

**HIMACHAL PRADESH
PUBLIC WORK DEPARTMENT**

No.: PW-BSR-WA-FCA/2023

20062

Dated: 27.02.2023

To

The Divisional Forest Officer,
Bilaspur Forest Division,
District Bilaspur.

Subject: -

Diversion of 0.2814 ha of forest land in favour of HPPWD for the Construction of link road to Badhera, Km 0/0 to 2/795 within the jurisdiction of Hamirpur Forest division, Distt. Hamirpur, Himachal Pradesh. (Online Proposal no. FP/HP/ 14826/2015)

Reference: -

You're Office Letter No. File No. 8B/HP/06/69/2020/FC/602 Dated 09.12.2022

Sir,

This is with reference to the subject cited above. In this connection it is submitted that we have attended the shortcomings noticed in above proposal. The observations have been corrected as per your requirement. The Point wise reply to the observations is as under:-

Sr. No	Deficiencies	Compliance to the Deficiencies
1	In response to observation 1, State Govt. has uploaded a fresh KML. However, as per the DSS the calculated area of the proposed DA is 0.11 ha instead 0.28 ha, therefore necessary correction may be done.	Now correction has been done in KML.
2	In response to observation 3, State Govt. has submitted the Bill of CA instead of 10 years planation scheme as per para 2.8 (iii) of FCA guidelines, 2019. Therefore, plantation scheme may be uploaded	Pertains to your good office please.
3	The clarification/documents regarding the following may also be provided: - i. Complete legible list of 2183 roads provided by HPPWD to Hon'ble High Court of Himachal Pradesh constructed in violation of FCA, 1980 highlighting the Sl. No. and name of the road of the extant proposal. ii. Copies of the Orders of the Hon'ble High Court of H.P. which clearly finds mention of regularization of 2183 roads which have already been constructed in violation of the provisions of FCA. 1980.	a) Proposed road is highlighted in the list of 2183 roads has been uploaded online against Additional Information Detail and enclosed herewith as <i>Annexure 1</i> . b) Copy of the Order of the Hon'ble High Court of H.P. which clearly finds mention of regularization of 2183 roads which have already been constructed in violation of the provisions of FCA, 1980 has been uploaded online against Additional Information Detail and enclosed herewith as <i>Annexure 2</i> .

It is, therefore, you are requested that the proposal may please be forwarded to the concerned higher office at the earliest.

**Executive Engineer,
Barsar Division,
HPPWD Barsar (H.P.)**

Full Title of the Project:

Construction of link road to Badhera, Km. 0/0 to 2/795

File No. :

FP/HP/ROAD/14826/2015

Date of Proposal:

21 Aug 2015

Certificate Regarding Violation of FCA 1980

The road for which forest land to be proposed to diverted is in the list of 2183 List of road in which violation of FCA has been reported. Proposed road is highlighted in the list of 2183 roads are given below:-

Sr. No.	Name of Division	Name of the road	Total length of road (kms)	Starting From (Name)	Present status whether completed or in progress	Details for roads constructed in violations of FCA-1980			Whether road appeared in list of 116 roads as per Annexure-I	Whether road appeared in list of 61 roads as per Annexure-II	Remarks
						GPS coordinates at Strategic point					
						Starting point	End point	Mid point of road length or villages/ importent			
1	2	3	4	5	6	7	8	9	10	11	12
Barsar											
10	Barsara	Link road to Village Badhera	2.00 km	Badhera	Phase-I Completed	N31,31.3 1,42.1.6 E 76, 23, 48.2	N31 42 13.8 E 76 23 53.9	N31 42 13.8 E 76 23 37.50	No	No	---
11	---do---	Beha Hathol road	2.00 km	Beha	0.160 Mtr F/C	N 31,41.16 2 E-76- 22,35.6	N- 31,41.19 3 E- 76,22,29. 8	N- 31,41,19 6 E- 76,22,31. 8	No	No	---
12	---do---	Ansara Lohari road	4.240 km	Ansara	Phase-I Completed	N31 42 41.2 E 76 19 48.8	N31 42 49.4 E 76 19 47.20	N31 42 49.4 E 76 19 39.71	No	No	----
13	---do---	L/R Village Gahloon	2.500	Jalari Salouni road km 3/450	In progress	N31,43 45.8 E 76 22'76.9	N31,44 24.6 E 76;23,3 3.10	N31 43 66.80 E 76 22.94.8	No	No	Proposed connectivity(PMGSY) ---do---
14	---do---	Panyali Nugran road	2.000	Panyali Kashmir road km4/960	-do-	N 31;38 20 E 76 24 40.7	N 31,38 21.6 E 76.24 37.9	N31;38 21.6 E76;24 37.9	No	No	
15	---do---	Malag Khatrod Jassai via	2.360	Kangoo Dhanoa km 0/500	-do-	N31,41 19.9 E-76,25 68	N31;40 27.9 E 76,24.74. 9	N31'40 89.8 E76 24 94.7	No	No	Proposed connectivity (NABARD)

Executive Engineer,
Barsar Division, H.P.W.D.
HPPWD Barsar (H.P.)

MOST URGENT
PERSONAL ATTENTION

No.PBW(B)E(3)I/2013-1
Government of Himachal Pradesh
Public Works Department

From

The Pr. Secretary (PW) to the
Government of Himachal Pradesh.

To

The Engineer-in-Chief,
HP PWD, Nirman Bhawan,
Nigam Vihar, Shimla-2

Dated Shimla-171002, the

th
18 June, 2014.

Subject:- Notification- Violation of the provisions of the Forest (Conservation) Act, 1980- approval to cases of construction of roads in compliance of directions passed on 8.8.2013 and 5.9.2013 in CWP No. 5600 of 2012 a/w CWP No. 9797/2012 and COPC No. 56/2009.

Sir,

I am directed to enclose herewith a copy of notification No. FFE-B-E(3)-31/2012 dated 30-05-2014 received from the Pr. Secretary(Forest) Government of H.P. addressed to this department, among others on the above cited subject and to request you to issue necessary directions to all CEs for taking further necessary action in the matter.

^{be}
This may be treated as most urgent being High Court matter.

Yours faithfully,


(K.R. Saizal)

Deputy Secretary (PW) to the
Government of Himachal Pradesh.
June, 2014.

Endst. No. As above. Dated Shimla-171002, the

Copy to the Pr. Secretary (Forests) to the Government of Himachal Pradesh,
H.P.Shimla-2.


(K.R. Saizal)

Deputy Secretary (PW) to the
Government of Himachal Pradesh.

Executive Engineer
B.&R. Division H.P.P.W.D.
Barsar

Government of Himachal Pradesh

Department of Forests

No.FFE-B-F(3)-31/2012

Dated Shimla-171002, the

NOTIFICATION

In supersession of Notification No.FFE-B-F(3)-31/2012 dated 24.10.2013, the Governor of Himachal Pradesh is pleased to constitute the following committees to carry out inspection of roads in accordance with the guidelines worked out in a joint meeting of the officials of the Govt. of H.P and Ministry of Environment & Forests, Govt. of India held on 19.8.2013 in pursuance of the orders dated 8th August and 5th September, 2013 of Hon'ble Court of Himachal Pradesh in CWP No. 5600 of 2012, CWP No.9797 of 2012 and CoPC No.56 of 2009 :-

I ROAD PROPOSALS IN WHICH NO FURTHER CONSTRUCTION IS REQUIRED.

- | | |
|-------------------------------------------------------------------------|-------------------------------------------------------|
| 1. Divisional Forest Officer of the area | : Chairman |
| 2. Representative of Deputy Commissioner
(not below the rank of SDM) | : Member |
| 3. Executive Engineer (HPPWD) of the area | : Member Secretary
(In respect of HPPWD roads) |
| 4. Block Development Officer of the area | : Member Secretary
(In respect of RD Deptt. roads) |
| 5. Executive Engineer (Civil) of the area | : Member Secretary
(In respect of BRO roads) |

The terms of reference of the Committee are as under:-

- Carry out inspection of all roads referred in the orders of the Hon'ble High Court of H.P in CWP No. 5600 of 2012, CWP No.9797 of 2012 and CoPC No.56 of 2009.

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Executive Engineer
B.&R. Division H.P.P.W.D.
Barsar

- ii) Give a detailed report, road wise on the violation also indicating the extent of violation.
- iii) Indicate road wise measures required, if any, for strengthening the ecology of the area.

II ROAD PROPOSALS REQUIRING ADDITIONAL WORKS TO BE UNDERTAKEN

1. Conservator of Forests of the area : Chairman
2. Superintending Engineer (HPPWD) : Member
(In respect of HPPWD roads)
3. Divisional Forest officer of the area : Member
4. Representative of Deputy Commissioner (not below the rank of SDM) : Member
5. Project Officer, DRDA : Member
(In respect of RD Deptt. roads)
6. Director (Planning), Deepak project : Member
(In respect of BRO roads)
7. Executive Engineer (HPPWD) of the area : Member Secretary
(In respect of HPPWD roads)
8. Block Development Officer of the area : Member Secretary
(in respect of RD Deptt. roads)
9. Executive Engineer (civil) of the area : Member Secretary
(In respect of BRO roads)

The terms of reference of the Committee are as under :-

- i) Carry out inspection of all roads referred in the orders of the Hon'ble High Court of H.P in CWP No. 5600 of 2012, CWP No.9797 of 2012 and CoPC No.56 of 2009.
- ii) Give a detailed report, road wise, on the violation also indicating the extent of violation.

P/2

- iv) Indicate necessity of undertaking construction of the remaining part yet to be constructed and explore possibility of including minimum forest/trees for the remaining part.
- v) Indicate road wise measures required, if any, for strengthening the ecology of the area.

The Member Secretary shall ensure that a minimum of three roads are inspected by the Committee(s) every month in each Forest Division and road wise report is submitted to the concerned DFO within one week of the date of inspection.

By order

Pr. Secretary (Forests) to the
Government of Himachal Pradesh

30 MAY 2014

Endst. No. No.FFE-B-F(3)-31/2012

Dated Shimla-171002, the

Copy is forwarded to the following for information and necessary action:-

1. The Addl. Chief Secretary (RD) to the Govt. of H.P, Shimla
2. The Pr. Secretary (Revenue) to the Govt. of H.P. Shimla
- ✓ 3. The Pr. Secretary (PWD) to the Govt. of H.P. Shimla
4. The Pr. Chief Conservator of Forests (HoFF) Himachal Pradesh, Talland, Shimla-171001.
5. Engineer-in-Chief, HPPWD, Himachal Pradesh, Shimla-2.
6. Director (Rural Development, Department) H.P. Shimla-2.
7. Director (Planning), Project Deepak, Chaura Maidan, Shimla-171005

Deputy Secretary (Forests) to the
Govt. of Himachal Pradesh, Shimla-2

Executive Engineer
B.&R. Division H.P.P.W.D.
Barsar