59 years, presently posted as Principal Chief Conservator Forests (HoFF), Shimla, Himachal Pradesh having office at Shimla do hereby solemnly affirm and state as under: -

1. That I am the authorised signatory for the State of Himachal Pradesh in the captioned matter. 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.

*Subscribed
Identified by*

ATTESTED
OATH COMMISSIONER


Principal Chief Conservator of Forests
(Head of Forest Force)
Himachal Pradesh, Shimla-1
DEPONENT

VERIFICATION

I, the Deponent abovenamed, 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 Shimla on this 30th day of March 2024.

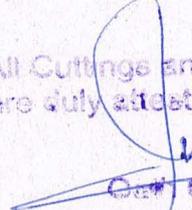

Principal Chief Conservator of Forests
(Head of Forest Force)
Himachal Pradesh, Shimla-1
DEPONENT

I, the undersigned, who is personally known to the deponent in the above affidavit have read over & explained to the deponent in the contents of the above affidavit who admitted them to be correct and true at the time of making thereof.

30-3-24
Rajiv Kumar
Deponent

30-3-24
Oath Commissioner
High Court, Shimla

All Cuttings and Corrections are duly attested by me.


Oath Commissioner

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VAKALTNAMA

KNOW ALL to whom these presents shall come that I/we Rajiv Kumar
working as Asst. CCF (Hoff) Shimla J.P. in the State of
Himachal Pradesh, do hereby appoint SHRI DIVYANSHU SRIVASTAVA (D/1383/2015),
hereinafter called the Advocate to be My/our Advocates in the above noted case and authorize
them/him:

- a) To act, appear and plead in the above noted case in this court in any other court in which the same may be tried or heard and also in the appellate courts.
- b) To sign, file, verify and present pleading, applications, appeals, cross-objections or petitions for execution, review, revision, withdrawal, compromise or other petition, replies, objections affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages.
- c) To file and take back documents.
- d) To withdraw, or compromise the said case or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case.
- e) To take out execution proceedings.
- f) To deposit, draw and receive moneys, cheques and grant receipts therefor and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case.
- g) To appoint and instruct any other Legal Practitioner authorising him to exercise the powers and authorities hereby conferred upon the Advocate whenever he may think fit to do so and to sign the power of attorney on my/our behalf.

And I/we the undersigned do hereby agree to ratify and confirm acts done by the Advocate or his substitute in the matter my/our own acts as if done by me/us to all intents and purposes.

And I/we undertake that I/we or my/our authorised agent would appear in the court on all hearings and will inform the Advocate for appearance when the case is called.

And I/we the undersigned do hereby agree not to hold the Advocate or his substitute responsible for the result of the said case in consequence of his absence from the court when the said case is called up for hearing, or for any negligence of the said Advocate or his substitute.

And I/we the undersigned do hereby agree that in the event of the whole or any part of the fee agreed by me/us to be paid to the Advocate remaining unpaid, he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. If any costs are allowed for an adjournment, the Advocate would be entitled to the same.

IN WITNESS WHERE OF I/we do hereunto set my/our hand to these presents of which have been understood by me/us this 15h day of March, 2024.

ACCEPTED:

Divyanshu

(DIVYANSHU KUMAR SRIVASTAVA)
48, Lawyer's Chamber, Supreme Court,
Tilak Marg, New Delhi -110001
Dksrivastava0511@gmail.com
9711872319

[Signature]
Principal Chief Conservator of Forests
(Head of Forest Force)
Himachal Pradesh, Shimla-1