

HIMACHAL PRADESH
PUBLIC WORK DEPARTMENT

No.:- PLWD/PCN/WA-1/2014-25 8704

Dated:- 07/02/2025

To

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

Subject: -

Diversion of 0.1487 ha. of forest Land in favor of HPPWD for the Construction of link road from Beha to Hathol, Km. 0/0 to 1/730. Under FCA 1980, within the jurisdiction of Hamirpur Forest Division Distt. Hamirpur. HP. (FP/HP/ROAD/10281/2015).

Reference :-

Kindly refer to Additional Chief Secretary (Forest), Himachal Pradesh Government, Armsdale Building, Shimla observation letter no. FC/HPB/82/2023 dated 30.11.2023

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 Sr No 1 Details of violation has not been mentioned, if the road comes in the list of 2183 roads then the details of the same is required to be uploaded in the additional information of Part I alongwith violation report.	In this regards, List of 2183 violated road has been uploaded in the additional information of Part I as ANNEXURE -A
2	In Sr. No 2 – The name of the officials may be conveyed to this office so that suitable action under section 3 of FCA, 1980 will be initiated	The road was constructed by local residents for the transportation of their goods, using their own funds, and the specific names of individuals involved are not known to this office. As there was no involvement of government officials, no names can be provided for action under Section 3 of the FCA, 1980.
3	In Sr. No 5 – Observation was not attended.	The original proposal for the road under PMGSY (2002-2003) list of Hamirpur district was for 3 km. However, due to certain private landowners not agreeing to provide their land, the proposal had to be revised, and the road length was reduced to 1.730 km accordingly.

4	In Sr No. 7 – Non-forest land was not explored.	In reference to the identification of suitable non-forest land for muck disposal, a Non-Forest land / private land was explored, which belongs to Sh. Naseer Mohammed. He has voluntarily provided his land to HPPWD for make his land as dumping site which is situated in Khasra No. 234, Tika Beha, Mauja Hathol, Sub Tehsil Kangoo, District Hamirpur HP. Affidavit, Statement on oath and jamabandi has been uploaded in the additional information of Part I as ANNEXURE -B
5	In Sr No. 8 – Muck Management Plan is not signed by the competent Authority	Now Muck Management Plan is signed by the competent Authority.

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

Enclosure:-

1. Copy of List of 2183 violated road.
2. Copy of Affidavit, Statement on oath and jamabandi
3. Muck Management Plan / Undertaking for Muck Dumping


Executive Engineer,
Nadaun Division,
HPPWD Nadaun (H.P.)

Full title of the project: - Construction of link road from Beha to Hathol, Km. 0/0 to 1/730.

File No. :-

FP/HP/ROAD/10281/2015

Date of Proposal: -

02/02/2022

List of 2183 violated road

Details for roads constructed in violations of FCA-1980											
Sr. No.	Name of Division	Name of the road	Total length of road (kms)	Starting From (Name)	Present status whether completed or in progress	GPS coordinates at Strategic point			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
						Starting point	End point	Mid point of road length or villages/ important location along the road			
10	Barsara	Link road to Village Badhera	2.00 km	Badelwa	Phase-I Completed	N31,31.31,42.16 E 76, 23, 48.2	N31 42 13.8 E 76 23 53.9	N31 42 13.8 E76 23 37.50	No	No	----
11	---do---	Beha Hathol road	1.730 km	Beha	0.160 Mtr F/C	N 31,41.162 E-76-22,35.6	N- 31,41.193 E- 76,22,298	N- 31,41,196 E- 76,22,318	No	No	----
12	---do---	Ansara Lohari road	3.240 km	Ansara	Phase-I Completed	N31 42 41.2 E 76 19 48.8	N31 42 49.4 E76 19 47.20	N31 42 49.4 E 76 19 39.71	No	No	----
13	---do---	L/R Village Gahoon	2.500	Jalari Salouni road km 3/450	In progress	N31,43 45.8 E 76 22,76.9	N31,44 24.6 E76,23,3 3.10	N31 43 66.80 E 76 22,94.8	No	No	Proposed connectivity (PMGSY)
14	---do---	Panyañ Nugran road	2.000	Panyañ Kashmir road km 4/960	-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	----

10-1
Executive Engineer,
Nadaun Division,
HPPWD Nadaun (H.P.)


**MOST URGENT
PERSONAL ATTENTION**No.PBW(B)E(3)1/2013-1
Government of Himachal Pradesh
Public Works DepartmentFrom The Pr. Secretary (PW) to the
Government of Himachal Pradesh.To The Engineer-in-Chief,
HP PWD, Nirman Bhawan,
Nigam Vihar, Shimla-2Dated Shimla-171002, the 18th 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. 5609 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.

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.FR
- 11/K-C

L.C

1131
19-6-14

DR
Dr. Gopal Singh

ANNEXURE -A

Government of Himachal Pradesh

Department of Forests

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

Dated Shimla-171002, the

10/7
5288/5445
P. S. (6/1)
31/6/14

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 :-

1. 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 BRD 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.

PTO

2/1/14
25/8/14
30/5/14
30
Subst. PWD
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U.V

- 109
- 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.

- 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

मै नसीर मोहम्मद आयु 63 साल पुत्र रुक्म दीन निवासी महाल बेहा मौजा हथोल
 उप तहसील कांगू जिला हमीरपुर हि० प्र० का हूँ !
 हलफन व्यान करता हूँ

1. यह कि मै अपनी सहमती अपने खसरा नम्बर 234 वाकया टीका बेहा मौजा
 हथोल उप तहसील कांगू जिला हमीरपुर हि० प्र० पर PWD विभाग को मिट्टी
 को फैकने / DUMP करने के लिए दे रहा हूँ जिस बारे किसी का कोई उजर
 एतराज नहीं है।
2. यह की उपरोक्त रोड जिस पर PWD विभाग का काम चलना है वह बेहा से
 हथोल रोड का काम किया जाना है। इस रोड की मिट्टी ही मै अपने उपरोक्त
 खसरा नम्बर पर डंप करवा रहा हूँ।
3. यह कि उपरोक्त रकवा पर PWD विभाग द्वारा मिट्टी फैकने बारे किसी का
 कोई उजर एतराज होगा तो मै स्वयं जिम्मेदार हूँगा।

स्थान:- कांगू

दिनांक:-03-02-2025


 नसीर

तस्दीक:- मै उपरोक्त प्राथी तस्दीक करता हूँ कि उपर लिखित तथ्य
 मेरे इल्म व यकीन से सही व दरुसत है कुछ भी गलत या झुठ नहीं
 है

स्थान:- कांगू

दिनांक:-03-02-2025

शिनाखती


 नसीर

Full title of the project: -

Construction of link road from Beha to Hathol, Km. 0/0 to 1/730.

File No. :-

FP/HP/ROAD/10281/2015

Date of Proposal: -

02/02/2022

Muck Management Plan

1.	Total quantity of muck to be generated from cutting.	12165	cum
2.	Deduction of useful stone as required under clauses of agreement to be executed by the Executive Engineer of project.	7299	cum
3.	Net balance quantity of debris/muck.	4866	cum
4.	Add Quantity available on site with swell factor @40% on PW&JW	1946.4	cum
	Total (A)	6812.4	cum
5.	Less for Materials required for dumping in behind R/Wall etc @ 10% (A).	681.24	cum
6.	Less material/muck required for levelling of proposed road for the construction @15% of (A).	1021.86	cum
7.	Less material/muck required for the construction of proposed road on the analogy of half cutting and half filling @40% of (A).	2724.96	cum
	Total (B)	4428.06	cum
8.	Materials/Muck left at the site which required carriage for the proper dumping at the recognised site as per instruction of Forest and Environment ministry reinforced by the various judgements of the Apex Court/Govt. of India i.e. (A-B).	2384.34	cum
9.	Design proposed for Dumping Sites (Attached).	1 Nos	
10.	Total Capacity of Dumping Sites as per details attached.		cum
11.	Area in Hectare for Dumping Sites.		
	Forest Area	0.0000	Hectare
	Non Forest Area	0.0651	Hectare
	Total	0.0651	Hectare

13-1
Executive Engineer,
Nadaun Division,
HPPWD Nadaun (H.P.)

Countersigned ---

(Ankit Kumar Singh, IFS)
Deputy Conservator of Forests,
Hamirpur Division of Forests,
Hamirpur Forest Division
Hamirpur (H.P.) 177001


Full title of the project: - Construction of link road from Beha to Hathol, Km. 0/0 to 1/730.
File No. : - FP/HP/ROAD/10281/2015
Date of Proposal: - 02/02/2022

Undertaking Regarding Muck Dumping in Forest Land

I, Executive Engineer, Nadaun Division, HPPWD Nadaun, hereby undertake that no muck, debris will be dumped in the proposed forest land for dumping mentioned in the project proposal. All muck generated during the Construction of link road from Beha to Hathol Km. 0/0 to 1/730 shall be dumped only in non-forest land at designated dumping site situated in Khasra No. 234, Tika Beha, Mauja Hathol, Sub Tehsil Kangoo, District Hamirpur HP.

Executive Engineer,
Nadaun Division, ✓
HPPWD Nadaun (H.P.)

Countersigned ---


Deputy Conservator of Forest,
(Ankit Kumar Singh, IFS)
Hamirpur Forest Division
Deputy Conservator of Forests,
Hamirpur Forest Division
Hamirpur (H.P.)-177001