

Most Urgent-High Court Matter

No. RK/FCA/Violation/ 5280-81
H.P. Forest Department.

Dated Dharamshala, the/ 23-12-17

From

Divisional Forest Officer,
Dharamshala Forest Division,
Dharamshala.

To

- ✓ 1. Executive Engineer,
HPPWD Divisional, Dharamshala.
2. Executive Engineer,
HPPWD Division Kangra.



Subject: - CWPIL 91/2017-Court in its own motion Vs State of HP and ors.

Sir,

It is intimated that the Principal Secretary (PW) to the Govt. of H.P. has forwarded a list of 2183 roads constructed in violation of the provisions of the Forest Conservation, Act. 1980 in Himachal Pradesh, to the Engineer-in-Chief HPPWD, Nirman Bhawan Nigam Vihar, Shimla-2 vide letter No. PBW (B)E(3)1/2013 dated 22nd November, 2013 with a copy to the Pr. Secretary (Forests) to the Govt. of H.P., Pr. Chief Conservator of Forests, H.P. Talland Shimla-I and Addl. Pr. Chief Conservator of Forests (Central) Govt. of India, MOEF Northern Regional Office Chandigarh and copy thereof received vide C.F. Dharamshala office endst. No. 9014 dated 22.1.2014.

Whereas, the Hon'ble High Court of H.P. has passed directions 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 to the HPPWD authorities to complete joint inspections of these roads with their counterparts in the State Forest Department and report compliance to the MOEF through State Govt. for consideration of the proposals for approval.

Therefore, keeping in view the directions of the Hon'ble High Court on the subject cited above, the extract list of those roads which have been constructed within the territorial jurisdiction of Dharamshala Forest Division in violation of the provisions of the Forest Conservations, Act. 1980 is enclosed herewith for your information and to confirm as to which roads pertain to your respective Division and whether the proposal of the same has been prepared under FCA 1980 or not. If not then you should immediately take necessary steps to get the joint inspections of these roads by the committee and ensure to submit the proposal through online portal of MOEF for obtaining approval of the Govt. of India Ministry of Forests and Environment. *Kindly supply information on Annexure-II within 15 days.*
Encl: As above.

(A.J.D)

Divisional Forest Officer,
Dharamshala Forest Division,
Dharamshala.

Endst. No. _____ Dated Dharamshala, the/ _____

Copy alongwith extract list of roads constructed in violation of the provisions of the FCA, 1980 within their respective jurisdiction is forwarded to all R.Os for information and immediate necessary action. They are directed to confirm/verify as to which road has been constructed in violation of FCA 1980 and what action they have taken against the defaulting agency.

Encl: As above.

Divisional Forest Officer,
Dharamshala Forest Division,
Dharamshala.

Detail of Roads Constructed in violation to FCA 1980 as per the list of 2183 roads									
Sr. No. (as per 2183 road list)	Name of PWD Division	Name of Roads	Total length of Road as per list (KM)	whether construction of road is complete or incomplete (kindly mention below)	length of the road already constructed (km)	length of the remaining portion of the loads (km)	whether FCA proposal Submitted online or not (if yes kindly mention case file No)	Remarks	Area (ha) to be diverted
1	Kangra	Bhald to Darini Khurd Road	2.45					c/o Bhald Darini Khurd road Kms 0/00 to 2/250 km (File No FP/HP/ROADS/10640/2015)	0.733
2	Kangra	Panjol Bhim Dibba Road	2.5					NA	
3	Kangra	Bohar Kawaloo to Pathiar	1.8					c/o Bohar Kawaloo to Pathiyar via kalri Road 0/00 to 2/840 km (FP/HP/ROAD/11801/2015)	1.271
4	Kangra	Link road Sunhi Krti to Chhirnag Mandir	2.2					NA	
5	Kangra	Link road Rajaina Chakban Jhang Churan	5.03					NA	
6	Kangra	Link road nagan Pul to kalru	3					NA	
7	Kangra	Ghatta Choundha Kulthi road	4.5					NA	
8	Kangra	Bushal to Khart Khas road	4.425					NA	
9	Kangra	Dhara Arla Gabla Andrad	4.2					NA	
10	Kangra	Jassai Morth Jhang road	4.5					NA	
11	Kangra	Katwal Lahar to Ruhalkar	5.85					Diversion of 2.8092 ha of forest land in favour of HPOPWD for the construction of link road from Kotwal Lahar to Ruhalkar (km 0/0 to 5/850) within the jurisdiction of Dharamshala Forest Division, District Kangra, H.P. (XEN HPPWD Kangra) File No 9-HPB/512/2010-CHA	2.8092
12	Kangra	Palra to Talla	1.9					Diversion of 0.9125 ha of forest land in favour of HPPWD for the construction of link road Palera to Tilla (km.0/00 to 1/900) within the jurisdiction of Dharamshala Forest Division, District Kangra, H.P.(XEN HPPWD Kangra)	0.9125
13	Kangra	Link road Ghna Lohar Lhari to Jandrah	5.98					NA	
14	Kangra	Link road from Daka to Bandia	3.1					NA	
15	Kangra	Link road Tharkankar Sanour lahar	1.98					NA	
16	Kangra	Bane di Hatti Khappar Nailah Barangai road	2.5					NA	
17	Kangra	Ghalian Chotti Bhi, Badi Bhi Btu Ghambla to Thakurdwara road	2.5					NA	
18	Kangra	NH 88 to Bhanwar road	1.5					NA	
19	Kangra	NH 88 to Paissa Chowk Harizan,Basti Onkar Singh house	1.5					NA	
20	Kangra	Link road to kalroo	3					NA	
21	Kangra	Link road to Bharyal to Harna	2					NA	
22	Kangra	Bridg Vh Sadoon & Prai	1					NA	
23	Kangra	Link road Ther to Manoh	1					c/o link road from Thamba to Ther Manoh km0/00 to 6/506 (FP/HP/ROAD/13183/2015)	3.1195
24	Kangra	Tal Jhanyana road	1					NA	
25	Kangra	Link road Village Governand	1.5					NA	
26	Kangra	Link road to Village Fina	1					NA	
27	Kangra	Link road to Village Gajra	1					NA	
28	Kangra	Link road to Village Ratier	2					NA	
29	Kangra	Link road to Village Sansai	1.5					NA	
30	Kangra	Link road to Village Danduni Mata Mandir road	2					NA	
31	Kangra	Link road to Village Bhattri	0.5					NA	
32	Kangra	Link road to village kapadu Chowk to Sandhu Nailah	3					NA	

33	Kangra	Link road to village Johrian	1					NA	
34	Kangra	Link road to upper Kalru to Noun Jassai	1					NA	
35	Kangra	Link road to village Panjlahr	1.2					NA	
36	Kangra	Link road to village Knda Munda	1.5					NA	
37	Kangra	Branj to Sirmani	4					NA	
38	Kangra	Chhatrl Darini Khurd	1.6					NA	
39	Kangra	Phagd to Jhikla Bhanjar	4					NA	
40	Kangra	Machhri Bassa	2					NA	
41	Kangra	Jagni to Baba Bholu	1					NA	
42	Kangra	Thana Bargran to Garri	1.5					NA	
43	Kangra	Laltu to Banu Mahdev	4.21					NA	
44	Kangra	Makori Khad to Khasbar	0.8					NA	
45	Kangra	Tundu to Dhanotu via Matta	2					c/o link road from Tundu Dhanotu km 0/00 to 1.750 (FP/HP/ROADS/13508/2015)	0.765
46	Kangra	Kiyorian to Daloh bag Sarah Road	6.33						
47	Kangra	Link road to Thind Basti	1.5					c/o link road to Thind Basti km 0/00 to 0/660 (FP/HP/ROADS/13558/2015)	0.405
48	Kangra	Loharkar to Rohru	1.51					c/o link road from Loharkar to Runru km 0/00 to 1/510 (FP/HP/ROADS/13522/2015)	0.2882
49	Kangra	Bandi Garoh to Nagan patt	6.19						
50	Kangra	Rajol to Charri Ansui	4.5					NA	
51	Kangra	Shahpur Jawali road to Thhare Chailian Nra road	3.5					NA	
52	Kangra	Link road to Kotlu to Batti Sandh Rajal Road	3.81					NA	
53	Kangra	NH 88 Gujjar Basti Balugloa Road	1					NA	
54	Dharamshala	Link road to Govt. Middle School Kardiya to jul 0/0 to 0/840	0.84					NA	
55	Dharamshala	Link road to Village Bagiyara	1.18					NA	
56	Dharamshala	Link road from Village Tang to Village Jamula	1.3					NA	
57	Dharamshala	Link road to village Pallan	--					NA	
58	Dharamshala	Link road to village Khirku	1.5					Diversion of 1.6138 ha of forest land in favour of HPPWD for the construction of link road to village Khirku (Km. 0/00 to 2/810) within the jurisdiction of Dharamshala Forest Division, District Kangra, H.P. (XEN HPPWD Dharamshala)--File No 38/HPB/06/38/2015	1.6138
59	Dharamshala	Link road Khaniyara to Rakkar via Tillu Naddi	1					NA	
60	Dharamshala	Aghanjar Mahadev to Lunta	1					NA	
61	Dharamshala	Link road to village Kharota	3.5					Diversion of 0.825 ha Forest land in favour of HPPWD for the construction of link road to village Kharota (km 0/00 to 1/375) within the jurisdiction of Dharamshala Forest Division, District Kangra, H.P. (XEN HPPWD D. Shala)--File No 38-HPB/06/49/2016	0.825
62	Dharamshala	Link road Barwala to Thamba	1					NA	
63	Dharamshala	Link road Tapovan to Brh	1.5					NA	
64	Dharamshala	Link road to village NW Bagni	1.5					NA	
65	Dharamshala	Old Chamunda road	2					NA	
66	Dharamshala	Dharamkot Bhagsu road via Rakkar	1.065					Diversion of 0.8215 ha of forest land in favour of HPPWD for the construction of link road from Dharamkot to Bhagsunag via Rakkar (Km 0/00 to 2/515) within the jurisdiction of Dharamshala Forest Division, District Kangra, H.P. (XEN HPPWD D. Shala)	0.8215
67	Dharamshala	Link road to village Barnt to Ghera	3					Diversion of 1.9835 ha of forest land in favour of HPPWD for the construction of Barnt to ghera (5/030 to 3/135 km) road within the jurisdiction of Dharamshala Forest Division, District Kangra, H.P. (Xen PWD Dharamshala)--File No 50/HP/ROADS/0532/2015	1.9835
68	Dharamshala	Link road to village Barnt	0.25					NA	

69	70	Dharamshala	Link road from village Heeru to Dusalan	1.645						NA	
70	71	Dharamshala	Link road Ramhar Tangroti Dhaloon road	4.99						NA	
71	72	Dharamshala	Construction of Link road from Gadrana to Palu Baroh (km 0/0 to 5/0)	5						NA	
72	73	Dharamshala	Construction of link road from Rounkhar to Kald joining Poud (o/o to 2/500)	2.5						NA	
73	74	Dharamshala	Construction of link road from Mangrila to Bhattkar joining Rangrd	4						NA	
74	75	Dharamshala	Construction of link road from Lower Jandrangal to Shiund joining Baldhar Jassour	6.69						NA	
75	76	Dharamshala	Construction of link road from Ustehar to Kalijan Baloi	10						NA	
76	77	Dharamshala	Construction of link road from Barana to Mariyari to Nhar to Palahchaklu	3.825						NA	
77	78	Dharamshala	Const. of link road from Hachichik Rani Da Baroh Massal road	2						NA	
78	79	Dharamshala	Const. of link road from Samloti to Bhorni	0.9						NA	
79	80	Dharamshala	Const. of link road from Sunhar to Mundla Dhar	4.85						NA	
80	81	Dharamshala	Const. of link road from Jalot Hardoo Mangrila Har road	8						NA	
81	82	Dharamshala	Const. of link road from village Aila to Ropa	1						Diversion of 1.7080 ha of forest land for the construction of Aila-Jandrah Road in favour of HPPWD within the jurisdiction of Dharamshala Forest Division, District Kangra, H.P. (UA = EX-En PWD Dharamshala) File No 9/1280/2001/ROC	1.708
82	83	Dharamshala	Const. of link road from CHC to Simai Patt Bushal (Baroh)	2						NA	
83	84	Dharamshala	Const. of link road from Saroot to Chhaprhar upto Toru	4						NA	
84	85	Dharamshala	Const. of link road from Baroi to Upper Paddar upto village Ballah	2						NA	
85	86	Dharamshala	Const. of link road to Patola	3.75						NA	
86	87	Dharamshala	Const. of link road to village Chidder	2						NA	
87	88	Dharamshala	Const. of link road to Village Matari	2.35						NA	
88	89	Dharamshala	Const. of link road to village Jamula	0.7						NA	
89	90	Dharamshala	Const. of link road to village Juhl	2.06						Diversion of 0.9978 ha of forest land in favour of HPPWD for the construction of Link road to village Juhl (Km 0/00 to 2/060) within the jurisdiction of dharamshala forest division, district kangra, H.P. (XEN HPPWD D. Shala)-FP/HP/Road/6947/2011 (File No 9-HPB 272/2011-CHA)	0.9978