



2026:CGHC:38997-DB



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HIGH COURT OF CHHATTISGARH AT BILASPUR**WPIL No. 101 of 2025**

Rajesh Rangari S/o Kanhaiya Lal Rangari Aged About 37 Years R/o Ward No. 7, Saliha Para, Bhanupratappur, District Uttar Bastar Kanker, Chhattisgarh

... Petitioner(s)**versus**

- 1** - Union Of India Through Secretary, Ministry Of Environment And Forests, Government Of India, Paryavaran Bhawan, New Delhi
- 2** - State Of Chhattisgarh Through Principal Secretary, Department Of Forest And Climate Change, Government Of Chhattisgarh, Mahanadi Bhawan, Naya Raipur, District : Raipur, Chhattisgarh
- 3** - Chief Conservator Of Forest Kanker Circle, District Uttar Bastar Kanker, Chhattisgarh
- 4** - Divisional Forest Officer East Bhanupratappur, District Uttar Bastar Kanker, Chhattisgarh
- 5** - Deputy Divisional Forest Officer East Bhanupratappur, District Uttar Bastar Kanker, Chhattisgarh
- 6** - Forest Range Officer Range Bhanupratappur, District Uttar Bastar Kanker, Chhattisgarh
- 7** - Range Officer (Production) Bhanupratappur, District Uttar Bastar Kanker, Chhattisgarh
- 8** - Collector District Uttar Bastar Kanker, Chhattisgarh



9 - M/s Godawari Power And Ispat Limited Through Its Managing Director, 428/2, Phase-I, Industrial Area, Siltara, District : Raipur, Chhattisgarh

.. Respondent(s)

(Cause-title taken from Case Information System)

For Petitioner(s)	:	Mr. Samrath Singh Marhas, Advocate.
For Respondent No. 1/Union of India	:	Ms. Annapurna Tiwari, Advocate.
For State	:	Mr. Praveen Das, Additional Advocate General.

Hon'ble Shri Ramesh Sinha, Chief Justice
Hon'ble Shri Ravindra Kumar Agrawal, Judge
Order on Board

Per Ramesh Sinha, Chief Justice

03/09/2026

1. Heard Mr. Samrath Singh Marhas, learned counsel for the petitioner. Also heard Ms. Annapurna Tiwari, learned counsel for the respondent No. 1/ Union of India, Mr. Praveen Das, learned Additional Advocate General, appearing for the respondent-State.
2. The present writ petition styled as 'Public Interest Litigation' has been filed by the petitioner with the following prayers:

"10.1. This Hon'ble Court may be pleased to call for the entire records pertaining to the approval granted under Section 2 of Forest (Conservation) Act to the Respondent No. 9 Company for 32.36 hectares of forest land number 608 at Village Kachhe, Bhanupratappur;

10.2. This Hon'ble Court may be pleased to call for records of the illegal cutting of trees at 32.36



hectares of forest land number 608 at Village Kachhe, Bhanupratappur from the possession of Respondent. State;

10.3. This Hon'ble Court may be pleased to issue a writ in the nature of mandamus, order/orders quashing/setting aside the final approval under Section 2 of Forest (Conservation) Act, 1980, dated 19.02.2015 issued by Respondent No. 1 Ministry to Respondent No. 2 in favour of Respondent No. 9;

10.4. This Hon'ble Court may kindly be pleased to direct the Respondent No. 9 Company to compensate the Respondent State for illegal cutting of 4983 trees in 32.36 hectares of reserve forest land no. 608 at Village Kachhe, Bhanupratappur;

10.5. This Hon'ble Court may kindly be pleased to quash the notice (Annexure P/13) calling for public hearing for expansion of mining area granted to Respondent No. 9;

10.6. Any other relief which this Hon'ble court deems fit in the facts and circumstances of the case may be awarded in favour of the petitioner.”

3. The present Public Interest Litigation has been filed under Article 226 of the Constitution of India seeking protection and preservation of forest land situated in Reserved Forest Compartment No. 608, Village Kachhe, District Uttar Bastar Kanker, Chhattisgarh, particularly the 32.36 hectares of forest land diverted in favour of Respondent No. 9—M/s Godawari Power & Ispat Limited for expansion of its Ari-Dongri Iron Ore Mines. The petitioner has alleged that, as per the Forest Department records, 11,765 trees having circumference of



more than 20 centimetres were standing in the said area in 2015, whereas subsequent records disclosed that 5,695 trees were not found during inspection in 2018 and, upon joint inspection conducted in May, 2023, only 712 trees were found standing and 4,983 trees remained unaccounted for. Despite the petitioner's complaint dated 03.05.2023 before the Chief Conservator of Forests, Kanker Circle, alleging illegal felling/disappearance of trees and seeking appropriate action, no effective action was taken. The petitioner has further raised concern regarding the proposed expansion of the mining lease area from 138.96 hectares to 213.01 hectares. The grievance of the petitioner is, therefore, against the alleged illegal felling/disappearance of trees from the diverted forest land and the inaction of the concerned authorities in taking appropriate action in accordance with the provisions of the Forest (Conservation) Act, 1980, the Indian Forest Act, 1927 and other applicable laws.

4. Learned counsel for the petitioner submits that the material available on record, including the reports of the Forest Department, clearly demonstrates that a substantial number of trees which were existing on the 32.36 hectares of forest land diverted in favour of Respondent No. 9 have subsequently been found missing. It is submitted that although the Forest Department itself noticed the disappearance of the trees and directed an inquiry for fixing responsibility, no effective action has been taken till date. Learned counsel submits that the alleged felling/disappearance of the trees from the reserved forest area, without proper supervision and in violation of



the conditions imposed while granting approval under the Forest (Conservation) Act, 1980, is a serious issue concerning protection of the environment and forest ecology. It is further submitted that the inaction on the part of the respondent authorities is contrary to their constitutional obligation under Articles 48-A and 51-A(g) of the Constitution of India and the principles laid down by the Hon'ble Supreme Court in *T.N. Godavarman Thirumulpad v. Union of India*, (2006) 1 SCC 1. He , therefore, prays that appropriate directions may be issued to the competent authorities to conduct a fair and effective inquiry, fix responsibility for the missing/felled trees, take action in accordance with law and ensure protection and preservation of the remaining forest land.

5. On the other hand, learned counsel appearing for the respondent-State submits that the Forest Department had duly followed the prescribed procedure in respect of the diversion and felling of trees over the subject 32.36 hectares of forest land. It is submitted that 11,765 trees were marked for felling, out of which 6,070 trees had already been felled and 5,695 trees were reported to be remaining. Upon noticing a discrepancy, an inquiry was conducted and the report dated 02.06.2023 recorded that only 712 trees were found standing, whereas 4,983 trees were not found at the site. Thereafter, a fresh inquiry was constituted and, as the report dated 19.11.2025 was found inconsistent with the earlier report, the Divisional Forest Officer recorded his dissent and directed a further inquiry vide letter dated 20.11.2025.



6. Learned counsel further submits that the inquiry is still in progress and reminders have been issued for submission of the report. It is also submitted that action has already been initiated against Respondent No. 9 and a demand of Rs.3,06,341/- has been raised towards the value of timber and fine in respect of timber allegedly buried during construction of a road in the mining area. Learned counsel submits that, considering that the matter relates to tree felling undertaken more than ten years ago and the competent authority is already seized of the matter for determining the factual position and fixing responsibility, no further interference is warranted at this stage. It is, therefore, prayed that the present petition, being devoid of merit, may kindly be dismissed.

7. We have considered the submissions advanced by learned counsel for the parties and have also perused the material available on record. The main grievance raised by the petitioner relates to the alleged disappearance/felling of trees from the 32.36 hectares of forest land situated in Reserved Forest Compartment No. 608, Village Kachhe, District Uttar Bastar Kanker, which was diverted in favour of Respondent No. 9 for mining purposes. The record indicates that, pursuant to the tree-felling plan, 11,765 trees were identified, out of which 6,070 trees had already been felled and, as per the subsequent departmental record, 5,695 trees were found to be remaining. However, during the inspection conducted thereafter, only 712 trees were found standing and 4,983 trees were not found at the site. The Forest Department, having noticed the aforesaid discrepancy, has already



initiated an inquiry to ascertain the factual position and to fix responsibility for the trees found missing.

8. It is further borne out from the return filed on behalf of the respondent-State that, since the report dated 19.11.2025 was not found to be consistent with the earlier report dated 02.06.2023, the competent authority recorded its dissent and directed a fresh inquiry vide communication dated 20.11.2025. The said inquiry is stated to be in progress and reminders have also been issued for submission of the report. It has further been brought to our notice that action has already been initiated in respect of the timber allegedly buried during construction of the road in the mining area and a demand of Rs.3,06,341/- towards the value of timber and fine has been raised against Respondent No. 9. In view of the steps already taken by the competent authority, we deem it appropriate to dispose of the present Public Interest Litigation with a direction to the concerned authorities to conclude the pending inquiry expeditiously, ascertain the exact factual position, fix responsibility for the trees found to have been illegally felled/missing, if any, and take appropriate action against the persons responsible strictly in accordance with law. The authorities shall also ensure that the forest land in question is duly protected and that no activity is undertaken in violation of the statutory provisions or the conditions attached to the approval granted for diversion of the forest land.

9. We are conscious of the fact that the matter concerns protection and preservation of forest and the ecological balance of the



area. Therefore, while disposing of the present petition, we hope and trust that the respondent-State and its Forest Department shall take all necessary and effective measures for protection of the remaining forest and shall also take appropriate steps for compensatory and restorative plantation in accordance with the applicable rules and norms. We further hope and trust that the State will take an initiative to ensure that, as far as practicable, a greater number of trees are planted than the number of trees found to have been cut/felled or otherwise lost, particularly in and around the affected area, so as to compensate for the ecological loss and improve the green cover of the region.

10. With the aforesaid observations and directions, the present Public Interest Litigation stands disposed of. All pending interlocutory applications, if any, also stand disposed of.

Sd/-

(Ravindra Kumar Agrawal)
Judge

Sd/-

(Ramesh Sinha)
Chief Justice

Alok