

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
	19.02.2025		<p>WPIL No. 26 of 2025 with WPIL No. 68 of 2018 WPIL No. 127 of 2019 <u>Hon'ble G. Narendar, C.J.</u> <u>Hon'ble Ashish Naithani, J.</u></p> <p>1. Heard learned counsel Sri Piyush Garg on behalf of the petitioner in WPIL No. 26/2025, learned counsel Sri Dushyant Mainali on behalf of the petitioner in WPIL No. 68/2018, Sri Manoj Singh Negi, petitioner, party-in-person in WPIL No. 127/2019, Sri C.S. Rawat, learned Chief Standing Counsel on behalf of the State of Uttarakhand, and Sri Lalit Sharma and Manoj Kumar, learned Standing Counsel on behalf of the Union of India.</p> <p>2. It has come to the notice of the Court that certain employees of the Forest Department have been abstaining from work. The situation, with regard to forest fires, being alarming, the Court would suggest to the workers, who are abstaining from work, to desist from doing so, and actively participate in the fire management exercises. This order be communicated to the President of the Forest Guards Association, which is spearheading the protest. We hope that this order is appreciated by the members of the Association in the right spirit, and we hope that they resume their work and commence duties from tomorrow.</p> <p>3. Sri Dhananjay Mohan, Principal Chief Conservator of Forests (HoFF) is present before the Court in compliance of our earlier directions.</p> <p>4. The PCCF has set out in detail the measures that have been adopted to control the forest blazes, which inevitably occur during high summer season. We deem</p>

the situation alarming in view of the fact that forest fires have started even before the summer has set –in. He would submit that the current forest fires are on account of fallen pine needles, and despite their best efforts, fires break out, and while some fires occur on its own, some are deliberate. He would further elaborate to this Court about the state of affairs of the “forest fire lines”. He would state that earlier there was a prohibition for felling of forest trees, as per directions of the Hon’ble Apex Court, but now that permission has been granted, almost 400 kms “forest fire lines” have been drawn, and there is more to be done, and that the work is taken up with utmost earnestness.

5. This Court has queried, as to whether technology can be adapted in their fire fighting process, say for instance using drones to carry water to interior places, and spray water to stop fires. He would submit that no such drones are being used as of now, but would submit that the Department would examine this suggestion in detail, and would submit a response to the Court.

6. Learned counsel Sri Piyush Garg has also suggested that several handheld equipments can be handed over to the forest guards and the fire-watchers, and that these equipments, like fire rakes (Kanghi), fire broom (Jhaapa), fire beater, modified sickle (pathal), torch, forest fire tool kit, dual bag fire pump, backpack mistblower, backpack water pump, drip torch, etc. and would suggest that these tools would help in instantly controlling small fires.

7. The PCCF would submit that they have 14000 fire

rakes, and that the permanent staff, after the recruitment, is now in the range of 85% of sanctioned strength, and that apart they engage about 4300 fire-watchers during the season, and that apart they engage more than 1200 personnel on temporary basis to monitor and control fire blazing activities, and more than 10000 personnel are engaged on a daily basis to carry out various activities of the Forest Department, and also in controlling forest fires.

8. Learned counsel Sri Dushyant Mainali in WPPIL No. 68/2018, and Sri Manoj Singh Negi, petitioner, party-in-person in WPPIL No. 127/2019, would submit that there are instances, where some of these controlled fires have gone out of control and turned into large blazes and that one such blaze had occurred in Bhowali, Nainital.

9. The PCCF further elaborating has submitted that the Forest Department is now using the services of the Forest Survey of India, which forwards satellite images of the forest fires, and that now the Forest Department has recently tied up with the Indian Meteorological Department to give them weather updates, and that the same has helped in reducing the time in detecting and reacting to a forest fire. He would submit that earlier the response time was about 10-12 hours, which time has now reduced to a couple of hours due to available information from the above departments. The Court has suggested that the weather status, including wind conditions, be circulated to the people and all the staff on the ground, so as to enable them to assess, as to whether controlled fires can be started or not, as it is common knowledge that a small fire can

become a blaze in a matter of minutes in the face of strong winds.

10. It is not in doubt that the forest fires severely affect not only the flora and fauna, but also the biodiversity in general, and also have an impact on the health of the public. In that view, the recurring forest fires are a cause for alarm, and call for detailed measures to be put in place and adopted as "standard operating procedure" to ensure that an action is immediately commenced and thereby minimize the impact of forest fires.

11. The PCCF is directed to place before this Court the detailed action plan drawn up by the Department for the purpose of controlling forest fires. The PCCF shall also place before this Court the plans drawn up for creating forest fire lines and the time-line to complete the same.

12. The petitioners, and learned counsels are also permitted to place such material, or suggestions, which they are of the opinion, would enhance the fire fighting capacity of the Forest Department.

13. List this case on 03.03.2025.

14. On the next date of hearing, the PCCF (HoFF) is permitted to appear virtually.

(Ashish Naithani, J.)
19.02.2025

(G. Narendar, C.J.)
19.02.2025

Rahul