

**IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION**

WRIT PETITION (CIVIL) NO(S). 758 OF 2025

**IN RE: ISSUES RELATING TO ECOLOGY AND
ENVIRONMENTAL CONDITIONS
PREVAILING IN THE STATE OF
HIMACHAL PRADESH**

O R D E R

1. The instant writ petition has been registered *suo moto* to tackle the issues relating to ecology and environmental conditions prevailing in the State of Himachal Pradesh.

2. This monsoon season has seen heavy/unprecedented rain causing havoc in the fragile ecosystem of Himachal Pradesh. The deluge which has struck in various areas has caused widespread damage to life and property. A large

number of homes/permanent structures/temporary buildings have been washed away or swept under the destructive landslides which have struck the State during this period. Evidently, the State of Himachal Pradesh and for that matter, all the States in the Himalayan Region are facing a serious existential crisis. It is with this concern in mind that a Bench of this Court headed by Hon'ble Mr. Justice J.B. Pardiwala and Hon'ble Mr. Justice R. Mahadevan directed the Registry to register a writ petition in public interest *vide* order dated 28th July, 2025 observing that a severe ecological and environmental imbalance and other environmental conditions exacerbated by human/developmental activities have led to serious natural calamities over a period of time. Scores of people have perished in floods and landslides and thousands of properties have been destroyed. It was observed that humans, not nature

are responsible for the phenomenon such as continuous landslides, collapsing of houses and buildings, subsidence of roads, etc. Further observation has been made that the various expert reports and other reports have indicated that major causes of such vast destruction in the State of Himachal Pradesh are hydro power projects, four-lane roads, deforestation, multi-storey buildings, etc.

3. Pursuant to the registration of the writ petition in public interest, the State Government was directed to file its response to the issues highlighted in the order dated 28th July, 2025. In compliance of the aforesaid direction, a report, which appears to be interim in nature, has been submitted by the State of Himachal Pradesh.

4. Considering the wide-ranging issues falling for consideration, we had, by order dated 25th August, 2025 appointed Shri K. Parameshwar, Senior

Advocate assisted by Ms. Akashi Lodha, Advocate, to assist the Court in this matter as *amicus curiae*.

5. Learned *amicus curiae* carried out a detailed study and analysis of the report and have highlighted following issues which require pertinent response/answers from the State of Himachal Pradesh: -

A) Zoning

- (i) What are the criteria on the basis whereof, zoning (if any), is done in the State of Himachal Pradesh, that is to say, whether zoning (if any) is done on the basis of seismic activity/landslides/green cover/eco-sensitivity? If yes, all the classifications along with relevant statutory provisions/notifications to be placed on record.
- (ii) Does the State have any ecological sites which prohibit industrialisation/bringing up of

mega projects? If yes, details of such sites along with relevant notifications be placed on record.

- (iii) The details of designated protected areas/reserved forests/ wildlife sanctuaries/national parks and eco-sensitive sites in the State of Himachal Pradesh. Whether eco-sensitive zones have been notified across the protected areas of the State? Details of such areas/zones along with measures deployed for their protection, if any, to be placed on record.

B) Tree cover/forest cover.

- (i) What is the total designated forest area in the State of Himachal Pradesh and how much of the forest area has been diverted for non-forest use in the last two decades? Year-wise status to be placed on record.

- (ii) How much percentage of tree cover and forest cover has changed across the State over the last two decades? The district-wise detail over the last ten years to be placed on record.
- (iii) Has the State got conducted any tree survey and/or forest surveys and/or any other study to analyse the changes, if any, in the green cover in the State? If yes, detailed survey report to be placed on record.
- (iv) Names of native/indigenous species of flora and fauna in the State of Himachal Pradesh, to be placed on record.
- (v) Whether the State is facing a challenge of alien species of trees/forest cover? Relevant details to be placed on record.
- (vi) Details of the prevailing process for obtaining permission to fell trees in the State of

Himachal Pradesh with the statutory framework to be placed on record.

- (vii) Number of permissions issued for felling bulk of five hundred and more trees to private entities/Public Sector Undertakings.

Statistics for the last ten years to be provided.

- (viii) Details of cases/prosecutions pending, if any, for illegal tree felling in the State and current status thereof, to be placed on record.

C) COMPENSATORY AFFORESTATION

- (i) Details of number of trees planted by the State and Public Sector Undertakings/private entities in the last twenty years as a part of compensatory afforestation, to be placed on record.

- (ii) Details of the steps taken by such Public Sector Undertakings/private entities for maintenance and upkeep of the compensatory

plantation done by them, to be placed on record.

(iii) Statistics pertaining to survival rate of the trees planted, if any, as a part of the compensatory afforestation. Details/basis of calculation and survey reports, if any, prepared in this regard, to be placed on record.

(iv) The status of utilisation of funds allocated for compensatory afforestation, with the complete details of funds allocated and the utilisation of the same, in the last twenty years, to be placed on record.

D) CLIMATE CHANGE

(i) Does the State of Himachal Pradesh have a climate change policy? If yes, details/copy of the same to be placed on record.

- (ii) Has the State conducted any study of the present as well as future projections of the effect of climate change on the ecosystem of the State of Himachal Pradesh? If yes, detailed report to be placed on record.
- (iii) Details of measures, if any, employed by the State to pre-emptively mitigate the damages caused by climate change.
- (iv) Date on which the Himachal Pradesh Knowledge Cell on Climate Change was constituted; the composition of the cell; the activities, if any, undertaken by the cell since the date of its constitution. Year-wise details to be placed on record.
- (v) Details of studies conducted by the State Remote Sensing Cell relating to climate change and specifically glacier retreat. Reports, if any, to be placed on record.

- (vi) Details of any other recent study conducted by the State on the glacier retreat.

E) Disaster Management Plan

- (i) Details of disaster management plans prepared by the State and steps that have been taken for implementation thereof. The particulars of the plan and the tabular details of all measures employed district-wise and state-wise to be placed on record.
- (ii) Details of funds allocated for disaster management in the State for the last twenty years and the details of utilisation thereof, to be placed on record.
- (iii) Details of projects, if any, with the stage thereof undertaken by the State Disaster Mitigation Fund.

- (iv) Details of the study, if any, conducted in respect of the effectiveness of the completed projects.
- (v) Whether any survey has been conducted for the identification of areas/locations in the State experiencing periodic water shortage? If yes, detailed report to be placed on record.

F) Roads

- (i) Details of State Highways and National Highways in the State of Himachal Pradesh with specific details on the number of highways which are four-lane.
- (ii) Details of upcoming/proposed highways (State/National) and the stage thereof.
- (iii) Details of all pending projects/proposals with status along with permissions for tree felling/use of explosive to be place on record.

- (iv) Statistics pertaining to landslides which have occurred on each of these highways in the last ten years, to be placed on record.
- (v) Corrective short-term and long-term measures which may have been employed by the State/Centre for prevention of such activity.
- (vi) Details of periodic studies, if any, to assess the stability of roads having recurrent landslides.

G) HYDROELECTRIC PROJECTS

- (i) Details of total number of rivers in the State and the number of hydroelectric projects operating on each river along with the date of their commencement, to be placed on record.
- (ii) Details of any study, periodic or otherwise, on the cumulative impact of hydroelectric

projects after the completion thereof, to be placed on record.

- (iii) Status of expansions, if any, of the existing hydroelectric projects to be placed on record.
- (iv) Current status of proposals for new hydroelectric projects pending with the State.

H) Mining and Use of Heavy Machinery

- (i) Details of number of mining operations/leases presently ongoing in the State and those which are pending approval as on date, to be placed on record.
- (ii) The measures, if any, employed by the State to assess the impact of use of heavy machinery and use of explosive materials during the course of execution of work, whether mining or otherwise. The relevant rules, circulars, notifications, etc., to be placed on record.

- (iii) Whether any protocol is in place for determining the use of explosive materials on particular sites considering its strength? Complete details to be placed on record along with relevant rules and circulars.

I) Tourism/Multi-Storey Buildings

- (i) Details of hotel/industries/short-term rental accommodations for which permissions have been granted by the State over the last ten years, to be placed on record.
- (ii) Measures, if any, employed by the State to regulate the tourist activity within the State especially in the peak monsoon season. Details of the same to be placed on record.
- (iii) Are there any measures in place to monitor the footfall of tourists while balancing the same with the ecological conditions prevailing

in the State? Details of the same to be placed on record.

(iv) Restrictions, if any, on construction with reference to particular areas. Whether there exists any restraint on construction of multi-storeyed buildings in the State? Complete details in respect of maximum number of floors, total constructed area, etc., to be provided on record along with relevant rules and circulars.

(v) Details of prosecutions which have been initiated under the Himachal Pradesh Town and Country Planning Act, 1977 for illegal constructions and status thereof as on date.

6. The questionnaire, so submitted by the learned *amicus curiae* is exhaustive and the answers thereto would be essential for carrying the matter forward. These responses would assist the Court in arriving at

a considered decision for the purpose of framing guidelines/measures to protect the citizens at large and the fragile ecological system in the State of Himachal Pradesh.

7. The State of Himachal Pradesh shall furnish response to the above queries supported by an affidavit of the Principal Secretary, Department of Forest, State of Himachal Pradesh by the next date of hearing with an advance copy to the learned *amicus curiae*.

8. List again on 28th October, 2025.

.....**J.**
(VIKRAM NATH)

.....**J.**
(SANDEEP MEHTA)

NEW DELHI;
SEPTEMBER 23, 2025.