

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

MA No.113/2024

IN

Original Application No. 173/2022

In the matter of:

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

.....**PETITIONER**

VERSUS

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

.....**RESPONDENTS**

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Through

Respondent No.1

Anubhav Sharma

ANUBHAV SHARMA

S-466, 2nd Floor,

Greater Kailash-I

New Delhi, 110048

9736299505

adv.anubhav@outlook.com

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.....**RESPONDENTS**

SUPPLYMENTARY COMPLIANCE REPORT IN ORIGINAL APPLICATION NO. 173/2022 TITLED AS RAM SINGH VERSUS STATE OF H.P. & ORS. ON BEHALF OF GOVERNMENT OF HIMACHAL PRADESH, BY WAY OF AFFIDAVIT,

MAY IT PLEASE YOUR LORDSHIPS:

I, K. Thirumal S/o Shri K. Kannan aged 44 years, presently working as Chief Conservator of Forests, Wildlife Circle (South) Shimla, HP Forest Department, do hereby solemnly affirm and declare on oath as under: -

1. That the deponent is competent to file this affidavit on behalf of Forest Department of State of HP.

11/08/2025
 Chief Conservator of Forests,
 Wildlife (South), Shimla-171002

ATTESTED

Executive Magistrate
 H.P. Sectt., Shimla

2. That the contents of the Affidavits filed by the Deponent before this Hon'ble Tribunal may be read as part and parcel of the present affidavit, and the contents thereof are not being repeated for the sake of brevity.
3. That at the outset the Deponent states that it has the highest regard and respect to the orders passed by this Hon'ble Tribunal and there is no intention to not comply with any direction which may be passed by this Hon'ble Tribunal or any Courts in India. The Deponent being a responsible public servant, understands that it is his duty both as a Citizen of India as well as on account of his being a public servant to abide by and implement the orders, directions and judgments passed by this Hon'ble Tribunal. The replying Deponent/respondent No.1 tenders his unconditional and unqualified apology for any act of omission or commission on his part which has caused inconvenience to this Hon'ble Tribunal and given the impression that the replying respondent has disobeyed orders passed by this Hon'ble Tribunal.
4. That the Forest Advisory committee on dated 30/07/2025 decided to 'defer' the proposal with following observations:

"1. State Government shall complete the action taken against the User Agency under IFA, 1927 and submit an updated action taken report.

2. State Government shall submit the action taken against the officials concerned for not being able to prevent the use of forest land for non forestry purpose.

11/08/2024
Chief Conservator of Forests,
Wildlife (South), Shimla-171002

ATTESTED

Executive Magistrate
H.P. Sectt., Shimla

3. State Government shall submit a wildlife management plan duly approved by the Chief Wildlife Warden, Himachal Pradesh.

5. That, it is humbly submitted that User agency vide Range Forest Officer Tabo letter No. 75/T dated 16/11/2022 and 79/T dated 13/12/2022 asked the user agency to deposit the penalty amounting to Rs. 1,49,10,000/- for unauthorized construction of road from Poh maidan to Dhankar Helipad. Vide Deputy Conservator of forests, Wildlife Division Spiti office letter No. 939 dated 11/08/2025 User Agency was again requested to deposit the penalty amount annexed as Annexure-I. Vide Deputy Conservator of forests, Wildlife Division Spiti office letter No. 3281 dated 24/12/2024 requested Superintendent of Police Lahaul and Spiti to submit the status of FIR alongwith action taken report regarding illegal road construction from Gecha to Dhankar Helipad. The reply from Superintendent of Police Lahaul and Spiti received in the office of Deputy Conservator of Forests, Wildlife Division Spiti vide his office letter No. 813 dated 09/01/2025 is annexed as Annexure II.

6. That, as per direction given by Hon'ble National Green Tribunal on dated 18.03.2025, departmental disciplinary proceedings have been initiated against the officer/ Official responsible for the violation, the detail is annexed as Annexure-III. Show cause notice has been issued from Pr. CCF (HoFF) HP was served to Sh. Hardev Singh Negi HPFS and Sh. Rajeev Kumar Sharma HPFS (Retd.) vide letter No. FFE-A (B) 14-7/2025 dated 26/04/2025, Sh. Dorje

11/08/2025
 Chief Conservator of Forests,
 Wildlife (South), Shimla-171002

ATTESTED

Executive Magistrate
 H.P. Sectt., Shimla

Namgyal, RFO (Retd) vide letter No. 3157 dated 09/01/2025, Sh. Chhewang Angrup DR, Hansa Block the then I/C Sichiling block vide letter No 3160 dated 09/01/2025, Sh. Palvinder Forest Guard, RRC Tuti Kandi the then I/C Sichiling Beat vide letter No. 3159 dated 09/01/2025 and Sh. Devender Sharma Forest Guard, HNP Kufri the then I/C Poh Beat vide letter No. 3158 dated 09/01/2025, thereafter Charge Sheet to Sh. Chhewang Angrup DR, Sh. Palvinder Forest Guard and Sh. Davender Kumar Forest Guard, the responsible officer/officials have been framed and the inquiry process has been initiated.

7. That, the abstract of Wildlife Management Plan has been submitted in Parivesh Portal annexed as Annexure -IV . The preparation of Wildlife Management Plan is under preparation and will be submitted shortly for the approval of the Chief Wildlife Warden Himachal Pradesh.
8. That, the respondent seeks more time from Hon'ble National Green Tribunal, so that all necessary compliance as per previous Court order can be done at the earliest.
9. That, the replying Respondent has been making all efforts to implement the orders of this Hon'ble National Green Tribunal and the deponent assures that the orders of the Hon'ble Tribunal will be implemented in letter and spirit.
10. In view of the averments made hereinabove, the compliance report by way of affidavit may kindly be taken on record and appropriate orders as deemed fit and proper in the facts and circumstances of the case may kindly be passed, in the interest of justice.

11/08/2025
 Chief Conservator of Forests,
 Wildlife (South), Shimla-171002

ATTESTED

Executive Magistra
 H.P. Sectt., Shimla

11/08/2025
 Deponent
 Chief Conservator of Forests,
 Wildlife (South), Shimla-171002

Verification:-

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

Verified at Shimla on this 11th day of August, 2025.

11/08/2025

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

ATTESTED

Executive Magistrate
H.P. Sectt., Shimla

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Declared before me on 11th day of August
2025 on oath (Solemnly Affixation)
by Shri L. K. Thirumal, Chief Conservator of
who is personally known to the or who forest
has been identified by Sh. Mohaulal
who is personally known to me.

Supdt Grade-1
of CCF, wildlife
H.P.

Executive Magistrate
H.P. Sectt., Shimla

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6

OFFICE OF DEPUTY CONSERVATOR OF FORESTS
WILDLIFE DIVISION SPITI AT KAZA
Email: head-fordivwlspi-hp@hp.gov.in
Ph.01906-299024

No. WL Spiti /FCA/ 939

Dated: Kaza the, 11/08/2025

From:- Deputy Conservator of Forests
Spiti Wildlife Division

To:- Executive Engineer
HPPWD, Spiti at Kaza

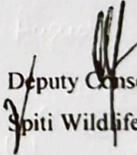
Subject:- Regarding online FC proposal Construction of Road from Poh Maidan to
Dankhar Helipad.

Memo

In continuation to Range Forest Officer ,Tabo office letter No. 75/T dated 16/11/2022 and 79/T dated 13/12/2022 regarding Penalty for Forest Offence for Construction of road without permission from Poh Maidan to Dankhar Helipad..

It is once again requested to deposit the penalty amount for Rs 1,49,10,000/- as soon as possible so that the departmental action against you could be avoided as the damage report had already been time barred.

This is for your kind information and further necessary action please.

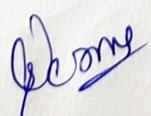

Deputy Conservator of Forests
Spiti Wildlife Division

Endst. No. Dated

Copy forwarded to:

1. Conservator of Forests Wildlife (South), Shimla for the favour of kind information please.
2. RO Tabo for information and necessary action. He is directed to challan in the court of law immediately.

Deputy Conservator of Forests
Spiti Wildlife Division


Divisional Forest Officer (HQ),
Shimla Forest Circle, Shimla

क्रमांक: - शि09710/2024- 8/3

दिनांक: - 09-01-2025

प्रेषित

उप-वन संरक्षक,
स्पिति वन्यजीव प्रभाग स्थित काजा।

विषय:-

Registration of FIR under Section 2 of the Forest Conservation Act, 1980 regarding illegal road construction from Geecha to Dhankar Helipad.

महोदय,

आपके कार्यालय के पत्र संख्या 3281 दिनांक 24.12.24 के संदर्भ में प्रेषित है कि उपरोक्त शिकायत पत्र की छानबीन उप निरीक्षक जगदीश चन्द प्रभारी पुलिस थाना काजा द्वारा अमल में लाई गई। मौका तथा संबंधित कागजातों का मुलाहजा करने पर पाया गया कि पोह मैदान से ढंखर हेलिपेड तक वर्तमान में करीब 12 कि०मी० के सड़क का निर्माण किया गया है। इस 12, कि०मी० के सड़क निर्माण में से करीब 9 कि०मी० सड़क के निर्माण हेतु दि०प्र०लो०नि०वि० काजा द्वारा अलग-अलग बार FRA के तहत DFO Kaza से अनुमति ली गई है परन्तु इस सड़क का हिस्सा जो की मुकाम गेचा से ढंखर हेलिपेड तक है व जिसकी लंबाई करीब 03 कि०मी० है के निर्माण से पूर्व दि०प्र०लो०नि०वि० काजा द्वारा Competent authority से कोई अनुमति नहीं ली गई है। जिस पर प्राधिकृत अधिकारी द्वारा दिनांक 02.11.2022 को इस अवैध सड़क निर्माण के लिए दि०प्र०लो०नि०वि० काजा के खिलाफ मुबलिंग 1,49,10,000/- रु० की Damage report काटी गई है। उपरोक्त मामले में माननीय NGT द्वारा पारित आदेश दिनांक 03.01.2023 में मामले का निपटारा करते हुए दि०प्र०लो०नि०वि० काजा पर किसी क्रिम का कोई जुर्माना नहीं लगाया गया है तथा दि०प्र०लो०नि०वि० काजा को Forest (Conservation) Act, 1980 तथा Forest Right Act, 2006 निहित प्रावधानों का पालन करते हुए सक्षम अधिकारी से इस सड़क के निर्माण हेतु अनुमति प्राप्त करने का निर्देश दिया गया है। उपरोक्त सड़क के निर्माण के संबंध में लोक निर्माण विभाग द्वारा परिवेश पोर्टल पर दिनांक 12.12.2024 को औपचारिकताएं पूर्ण करने हेतु तमाम दस्तावेज अपलोड किए जा चुके हैं। इस बाय में माननीय NGT की अदालत द्वारा भी आदेश पारित किए गए हैं। इस संदर्भ में जो भी अनुमति हेतु आदेश वांछित थे उसमें FRC धारंगंगुमिक मोहाल द्वारा अन्नापति प्रमाण पत्र जारी कर दिया गया है व इस विषय में माननीय जिलाधीश महोदय जिला लाहौल एवं स्पिति द्वारा FRA प्रमाण पत्र जारी कर दिया गया है तथा वन विभाग को सभी औपचारिकताओं हेतु पत्राचार किया जा चुका है।

अतः छानबीन रिपोर्ट प्रेषित की जाती है।

संलग्न

प्रतिलिपि छानबीन रिपोर्ट पुलिस थाना काजा (26 वर्क)।

भारतीय,

पुलिस अधीक्षक

लाहौल एवं स्पिति।

DFO (HQ),
O/o CCF WL(S) Shimla.

Annexure-III

List of Officers/ Officials responsible for violation in C/O of road from Poh Maidan to Dhankher road against whom the Departmental Disciplinary Proceedings have been initiated

No.	Name of Officer/Officials S/Sh.	Designation	Present place of posting
1	Rajeev Kumar Sharma, HPFS, the then DFO WL Spiti	Divisional Forest Officer	Retired
2	Hardev Singh Negi, HPFS, the then DFO WL Spiti	Divisional Forest Officer	DM, Rampur
3	Krishan Bhagat Negi, FR the then RO WL Tabo	Range Officer	Retired
4	Dorje Namgial, FR the then RO WL Tabo	Range Officer	Retired
5	Ramesh Chand, FR the then RO WL Tabo	Range Officer	Transferred to Nachan Forest Division
6	Chhewang Angrop, DR the then BO Sichiling	Deputy Ranger	BO Hansa
7	Davender Kumar, Fgd the then I/C Poh Beat	Forest Guard	HNP Kufri
8	Palvinder, Fgd the then I/C Sichiling Beat	Forest Guard	RRC Tutikandi

Devi
 Divisional Forest Officer (HQ),
 Shimla Forest Circle, Shimla

Sheet1

PROPOSED PHYSICAL ACTIVITIES AND FINANCIAL OUTLAY UNDER WILDLIFE CONSERVATION AND MITIGATION PLAN AND SOIL AND MOISTURE CONSERVATION PLAN FOR DIVERSION OF 7.1585 Ha LAND FOR CONSTRUCTION OF ROAD FROM POH MAIDAN TO DANKHAR HELIPAD, TEHSIL SPITI DISTRICT LAHAUL AND SPITI

S.No	ACTIVITY	1st year	2nd year	3rd year	Total
1	Education and awareness generation				
	Nature Education camps for School Children	25000	25000	25000	75000
	Sub Total	25000	25000	25000	75000
2	Protected Area Management				
	Habitat management & Restoration activities	100000	100000	75000	275000
	Sub Total	100000	100000	75000	275000
3	Eco Development				
	C/o Ice Stupa (Model artificial glacier)	25000	25000	25000	75000
	C/O water ponds	100000	100000	25000	225000
	Sub Total	125000	125000	50000	300000
4	Maintenance of Permanent Assets				
	Maint of Civil Infra structure	110000	110000	50000	270000
	Sub Total	110000	110000	50000	270000
5	Office Expenses				
		20000	20000	14360	54360
	Sub Total	20000	20000	14360	54360
	G.Total	380000	380000	214360	974360

Jrada
Deputy Conservator of Forests,
Spiti Wildlife Division at Kaza.

Deputy Conservator of Forest
Spiti Wildlife Division Kaza

Chief Wildlife Warden, HP.

[Signature]
Divisional Forest Officer (HQ),
Shimla Forest Circle, Shimla