

Item No.2

(Court No. 2)

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH**

(By Video Conferencing)

Original Application No. 471/2022

Kultar Singh

Applicant

Versus

Forest Department & Revenue Department

Respondents

Date of hearing: 07.07.2022

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: None.

Application under the provisions of the National Green Tribunal Act, 2010.

ORDER

1. The grievances of the applicant Jaiprakshan Shodh Sansthan with its Head office at Ghezta Niwas (Near Hari Mandir) Jubbal, District Shimla (H.P.) are that illegal encroachments have been made on forest land. Initially eviction proceedings were initiated for removal of such illegal encroachments under orders of Hon'ble High Court of Himachal Pradesh but subsequently on passing of some further orders drive has been dropped. The applicant is willing to undertake afforestation in such forest land but no land is being made available to the applicant by the Forest Department due to such illegal encroachments. The application has prayed for taking of action for protection of forests and afforestation.

2. In view of the averments made in the application, we are of the view that the factual position needs to be verified and remedial action is required to be taken on the basis thereof by the concerned Statutory Authorities. Accordingly, we constitute a Joint Committee comprising of representative of Principal Secretary Forests, Government of Himachal

Pradesh, State PCB, and District Magistrate, Shimla, Himachal Pradesh and direct the same to undertake site visits, look into the grievances of the applicant, verify the factual position and take remedial action in accordance with law by following due process within one month from the date of receipt of a copy of this order. The State PCB will be the Nodal agency for coordination and compliance.

3. Factual and action taken report may be furnished within two months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

List the matter for further consideration on 23.09.2022.

A copy of this order, along with a copy of the application, be forwarded to Principal Secretary Forests, Government of Himachal Pradesh, State PCB, and District Magistrate, Shimla, Himachal Pradesh by e-mail for compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

July 07, 2022
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