

**FORM I**  
(for linear projects)  
**Government of Himachal Pradesh**  
**Office of the District Collector, Mandi**

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Dated Mandi, the 16.01. , 2020

**TO WHOSOEVER IT MAY CONCERN**

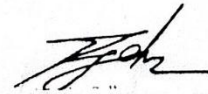
In compliance of the Ministry of Environment and Forests (MoEF), Government of India's letter No. 11-9/98-FC(pt.) dated 3<sup>rd</sup> August, 2009 wherein the MoEF issued guidelines on submission of evidences for having initiated and completed the process of settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 ('FRA', for short) on the forest land proposed to be diverted for non-forest purposes read with MoEF's letter dated 5<sup>th</sup> February, 2013 wherein MoEF issued certain relaxation in respect of linear projects, it is certified that 0.3185 hectare of forest land proposed to be diverted in favour of HPPWD for the construction of bridge on 40 meter span to Dayol to Lasani road 0/00 to 8/670 under (PMGSY) over Taryal Khad. (Sub/Head:- Construction of bridge approaches from Dayol side 0/00 to 0/385 falls within the jurisdiction of Dayol/12 village in Sandhole Tehsil.

It is further certified that:

- (a) The complete process for the identification and settlement of rights under the FRA has been carried out for the entire 0.3185 hectare of the forest land proposed for diversion. A copy of records of all consultations and meetings of the Forest Rights Committee(s), Gram Sabha(s), Sub Division Level Committee(s) and the District Level Committee are enclosed as annexure I to V.
- (b) The diversion of Forest land for facilities managed by the Government as required under section 3 (2) of the FRA has been completed and the gram sabha (s) have given their consent to it.
- (c) The proposal does not involve recognized rights of Primitive Tribal Groups and Pre agricultural communities.

This certificate is being issued in the light of guidelines given in letter No. 11-9/98-FC (pt.) dated 05-02-2013.

Encl.: As above.



District Collector,  
Mandi District Mandi H.P.

## Annexure-I

अनुसूचित जन जाति व अन्य परम्परागत वन निवासी वन अधिकारों की मान्यता अधिनियम, 2006

वन अधिकार समिति  
मुहाल सभा **दमोल्**  
ग्राम पंचायत **कुन**

प्रस्ताव संख्या **०२**

प्रतिलिपि प्रस्ताव

दिनांक **०४-०१-२०१५**

वन अधिकार समिति मुहाल सभा **दमोल्** की बैठक आज दिनांक **०४-०१-१५** को **११:** बजे **११: बजे दमोल्**  
मुहाल के अनुसूचित जनजाति व अन्य परम्परागत वन निवासी (वन अधिकारों की मान्यता) अधिनियम 2006 के अंतर्गत वन अधिकारों के लिए दावे प्राप्त हुए गांववासियों के वन अधिकारों के आवेदनों पर चर्चा की गई। वन अधिकारों के प्रस्तावों के साथ प्रस्तुत दस्तावेजों के अध्ययन तथा उस पर विस्तृत चर्चा के उपरान्त निम्न प्रकार से कार्यवाही की गई:-

कुल प्राप्त आवेदन:-

**शून्य**

सही दावों का ब्योरा:-

क्रम संख्या	पात्र गांव वासी के नाम	जंगल का नाम	वन-अधिकार का ब्योरा
-	-	-	-

तदनुसार यह मुहाल सभा इस दावे/ इन दावों को पारित करने हेतु मुहाल सभा से इसकी सिफारिश करती है। उपरोक्त में से निम्नलिखित पात्रों का दावा नियमानुसार सही नहीं पाया गया:-

क्रम संख्या	पात्र गांव वासी के नाम
-	-

तदनुसार मुहाल सभा इस दावे/ इन दावों को निरस्त करने की सिफारिश करती है:

या

**दमोल्** मुहाल/गांव में कोई भी वन अधिकार का दावा प्राप्त नहीं हुआ है।

बन्दोबस्त के दौरान तैयार की गई वाजिब उल अर्ज नक्शा बर्तन एवं वन बन्दोबस्त रिपोर्ट में वर्णित सामुदायिक वन अधिकारों एवं सामुदायिक वन संसाधन के अधिकारों को जांचा गया एवं मुहाल सभा को निर्णय हेतु प्रेषित किया गया। वन संसाधनों के मानचित्र एवं परंपरागत सीमाएँ वन विभाग के अभिलेख के अनुसार ही माने गए।

स्थान **दमोल्**  
दिनांक **०४-०१-२०१५**

सचिव  
वन अधिकार समिति  
मुहाल **दमोल्**  
ग्राम पंचायत **कुन**  
पो २४० धर्मपुर, जि० मन्डी (हि०प्र०)

अध्यक्ष  
वन अधिकार समिति  
मुहाल **दमोल्**  
ग्राम पंचायत **कुन**  
पो २४० धर्मपुर, जि० मन्डी (हि०प्र०)

प्रधान  
वन अधिकार समिति  
मुहाल **दमोल्**  
ग्राम पंचायत **कुन**  
पो २४० धर्मपुर, जि० मन्डी (हि०प्र०)



मुहाल सभा का नाम Devol  
ग्राम पंचायत का नाम Koon  
मुहाल सभा सदस्य संख्या 310  
उपस्थित सदस्य संख्या 199

प्रस्ताव संख्या 02

प्रतिलिपि प्रस्ताव

दिनांक 06-08-15

मुहाल सभा Devol की बैठक आज दिनांक 06-02-15 को 11 बजे Devol स्थान Devol में श्री/श्रीमती Devol की अध्यक्षता में की गई व उपरोक्त मुहाल सभा की गणपूर्ति निम्न प्रकार से है, जिसमें मुहाल के अनुसूचित जनजाति व अन्य परम्परागत वन निवासी (वन अधिकारों की मान्यता) अधिनियम 2006 के अंतर्गत इस मुहाल सभा की वन अधिकार समिति की सिफारिश के उपरान्त हुए। गांववासियों के आवेदनों पर चर्चा की गई। वन अधिकारों के प्रस्तावों के साथ प्रस्तुत दस्तावेजों के अध्ययन तथा उस पर विस्तृत चर्चा के उपरान्त निम्न प्रकार से कार्यवाही की गई:-

कुल प्राप्त आवेदन:-

NIL

सही दावों का ब्यौरा:-

क्रम संख्या	पात्र गांव वासी के नाम	जंगल का नाम	वन-अधिकार का ब्यौरा
<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>

तदनुसार यह मुहाल सभा इस दावे/ इन दावों को पारित करते हुए इसे उप-खण्ड की समिति को प्रेषित करती है।  
उपरोक्त में से निम्नलिखित पात्रों का दावा नियमानुसार सही नहीं पाया गया:-

क्रम संख्या	पात्र गांव वासी के नाम
<u>—</u>	<u>—</u>

तदनुसार मुहाल सभा इस दावे/ इन दावों को निरस्त करने की सिफारिश करती है।

इस मुहाल सभा की वन अधिकार समिति से प्राप्त सूचना के अनुसार मुहाल DEYOL में कोई भी वन अधिकार का दावा प्राप्त नहीं हुआ।

वन अधिकार समिति के प्रस्ताव के अनुसार बन्दोबस्त के दौरान तैयार की गई वाजिब उल अर्ज नक्शा बर्तन एवं वन बंदोबस्त रिपोर्ट में वर्णित सामुदायिक वनाधिकारों एवं सामुदायिक वन संसाधनों के अधिकारों को सही पाया गया एवं उक्त अधिकारों के दावे को स्वीकार किया गया। वन संसाधनों के मानचित्र एवं परंपरागत सीमाएँ वन विभाग के अभिलेख के अनुसार ही माने गए।

स्थान Devol  
दिनांक 06-02-15

सचिव  
वन अधिकार समिति  
पंचायत सचिव  
मुहाल Devol  
ग्राम पंचायत Koon  
वि० ख० घर्मपुर, जि० मण्डी (हि०प्र०)



OFFICE OF THE SDO (CIVIL), DHARAMPUR  
DISTRICT Mandi (H.P.)

Proceedings of the meeting of the Sub-Division level Committee constituted under Schedule Tribes & Other Traditional Forest Dwellers (Recognition of Rights) Act (FRA), 2006.

A meeting of the Sub-Division level Committee of Dharampur Sub-Division, constituted under FRA, 2006, was held under the chairmanship/chairpersonship of Mr/ Ms. Kishor Lal SDO (Civil) Dharampur at 11:00 AM/PM at 8/100 (Place) in which the application(s) of the applicant(s) of Deol Gram Sabha, claiming rights in Deol forest area(s) under FRA, 2006, duly processed and recommended by the Deol Gram Sabha, were discussed to consider the same for recommendation to the District Level Committee.

After scrutiny of the documents and detailed discussions, the claim of following applicants were found to be in order and recommended for admission to District Level Committee :-

S.No. Name of Applicant\* Name of Forest Detail of forest Right

- 1.
- 2.

Nil

Claims of following applicants were not found in order and hence rejected:-

S.No. Name of Applicant\* Name of Forest Detail of forest Right

- 1.
- 2.

Nil

OR

As informed by Deol Gram Sabha, no application was received claiming rights in Deol forest area.

Place: Dharampur

Date 26/7/2016 SDO (Civil)-cum-Chairman/Chairperson

Sub-Divisional Officer (C)  
Dharampur Dist. Mandi (H.P.)

Name of the local people who have applied for admission of rights in the said forest area:



Proceeding of the meeting of the District Level Forest Right Committee held under the Chairmanship of Deputy Commissioner, Mandi on 30.08.2016.

The following were present in the meeting:

- |  |                  |
|--|------------------|
| 1. Addl. District Magistrate, Mandi                        | Member Secretary |
| 2. Sub Divisional Officer (C) Sadar                        |                  |
| 3. Sub Divisional Officer (C) Balh                         |                  |
| 4. Sub Divisional Officer (C) Karsog                       |                  |
| 5. Sub Divisional Officer (C) Gohar                        |                  |
| 6. Sub Divisional Officer (C) Padhar                       |                  |
| 7. Sub Divisional Officer (C) Jogindernagar                |                  |
| 8. Sub Divisional Officer (C) Dharampur                    |                  |
| 9. Sub Divisional Officer (C) Janjehli                     |                  |
| 10. Ms. Priyanka Verma, IAS Probationer                    |                  |
| 11. Divisional Forest Officer, Mandi                       | Member           |
| 12. Divisional Forest Officer, Nachan                      | Member           |
| 13. Divisional Forest Officer, Suket                       |                  |
| 14. ACF Karsog.  |                  |
| 15. Divisional Forest Officer, Jogindernagar               |                  |
| 16. District Revenue Officer, Mandi                        |                  |
| 17. Tehsildar Sarkaghat                                    |                  |
| 18. Smt. Neelam Sharma, President, M.C Mandi.              |                  |
| 19. Sant Ram Thakur, Zila Parishad Member, Balichowki      | Member           |
| 20. Pradeep Kumar, Zila Parishad Member, Ward No. 30 Behal | Member           |
| 21. Rajni Nail, Zila Parishad Member                       | Member           |

At the very outset the Chairman-cum Deputy Commissioner Mandi, welcomed all the participants. The Member Secretary with the permission of the Chair started the meeting.

Number of proposal under FRA which were received from various Sub Division:-

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जति० जिला दण्डाधिकारी  
मण्डी जिला मण्डो (हि.प्र.)



Dharampur

1	Dharampur	Gawella	Gawella	07-08-2014	10-11-2014	12-11-2014	26-07-2016	Case is fit
2	-do-	Gawella	Bindh	08-08-2014	09-11-2014	11-11-2014	26-07-2016	Case is fit
3	-do-	Gawella	Kanhui	07-08-2014	10-11-2014	12-11-2014	26-07-2016	Case is fit
4	-do-	Gawella	Lahsani	08-08-2014	09-11-2014	11-11-2014	26-07-2016	Case is fit
5	-do-	Gawella	Chej	07-08-2014	10-11-2014	12-11-2014	26-07-2016	Case is fit
6	-do-	Gawella	Chellbalhi	08-08-2014	09-11-2014	11-11-2014	26-07-2016	Case is fit
7	-do-	Sohar	Sohar	30-07-2014	12-11-2014	04-02-2015	26-07-2016	Case is fit
8	-do-	Sohar	Balyali	30-07-2014	12-11-2014	04-02-2015	26-07-2016	Case is fit
9	-do-	Sohar	Takrehar	30-07-2014	12-11-2014	04-02-2015	26-07-2016	Case is fit
10	-do-	Bery	Upper Beri	04-02-2014	14-05-2014	22-05-2014	26-07-2016	Case is fit
11	-do-	Bery	Nichli Bery	04-02-2014	14-05-2014	22-05-2014	26-07-2016	Case is fit
12	-do-	Bery	Kaltri	04-02-2014	14-05-2014	22-05-2014	26-07-2016	Case is fit
13	-do-	Koon	Koon	15-09-2014	04-01-2015	06-02-2015	26-07-2016	Case is fit
14	-do-	Koon	Deyol	15-09-2014	04-01-2015	06-02-2015	26-07-2016	Case is fit
15	-do-	Neri	Jamula	22-07-2014	27-11-2014	04-01-2015	26-07-2016	Case is fit
16	-do-	Neri	Neri	22-07-2014	27-11-2014	04-01-2015	26-07-2016	Case is fit

Attache  
 जति० जिला दण्डाधिकारी  
 मण्डो जिला मण्डो (हि.प्र.)



The detailed discussion and scrutiny of the proposals and documents placed on record mentioned against the following Sub-Divisions were found in order:-

Sr. No.	Name of Sub Division	Number of Proposal
1.	Sadar (Rural) and (Sadar Urban)	38
2.	Karsog	89
3.	Jogindernagar	95
4.	Sundernagar	46
5.	Dharampur	16
	Total	284

Thus keeping in view the recommendation of SDLC and discussion in DLC the claims of ST and other Forest dwellers of 284 muhals are settled and same are found to be nil.

Beside above case submitted by the Education department for the construction of Government High School, Kandhar to Divisional Forest Officer, Suket under section 3(2) of Forest Rights Act, 2006 was also discussed in detailed with Divisional Forest Officer, Suket who has told in the meeting that case under reference does not fulfil either of criteria mentioned in para No. 2<sup>nd</sup> and 3<sup>rd</sup> above and rejected the above proposal. Divisional Forest Officer, Sundernagar has also stated during the District Level Committee meeting that section 3(2) of ibid act does not apply in that area where OTFD and ST do not exist. She further opined that both the acts i.e. Forest Conservation Act, 1980 and Forest Rights Act, 2006 are applicable in this case and entire area of Mandi district, but this case does not fall under the purview of section 3 (2) of Forest Rights Act, 2006. This contention of Divisional Forest Officer, Suket that entire Forest Rights Act, 2006 except section 3(2) shall be applicable, does not seem logical.

In this regard, as per clarification dated 14-12-2015 issued by Ministry of Tribal Affairs, Government of India "Development facilities under section 3 (2) can be extended in parallel or independently of the process of recognition of rights under section 3(1) clearances of development project under section 3(2) is subject to the condition that the same is recommended by the gram Sabha. It however needs to be ensured that no rights are affected or any forest dweller is evicted due to diversion of forest land till the recognition and verification process under FRA is complete. Therefore while obtaining recommendation of the Gram Sabha for diversion of forest land under section 3(2), it may also be obtained in writing from the Gram Sabha that no rights under are likely to be affected by such diversion".

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जति० जिला दण्डाधिकारी  
मण्डी जिला मण्डो (हि.प्र.)



As per sub-section (2) of Section 3 of the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 provides that notwithstanding anything contained in the Forest (Conservation) Act, 1980, the Central Government shall provide for diversion of forest land for certain facilities managed by the Government, as specified in that Section, which involve felling of trees not exceeding seventy-five trees per hectare, provided that such diversion of forest land shall be allowed only if:-

- (i) The forest land to be diverted for the purposes mentioned in the said sub-section is less than one hectare in each case; and
- (ii) the clearance of such developmental projects shall be subject to the condition that the same is recommended by the Gram Sabha.

Keeping in view the above mentioned facts, the above case for diversion of 0.0485 hectare of forest land in the name of Education department for the construction of Government High School Kandhar has also been approved by the District Level Committee. However, Chairman directed the Addl. District Magistrate to refer the case to the Commissioner, Tribal Development, H.P. for issue necessary direction to the Forest department, Mandi to implement the provision of section 3 (2) of Forest Rights Act, 2006 in letter and spirit

*W.L.*

Sandeep Kadam, IAS,  
Deputy Commissioner,  
Mandi District, Mandi.  
Phone No. 01905-225201.

Attole  
अति० जिला दण्डाधिकारी  
मण्डी जिला मण्डो (हि.प्र.)