

No. 177  
Himachal Pradesh Forest Department

Dated Shimla.-2/ 11-4-2022

From: DFO Shimla. To: C.C.F Shimla Circle.

Sub: Diversion of 2.4589 HA. IN VILLAGE KATHALI FROM R/D 127/450 TO 128/250 FOR FOUR LANING OF SOLAN-KAITLIGHAT SECTION OF NH-22 (NOW NH-05) FROM KM. 106.139 TO KM 129.05. Proposal No. FP/HP/ROAD/120302/2021.

Memo:

Please refer to GoI letter No. FC/HPB/06/13/2022 dated 23.03.2022 on the subject cited above.

2. The point wise reply given as under:-

1. All the documents has been authenticated by DFO, Shimla & uploaded on e-parivesh portal by the user agency.
2. The NDPF Chanawag is not a wasteland under HP Govt. Notification, 1952. NDPF is New Demarcated Protected Forest and the notification of the same is enclosed herewith.
3. As per the user agency In this regard, it is apprised that Part-1, para B, Sr. No.1 is updated automatically on eparivesh portal. There is no such option showing edit/add on e-parivesh portal for said part. The same cannot be changed by the User Agency.
4. Needful has been done by the user agency online now.
5. The reply of the user agency is enclosed herewith.
6. The reply of the user agency is enclosed herewith.
7. The reply of the user agency is enclosed herewith.
8. As per user agency the FRA certificate is waited from the DC Solan.
9. A dispute arose between the HP forest department and private owners w.r.t ownership of the land. The HP forest department has file a civil suit in the court Ld. Civil Judge Kandaghat titled as State of HP vs Pankaj Kumar and others which was pending adjudicating. In the mean time the NHAI filed a CWP No. CWP 5537 of 2020 titled as NHAI v/s State of HP & others before in the High court of HP which came to be decided on 08.12.2020. The Hon'ble court observed as under:



The Forest Department concerned shall forthwith purvey to the petitioner, the entire records appertaining to the enumeration of trees hence existing on the afore stretch of forest land and thereafter the petitioner authority, shall forthwith or with utmost promptitude hence proceed, to, inasmuch, as, within one month from today, and strictly in accordance with law, complete the markings of apposite sanctions. Upon permission being received from the Regional Office, Ministry of Environment, Dehradun, both for felling of trees existing upon the forest land and also for, conversion of the forest land, to non forest land or for its use for construction of road (s) thereupon, the petitioner authority shall proceed to forthwith execute the road construction activity and shall completely, complete it within six months".

10. As per the user agency the highway work of Solan-Kaithlighat section of NH-05 is almost 50% completed & the proposed acquisition of forest land for highway

construction is bare minimum& felling of 177 trees and 978 saplings in village Kathali can't be avoided.

11. The certificate regarding distance wildlife sanctuary received from the DFO wildlife which is enclosed herewith.
12. The user agency has show the capacity of each muck dumping site which is enclosed herewith.
13. The user agency has submitted a undertaking w.r.t the muck dumping.
14. The copy of the working plan is enclosed herewith.
15. Revised NPV bill is enclosed herewith in duplicate as well as the same has been uploaded on line.
16. The part IV & V is pertains to higher office please.

Encl: As above.

  
Divisional Forest Officer,  
Shimla Forest Division,   
Tel. No.0177-2623412.  
