

**HIMACHAL PRADESH
PUBLIC WORKS DEPARTMENT**

No.PW-SRDD -W/A-DOFL-2023-24- 29182
To

Dated:- 16/02/2024

The Divisional Forest Officer,
Forest Division Shimla Rural.

Sub:- Diversion of 2.2973 Ha. of forest land in favour of HPPWD for the construction of link road Padesh Bhatiyard Kadech Tehsil and District Shimla H.P.

Sir,

This is with reference to the subject cited above. In this context this is to inform you that the EDS raised by the MOEF&CC has been attended and para wise reply for the same is as under:-

Sr. No.	Observation	Reply
1.	As per the information provided by the concerned DFO under column 11 of Part-II, the instant proposal involves the violation and the forest land involved in the violation is 0.1677 Ha. which has been done in the year 2007. However, as per the Joint Inspection Report of dated 18.12.2014, there is no observation made by the committee regarding the violation part. The information provided are contradictory.	The required information under column no. 11 of Part-II pertains to concerned DFO Office. Further, list of 2183 cases has been uploaded and the concerned road i.e. " Parech-Dafawage-Karech Road " appeared at Sr. 138 . However, the revised joint inspection conducted on dated 25.05.2022 giving the detail of violation has been uploaded against additional information detail on the portal.
2.	Similarly, the JIR on dated 18.12.2014 has mentioned number of trees felling in the proposed alignment as 60 trees, but the latest Joint Inspection Report of dated 25.05.2022 and further Column 4(ii) Part-II online, the total numbers of trees felling in the proposed alignment is mentioned as 184 trees. The information provided are contradictory.	At the time of JIR conducted on 18.12.2014 there were less trees as mentioned in JIR. But at present saplings of various species have been grown on the spot, hence, there is variation in trees found in it. However, revised Joint Inspection Report conducted on dated 25.05.2022 is final and as per actual condition of the selected patch of forest land. The total number of trees felling in the proposed alignment is 182.
3.	Furthermore, in the detailed report on the violation uploaded (at Sr. No. 5-Additional information of Part-II) by the concerned DFO, it is clearly mentioned at Sr. No. (b) i.e. the name and designation of the officials/persons primary responsible for violation is mentioned as HPPWD/BDO. However, at Sr. No. (c) of the report i.e. regarding fixing the responsibility of violation, it is mentioned as 'Not Possible'. The statements mentioned at Sr. No. (b) of the report, the action is required to be taken by the State Government. Therefore, following information may also be provided:- i) The Action Taken Report	Pertains to DFO Office

	<p>against the violators as per Para 1.21 (i) and/or (ii) of FCA Guidelines may be submitted/uploaded in the portal.</p> <p>ii) Action taken by the State Government against the officials concerned for not being able to prevent the use of forest land for non-forestry purpose without prior approval of the Govt. of India.</p>	
4.	<p>The concerned DFO has clearly mentioned at Sr. No.(d) of the detailed report on violation i.e. "Hon'ble High Court vide its order CWP No. 5600 of 2012 has given one time relaxation for the road which have constructed illegally on forest land". Therefore, the copy of the same may be provided.</p>	<p>The copy of the Notification No. FFE-B-F(3)-31/2012 Dated 30.05.2014 of Department of Forests GoHP along with copy of "Hon'ble High Court vide its order CWP No. 5600 of 2012 has been uploaded against additional information detail in online Part-I.</p>

Executive Engineer,
HPPWD, Dhimi, Distt Shimla,
HPPWD, Dhimi