

HIMACHAL PRADESH
PUBLIC WORKS DEPARTMENT

No.PW/M&P/FCA/2025-26 - 10252-348

Dated: 14/01/2026

To

The Chief Engineer (MZ),
HP PWD Mandi.

The Chief Engineer (KZ),
HP PWD Dharamshala.

The Chief Engineer (HZ),
HP PWD Hamirpur.

All the Superintending Engineers
under HP PWD Shimla Zone.

Subject:

Regarding meeting held on 06-01-2026 on the issues regarding fast tracking of FCA proposals of HP PWD.

A meeting was held on 06-01-2026 under the chairmanship of Principal Chief Conservator of Forests (HoFF) wherein priority cases of the department held up due to clearance under FCA were discussed. During the meeting, the general shortcomings commonly found in the proposals submitted for prior approval for Government of India under VAN (SANRAKSHAN EVAM SAMVARDHAN) ADHINIYAM, 1980 were also discussed and the copy of the general short comings supplied by Principal Chief Conservator of Forests (HoFF) office is enclosed herewith for ready reference and compliance, henceforth.

Besides this following were clarified:-

- (1.) With regard to delisted cases, it was apprised that for cases uploaded prior to 01-01-2023, the applications be submitted to the forest department for re-enlistment of case & after 01-01-2023 can be re-listed by the User Agency themselves.
- (2.) Now the mutation of Compensatory Afforestation (CA) land must be got executed in the name of forest department.
- (3.) 107 Stage-II cases are pending for compliance which may be attended at the earliest possible.
- (4.) NPV deposited offline be confirmed to the forest department by furnishing supporting document.
- (5.) User Agency must discuss in monthly meeting with Deputy Commissioner regarding issuing Non-Availability Certificate (NAC).
- (6.) 22 Points compliance format must be got countersigned by the concerned DFO before uploading the each and every case on the Parivesh portal.
- (7.) Complete list of 2183 FCA violation cases (soft copy enclosed), joint inspection report and the decision of Hon'ble High Court of HP dated 05-09-2013 (soft copy enclosed) must be attached with each and every case.
- (8.) In-Principal approval must be supported with the token budget.

P.T.O

(9.) Certificate of priority signed by the concerned Executive Engineer must be attached with the case.

You are, therefore, requested to issue necessary instruction to all SEs/ EEs for strict compliance of the above.

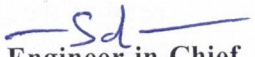
Treat it as most urgent.

Encls :- As above


Engineer-in-Chief,
HP PWD Nigam Vihar,
Shimla-171002.


Copy to:-

- (1) The Chief Engineer (SZ), HP PWD Nigam Vihar, Shimla-2 for information please.
- (2) All the Superintending Engineers (B&R) in the HP PWD for information and immediate necessary action in the matter.
- (3) All the Executive Engineers (B&R) in the HP PWD for immediate necessary action in the matter.


Engineer-in-Chief,
HP PWD Nigam Vihar,
Shimla-171002.

General Shortcomings commonly found in the proposal submitted for prior approval of GOI under V(SS)A, 1980: -

1. Copy of Administrative approval approved by competent authority, clearly mentioned the name of project and length.
2. Area of KML should be equal to the proposed DA and mark all the components in the **polygon features** and in distinguish colours (Forest/Non-forest/dumping sites) upload the same at designated column of the Part-1.
3. Proper justification of locating the project in forest land required.
4. Employment generation details should be realistic.
5. DGPS map and SOI Toposheet should be as per the KML of the proposed diversion area with correct lat and long.
6. Cost benefit ratio of the proposal is required to be submitted if the proposed DA area is > 5ha.
7. Copy of detailed Muck Management plan and details of muck generated, balanced muck and muck dumped, with Scientific & Engineering measures and photograph of the site duly authenticated by DFO concerned.
8. State Govt should explore the dumping sites which are devoid of Trees.
9. Copy of Reclamation plan for the proposed Dumping sites with protection measures/Scientific measures undertaken with financial allocation, duly authenticated by DFO concerned.
10. Copy of details/Calculation sheet of length and width of the proposed road passing through the forest and non-forest with reference to the IRC norms followed, duly authenticated by DFO concerned.
11. NoC from the concerned depart.
12. the detailed and scaled layout plan in legible format and in proper Scale chainage wise length and width of the proposed road and mark (Forest land/Non-Forest land//Dumping sites etc.) duly authenticated by DFO concerned.
13. If the proposal involves Pvt land, Consent of the private landowners by the way of sale/gift Deed/NoC or any other form is required to be submitted/uploaded.
14. Geologist report for the proposed DA duly authenticated by competent authority.
15. SMCP and WLMP plan wherever applicable.
16. Tree enumeration list should be matching with the details uploaded at part-II.



CWP No. 5600 of 2012 a/w CWP No. 9797 of 2012 & COPC No. 56 of 2009

05.09.2013

Present:

CWP No. 5600 of 2012

Mr. Ajay Sharma, Advocate, for the petitioner.

Mr. Sandeep Sharma, Assistant Solicitor General of India, for respondent No. 1.

Mr. Shrawan Dogra, Advocate General, with Mr. Romesh Verma & Mr. Anup Rattan, Additional Advocate Generals, and Mr. J.K. Verma & Ms. Parul Negi, Deputy Advocate Generals, for respondents No. 2 to 4 & 6 to 8.

Mr. C.N. Singh, Advocate, for respondent No. 9.

Mr. Arvind Sharma, Advocate, for respondent No. 10.

CWP No. 9797 of 2012

Mr. Bipin C. Negi, Advocate, for the petitioners.

Mr. Sandeep Sharma, Assistant Solicitor General of India, for respondent No. 1.

Mr. Shrawan Dogra, Advocate General, with Mr. Romesh Verma & Mr. Anup Rattan, Additional Advocate Generals, and Mr. J.K. Verma & Ms. Parul Negi, Deputy Advocate Generals, for respondents No. 2 to 6.

Mr. Rajnish Maniktala, Advocate, for respondent No. 8.

COPC No. 56 of 2009

None for the petitioner.

Mr. Sandeep Sharma, Assistant Solicitor General of India, for Union of India.

Mr. Shrawan Dogra, Advocate General, with Mr. Romesh Verma & Mr. Anup Rattan, Additional Advocate Generals, and Mr. J.K. Verma & Ms. Parul Negi, Deputy Advocate Generals, for respondents-State.

Heard counsel for the parties.

2. We have perused the minutes of the proceedings of the joint meeting held on 19th August, 2013, attended by all the concerned duty holders noted in our order dated 8th August, 2013. Since, in principal, agreement has been reached for regularization of 841 roads subject to certain compliances to be made by the State Government and

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that process is likely to take some time, we have no hesitation in deferring the hearing of this matter for the time being till **30th December, 2013**, for reporting of further action taken by the concerned duty holders.

3. Learned Assistant Solicitor General of India submitted that the MoEF is of the opinion that in addition to 841 roads, referred to in the order dated 8th August, 2013, by this Court, it is possible that there are other roads, which are not included in the list of 841 roads. That figure may jump to around 1500. In other words, there are more than 660 roads, which have not been brought to the notice of the MoEF as of today.

4. The learned Advocate General appearing for the State submits that this apprehension will be duly examined at the highest level by the State Government and the information that would be collated during such enquiry, the Principal Secretary (PWD) to the Government of Himachal Pradesh shall submit that information to the MoEF not later than two months from today. The State Government, through learned Advocate General, undertakes to abide by all the conditions specified in the minutes of the joint meeting held on 19th August, 2013, even with regard to the unlisted roads of which information will be furnished by the State Government in due course.

5. In view of this assurance given by the State Government, we do not deem it necessary to issue any direction on that issue as of now.

6. Learned Assistant Solicitor General of India then invited

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our attention to Clause (x) of the minutes and pointed out that the State Government be directed to submit the list of officers responsible for violation.

7. In our opinion, insistence of this compliance will be counter productive at this stage. In our order, dated 8th August, 2013, we have already kept the order dated 28th August, 2009, in abeyance. Necessity of furnishing list of officers of the State Government responsible for violation would arise only if the said order was to be revived and the abeyance order is recalled.

8. In the circumstances, we hope that the officials of MoEF or any other department of the Government of India shall not insist for compliance of furnishing the names, designations and complete addresses of the officers of the State Government responsible for past violations.

9. Accordingly, this matter be notified on 30th December, 2013. The arrangement directed in terms of order dated 8th August, 2013, to continue till further directions.

Copy dasti.

(A.M. Khanwilkar)
Chief Justice

(Kuldip Singh)
Judge

September 5, 2013
(rajni / vt)