

REPORT OF COMMITTEE FOR THE ROADS CONSTRUCTED IN VIOLATION OF THE PROVISION OF FOREST CONSERVATION ACT, 1980 CONSTITUED VIDE JUDGEMENT OF THE HON'BLE HIGH COURT OF HIMACHAL PRADESH IN CWP NO.5600 OF 2012 DATED SPETEMBER 05,2013 "TITLED AS SH. MANOJ KUMAR S/O SH. SHIV CHARAN V/S UOI AND OTHERS" LINKED THE COPC NO.56 OF 2009.

The Joint Inspection of the Road from Kiari to Khina km. 0/0 to 7/825 constructed under violation of the FCA Act, 1980 has been conducted on dated 17.09.2025. The following Officer (s)/Official(s) were present during the inspection:-

1. Executive Engineer, HPPWD Solan
2. Divisional Forest Officer Solan
3. Sub-Divisional Officer (Civil) Kandaghat, Distt. Solan
4. Superintending Engineer (HPPWD 3rd Circle Solan)
5. Conservator of Forests (Forest Circle Solan)

The joint inspection committee examined the said forest area demanded for the construction of project and observed that the road has been constructed in violation of the FCA Act, 1980 by the local people and the said road was completed in the year 1998. The joint inspection conducted earlier mentioned the average width of the road as **2.40 Mtrs.** But due to soil erosion during monsoon seasons the road width has been increased to **3.82 Mtrs.**

Total Forest land involved in this project is **4.70 ha. (i.e. Violated Forest Land 3.00 Ha. and Non-Violated Forest land 1.70 Ha).** However all efforts has been made to minimize the use of forest land but there is no scope of avoidance of the said land and diversion of **4.70 ha.** of forest land is bare minimum and can't be avoided and there is no non-forest land available in the region for the said project.

User Agency undertakes to provide for the expenditure to be incurred on engineering/vegetative works necessary for establishing the soil boulders on upper and lower sides of road, etc. User agency also agrees to pay penal charges if any to be imposed by regional office FCA MOEF&CC Chandigarh. The committee recommends that necessary approval under section 2 of the FCA, 1980 may kindly be accorded, for diversion of total 4.70 Hect. of forest Land. (Already used under Violation 3.00 Hect. and Non-Violation land 1.70 Hect. required for completion of the road from Kiari to Khinna.)

The Joint Inspection committee is satisfied with the land selected for **C/O Kiari to Khina km. 0/0 to 7/825 Distt. Solan H.P.** in view of bare minimum forest land use. The Joint inspection committee therefore recommended **4.70 ha** of Forest land for the said project under approval of MoEFCC, GoI under Forest (Conservation) Act, 1980.


S.E.
17/9/2025

REPORT OF COMMITTEE FOR THE ROADS CONSTRUCTED IN VIOLATION OF THE PROVISION OF FOREST CONSERVATION ACT, 1980 CONSTITUED VIDE JUDGEMENT OF THE HON'BLE HIGH COURT OF HIMACHAL PRADESH IN CWP NO.5600 OF 2012 DATED SPETEMBER 05,2013 "TITLED AS SH. MANOJ KUMAR S/O SH. SHIV CHARAN V/S UOI AND OTHERS" LINKED THE COPC NO.56 OF 2009.


DATE OF INSPECTION:- 17.09.2025

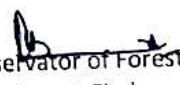
1	Name of the Circle/Distt./Division/Tehsil/Range	Shimla/Solan/Solan/ Kandaghat / Kandaghat
2	Name of the Road including Kms. From -to	Construction of Kiari to khina Road km. 0/0 to 7/825.
3	Total length of the road passing through the Forest area and private area.	Length of Forest – 7/825 km. and Pvt.- 0.00 km. (Violated Forest Area 3.00 Hec. & Non-Violated Forest Area 1.70 Hec.)
4	Length of the road of which forest land has been already been broken/already constructed.	0/0 to 7/765
5	Length of the road and extent of area (in. hectare) passing through forest.	7/825 km. (4.70 hectare)
6	Date of starting the work.	Not known
7	Name of the organization which constructed the road.	Local authorities i.e. Gram Panchayat & Local People at their own level
8	For completing the work, whether there is need to use additional forest area or alignment can be changed without further use of forest land.	Yes, alignment can't be changed.
9	If not, total length of the road and forest area required for completing the work (including the forest area used and to be used).	7/825 km. (4.70 hectare)
10	Details of the damages caused to biodiversity including No. of trees felled other breaking the earth (which is already covered under point 5 above).	As per record of forest Dept. no tree has been felled. The road length already been constructed. There is no damage report pending regarding any damage to Biodiversity.
11	Details of the soil conservation/ engineering works necessary on the upper and lower sides of the road for its strengthening and avoiding landslides.	Protection works on hill side and valley side will be provided where necessary.
12	Estimated expenditure for carrying out these engineering works.	100.00 Lacs
13	Recommendations of the committee (should include length in km, extent of forest land additionally required for completing the work, expenditure to be incurred on engineering/ vegetative works necessary for stabilizing the soil/boulders on upper and lower sides of the road, etc.)	The Joint Inspection committee is satisfied with the land selected for C/O Kiari to Khina km. 0/0 to 7/825 Distt. Solan H.P. in view of bare minimum forest land use. The Joint inspection committee therefore recommended 4.70 ha of Forest land for the said project.


Executive Engineer,
HPPWD Solan
(Member)


Divisional Forest Officer,
Solan Forest Division
(Member)


Sub-Divisional Magistrate,
Kandaghat Distt. Solan HP
(Member)


Superintending Engineer,
3rd Circle HPPWD, Solan
(Member)


Conservator of Forests,
Solan Forest Circle
(Chairman)