

No. D&SJ/RMP/EC/N. Court Build. /RMP/2018-8076
Office of the District and Sessions Judge,
Kinnaur Civil and Sessions Division at Rampur Bsr, H.P.

Dated: Rampur Bushahr, the 18th September, 2023.

To

The Divisional Forest Officer,
Rampur Division at Rampur Bushahr,
District Shimla, H.P.

Subject: Diversion of 1.4194 hac. Forest land in the name of Judicial Department for the construction of Judicial Courts Complex and complete separate Court Block for Juvenile Justice Board at Shingla, within the jurisdiction of Rampur Forest Division, District Shimla, H.P. (Online proposal No. FP/HP/ Others/32672/2018).

Sir,

“Jai Hind”

Please refer to your office letter No. 8777 dated 31.03.2023 on the subject cited above.

In this context, it is submitted that the revised compliance of letter 8B/H.P/09/72/2018/F.C./05- dated 6.10.2020 of Govt. of India, Ministry of Environment, Forest and Climate Change, Regional Office Dehradun (**In Principal approval**), endorsed to this office by Divisional Forest Officer (FCA) o/o Pr. CCF (HoFF) H.P., Shimla-1, vide his letter endst. No. Ft.48-3727/2018(FCA) dated 22.10.2020 is submitted (point wise) as under:

Sr. No.	Conditions of GoI.	Compliance.
1.	Legal status of the forest land shall remain unchanged.	Undertaking in this behalf is enclosed herewith as annexure-A.
2.	Forest land will be handed over only after required non-forest land for the project is handed over to the User Agency.	Undertaking in this behalf is enclosed as Annexure-B.
3.	<u>Compensatory afforestation:</u> a) Compensatory afforestation will be done by the Forest Department at the cost of User Agency on twice the proposed forest land i.e. 2.8388 hect. in UF Shingla. As far as practical, local indigenous species should be planted and plantation of single species should be avoided. b) State Govt. will provide correct information of Khasra No. of the CA area.	Information in this behalf is enclosed as Annexure-C. -

	c) Divisional Forest Officer shall submit an additional certificate that any plantation work has not been done over the said CA area formerly under other schemes.	-
4.	The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars if required on the CA land shall be deposited in advance with the Forest Department by the project authority. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.	Information in this behalf is enclosed herewith as Annexure-D
5.	<p><u>NPV:</u></p> <p>a) The State Government shall charge the Net Present Value (NPV) for the 1.4194 ha. forest area to be diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 30/10/2002, 01/08/2003, 28/03/2008, 24/04/2008 and 09/05/2008 in IA No. 566 in WP (C) No. 202/1995 and as per the guidelines issued by the Ministry vide letters No. 5-1/1998-FC (Pt. II) dated 18/09/2003, as well as letter No. 5-2/2006-FC dated 03/10/2006 and 5-3/2007-FC dated 05/02/2009 in this regard.</p> <p>b) Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State Government from the User Agency. The User Agency shall furnish an affidavit to this effect.</p>	<p>Information in this behalf Enclosed herewith as Annexure-E-1.</p> <p>Affidavit in this behalf is enclosed herewith, as annexure-E-2</p>
6.	The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.	Information in this behalf is enclosed herewith as annexure-F.
7.	No residential accommodation will be constructed in the proposed construction.	The undertaking in this behalf is enclosed herewith as annexure-G
8.	The area of 0.3504 reported under the component future extension will be strictly will be used for the purposes reported by the State Govt. vide their letter dated 22.6.2019 under 11 (eleven) categories.	The undertaking in this behalf is enclosed herewith as annexure-H

9.	The Hon'ble Supreme Court, New Delhi, in I A No. 3840 in WP (c) No.202/1995, at present, has put a stay on diversion of land under the FCA. Therefore, the State Govt., at its own level, will issue the approval orders for the diversion of forest land only after the decision of the Hon'ble Supreme Court, New Delhi, accordingly.	-
10.	User Agency shall restrict the felling of trees to minimum numbers in the diverted forest land (maximum of 12 trees and 5 saplings) and trees shall be felled under strict supervision of the State Forest. The user agency will deposit the cost incurred with the forest department.	The undertaking in this behalf is enclosed herewith as Annexure-J.
11.	No harm will be done to the flora and fauna of the surrounding area.	The undertaking in this behalf is enclosed herewith as annexure-K.
12.	All the funds received from the user agency under the project shall be transferred/ deposited to CAMPA fund only through e-portal (https://parivesh.nic.in/).	-
13.	User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986.	The undertaking in this behalf is enclosed herewith as annexure-L
14.	The layout plan of the proposal shall not be changed without prior approval of Central Government.	The undertaking in this behalf is attached herewith as annexure-M.
15.	No labour camp shall be established on the forest land.	The undertaking in this regard is enclosed herewith as annexure-N
16.	Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.	The undertaking in this behalf is enclosed herewith as annexure-O
17.	The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.	The undertaking in this behalf is enclosed herewith as annexure-P
18.	The forest land shall not be used for any purpose other than that specified in the project proposal.	The undertaking in this behalf is enclosed herewith as annexure-Q
19.	The proposed forest land to be diverted shall not be transferred to any other Agency, Department or person in any circumstances, without prior approval of Govt. of India.	The undertaking in this behalf is enclosed herewith as annexure-R
20.	Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF&CC Guideline F. No. 11- 42/2017-FC dt. 29/01/2018.	The undertaking in this behalf is enclosed herewith as annexure-S

21.	The conditions stipulated by the Ministry of Environment, Forests & Climate Change from time to time in the interest of conservation, protection and development of forests & wildlife will also apply, accordingly.	The undertaking in this behalf is enclosed herewith as annexure-T
22.	User Agency shall dispose of the debris at the pre specified sites in a manner that it does not fall from the boundary of such site(s). The User Agency shall do the work of stabilizing and revitalizing the sewage disposal area by planting suitable species of trees at the cost of project, under the supervision of the State Forest Department. To keep the malwa in place, walls shall be constructed. Before handing over the disposal sites to the state Forest Department, their stabilization and improvement work will be completed in a time bound manner as per the plan. No felling of trees will be allowed in the debris disposal area.	The undertaking in this behalf is enclosed herewith as annexure-U
23.	It will be the responsibility of the State Govt./User Agency to obtain necessary permission under any other relevant Act/ Articles/ rules/Court orders/ instructions etc. if any, applicable to this proposal.	The undertaking in this behalf is enclosed herewith as annexure-V
24.	The compliance report shall be uploaded on e-portal (https://parivesh.nic.in/).	The undertaking in this behalf is enclosed herewith as annexure-W

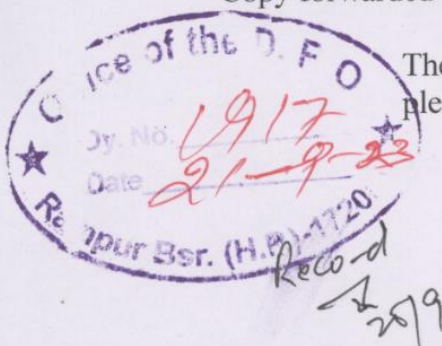
It is, therefore, requested that the requisite above said compliance in respect of this office in Principal approval granted by the GoI, vide letter referred to above may kindly be considered and the said compliance in respect of your Department may also be complied and uploaded with the above said compliance of this office on e-portal of concerned Department of GoI, under intimation to this office, so that the Hon'ble High Court of H.P. may be apprised, accordingly.

Yours faithfully,

District and Sessions Judge,
Kinnaur Civil and Sessions
Division at Rampur Bsr., HP.
Dated; the th September, 2023.

Endst. No. As above.
Copy forwarded to;

The Chief Conservator of Forest, Rampur Bushahr, H.P. for information, please.

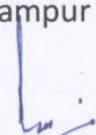


District and Sessions Judge,
Kinnaur Civil and Sessions
Division at Rampur Bsr. H.P.

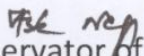
Annexure-A

Undertaking for condition No. 1.

I undertake that the Legal status of the proposed forest land for the construction of Judicial Courts Complex and complete separate Court block for Juvenile Justice Board at Shingla-Rampur Bushahr shall not be changed.



District and Sessions Judge,
Kinnaur Civil and Sessions
Division at Rampur Bushahr, H.P.

Countersigned by

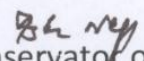

Dy. Conservator of Forests,
Rampur Forest Division,
Rampur Bushahr, Himachal Pradesh.

Undertaking for condition No. 2.

I undertake that the proposed forest land for the construction of Judicial Court Complex and complete separate Court block for Juvenile Justice Board at Shingla-Rampur Bushahr shall be taken over only after required non-forest land for the project is handed over.


District and Sessions Judge,
Kinnaur Civil and Sessions
Division at Rampur Bushahr, H.P.

Countersigned by


Dy. Conservator of Forests,
Rampur Forest Division,
Rampur Bushahr, Himachal Pradesh.

Annexure-C

Information for condition No. 3 (a)

An amount of Rs. 20, 80,840/- has been deposited in the CAMPA fund through online Challan No. 3095020230424960984 dated 24.04.2023 for CA and NPV bill as per the bill submitted by Forest Department. The copy of challan is attached herewith as annexure C-1.

District and Sessions Judge,
Kinnaur Civil and Sessions
Division at Rampur Bushahr, H.P.

Countersigned by

ABL ver
Dy. Conservator of Forests,
Rampur Forest Division,
Rampur Bushahr, Himachal Pradesh.

Serial- 3095020230424960984

AGENCY COPY

Union Bank of India

Challan for collection of CAMPA fund

Date: 17-04-2023

Client Code.	CAM5070
Location.	HIMACHAL PRADESH
Remitter Name.	DISTRICT & SESSION JUDGE KINNAUR CIVIL AND SESSION DIVISION RAMPUR BUSHAHAR DISTT. SHIMLA H.P.
PIF/Application No.	19932672770
MoEF/SG File No.	8B/HP/09/72/2018/FC
Address.	District & Session Judge Kinnaur Civil & Session Division at Rampur Bushahr, Distt. Shimla H.P.
Remitter Contact No.	530956
Email Id.	disectn@gmail.com
Mobile No.	941429956
Landline No.	1792-23955
Amount (in Rs.)	2080000
Beneficiary Branch and Code.	Union Bank Of India FCS Centre, 21/1, III Floor, Jelitta Towers, Mission Road, Bengaluru-560027

Amount in Words: Twenty Lakh Eighty Thousand Eight Hundred and Forty Rupees Only

District & Session Judge, Kinnaur Division, Rampur Bushahar (H.P.)

Bank's Transaction Number

Branch Stamp

- Branches should use CMS menu (FCS & CAPS) to process the transaction.
- Challan should only be accepted against INST/DD.
- Enter the Remitter Name in Additional Information 1
- Enter the Remitter Mobile number in Additional Information 2

CAMPA-MOEF Copy

Union Bank of India

Challan for collection of CAMPA fund

Date: 17-04-2023

Client Code.	CAM5070
Location.	HIMACHAL PRADESH
Remitter Name.	DISTRICT & SESSION JUDGE KINNAUR CIVIL AND SESSION DIVISION RAMPUR BUSHAHAR DISTT. SHIMLA H.P.
PIF/Application No.	19932672770
MoEF/SG File No.	8B/HP/09/72/2018/FC
Address.	District & Session Judge Kinnaur Civil & Session Division at Rampur Bushahr, Distt. Shimla H.P.
Remitter Contact No.	530956
Email Id.	disectn@gmail.com
Mobile No.	941429956
Landline No.	1792-23955
Amount (in Rs.)	2080000
Beneficiary Branch and Code.	Union Bank Of India FCS Centre, 21/1, III Floor, Jelitta Towers, Mission Road, Bengaluru-560027

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District & Session Judge, Kinnaur Division, Rampur Bushahar (H.P.)

Bank's Transaction Number

Branch Stamp

- Branches should use CMS menu (FCS & CAPS) to process the transaction.
- Challan should only be accepted against INST/DD.
- Enter the Remitter Name in Additional Information 1
- Enter the Remitter Mobile number in Additional Information 2

After making successful payment, User Agencies may send a line of confirmation through Email: help@unionbankofindia.bank

Note: After making the required payment through challan, if the payment status has not been updated even after 7 working days, then kindly mail a copy of your challan with transaction date and reference in the Email: fcsblr@unionbankofindia.bank, epurse@unionbankofindia.bank, ubin0903716@unionbankofindia.bank

SERIAL NO:- 3095020230424960984

CERTIFICATE

It is certified that no plantation work has been carried out under any scheme or programme in the proposed CA area UF-Shingla, Khasra No. 2855/50 Chack Shingla, Nogli Beat, Nogli Block, Rampur Range of Rampur Forest Division.

Place:- Rampur

Date:- 28-9-2023

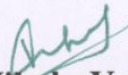
AS Negi
(Ashok Negi), IFS
Dy. Conservator of Forests,
Rampur Forest Division,
Rampur Bushahr.

CERTIFICATE

It is certified that no plantation work has been carried out under any scheme or programme in the proposed CA area UF-Shingla, Nogli Beat, Nogli Block, Rampur Range of Rampur Forest Division.


Place:- Rampur

Date:- 20-6-2023

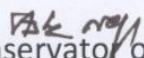

(Vikalp Yadav), IFS
Dy. Conservator of Forests,
Rampur Forest Division,
Rampur Bushahr.

Information of condition No. 4.

An amount of Rs. 20, 80,840/- for CA and NPV bill has been deposited in the CAMPA fund through online Challan No. 3095020230424960984 dated 24.04.2023.


District and Sessions Judge,
Kinnaur Civil and Sessions
Division at Rampur Bushahr, H.P.

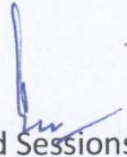
Countersigned by


Dy. Conservator of Forests,
Rampur Forest Division,
Rampur Bushahr, Himachal Pradesh

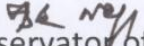
Annexure-E-1

Information of condition No. 5 (a).

An amount of Rs. 20, 80,840/- for CA and NPV bill has already been deposited in the CAMPA fund through online Challan No. 3095020230424960984 dated 24.04.2023.


District and Sessions Judge,
Kinnaur Civil and Sessions
Division at Rampur Bushahr, H.P.

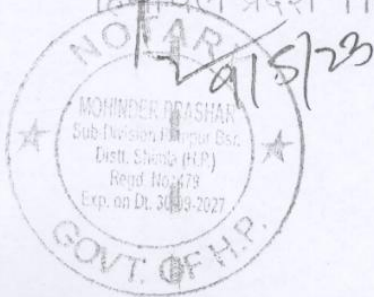
Countersigned by


Dy. Conservator of Forests,
Rampur Forest Division,
Rampur Bushahr, Himachal Pradesh.



हिमाचल प्रदेश HIMACHAL PRADESH

19AA 171796

ANNUEXRE-E-2**AFFIDAVIT.**

I, Barinder Thakur, District and Sessions Judge, Kinnaur Civil and Sessions Division at Rampur Bushahr do hereby state on oath/solemnly affirmed that this Department will deposit the additional amount of Net Present Value of Forest land, comprised in Kharsa Nos. 2855/50/1, measuring 0-12-75 hect., 2930/1429/2, measuring 0-07-29 hect., 24/1, measuring 0-44-50 hect. and 36/1, measuring 0-27-65 hect. and No. 2930/1429/1, measuring 0-40-66 hect. (Total measuring 1.4194 hect.), situated at up Mohal Shingla being diverted in the name of Judicial Department (District and Sessions Judge, Kinnaur Civil and Sessions Division at Rampur Bushahr) for the constructions of Judicial Courts Complex and complete separate Court Block for Juvenile Justice Board at Shingla-Rampur Bushahr within the jurisdiction of Rampur Forest Division, District Shimla, H.P. , if such amount is required by the State

WITNESSED
MOHINDER PRASHAR
Advocate-cum-Notary Public
Sub-Division Rampur Bsr. (H.P.)

Sr No. 997 Date 8/05/2023
Issued to District and Session Judge Kinnaur Civil and Session
S/o. Rampur Division at Rampur, BSR.
Vill. Shimla H.P.
Dist. Neelgarh
Through 10/- Aghat
N.J.S. worth Rs.

S.V. Rampur BSR H.P.

[Signature]
Document has been presented to me
on 08/05/2023
by the executant who is identified by
Self
Who is Personally known to me
The contents of the document have been
read over & explained to the executant
who has admitted the correctness and
truthfulness of contents Due execution
nothing been admitted document is
suggested
NOTARY
Division Rampur BSR

12/9/23

Govt. after receipt of report of Committee of Specialists on the direction
of Hon'ble Supreme Court of India.

Verified this 8th May, 2023 at Rampur Bushahr, H.P.

ATTESTED
9/5/23
JOMINDER PRASHAR
Advocate-cum-Notary Public
Sub-Division Rampur Bsr. (H.P.)

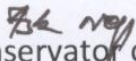
District and Sessions Judge,
Kinnaur Civil and Sessions
Division at Rampur Bsr, H.P.

Information of condition No. 6.

The complete compliance of the FRA, 2006 has been complied by procuring prescribed certificates from the District Collector Shimla and the copies of same are enclosed herewith as annexure F-1 to F-8.

District and Sessions Judge,
Kinnaur Civil and Sessions
Division at Rampur Bushahr, H.P.

Countersigned by


Dy. Conservator of Forests,
Rampur Forest Division,
Rampur Bushahr, Himachal Pradesh.

(21)

Annexure - F1

FORM-II
(for projects other than linear projects)
Government of H.P.
Office of the District Collector

No. SML-SR (57)/2014 - 652

Dated: 19/8/17

TO WHOM SO EVER 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 3rd 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 Dweller (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 5th February 2013 wherein MoEF issued certain relaxation in respect of linear projects, it is certified that 01-41-94 hecter of forest land proposed to be diverted in favour of Pradhan Gram Panchayat Shingla Tehsil Rampur District Shimla for Construction of Judicial Court Complex & Seprate Block of Juvenil Justice Board at Shingla (purpose for diversion of forest land) in Shimla District falls within jurisdiction of Rampur Forest Division. It is further certified that:-

- (a) the complete process for identification and settlement of rights under the FRA has been carried out for the entire 01-41-94 hecter of forest area proposed for diversion. A copy of records of all consultations and meeting of the Forest Rights Committee (s) Gram Sabha(s), Sub Division Level Committee(s) and the District Level Committee are enclosed as annexure 1 to annexure VI
- (b) the proposal for such diversion (with full details of the project and its implication. In vernacular/Local language) have been placed before each concerned Gram Sabha of forest-dwellers, who are eligible under FRA.
- (c) the each of concerned Gram Sabhas has certified that all formalities/process under the FRA have been carried out and they have given their consent to the proposed diversion and the compensation and ameliorative measures, if any having understood the purpose and details of proposed diversion. A copy of certificate issued by the gram sabha is enclosed as annexure 1 to annexure
- (d) the discussion and decision on such proposals had taken place only when there was a quorum of minimum 50% of the members of Gram Sabha present.
- (e) the diversion of forest land for facilities managed by the Government as required under section 2 of the FRA have been completed and the Gram Sabhas have given their consent to it.
- (f) the rights of Primitive Tribal Groups and Pre Agriculture Communities, where applicable have been specifically safeguarded as per section 3(1)(c) of FRA

Encl: As above

(Rohan Chand Thakur)
District Collector
Shimla District
Signature
(Full name and official seal of the District Collector)

DEC
20/9/2017

ANNEXURE-IVOFFICE OF THE DEPUTY COMMISSIONER, SHIMLA
DISTRICT SHIMLA HIMACHAL PRADESH

Proceedings of the meeting of the District Level Committee constituted under Schedule Tribes & Other Traditional Forest Dwellers (Recognition of Rights) Act (FRA), 2006

A meeting of the District level Committee of Shimla District, constituted under FRA, 2006 was held under the Chairmanship/ Chairpersonship of Shri Rohan Chand Thakur, IAS, Deputy Commissioner, Shimla on 11-09-2017 at 4.00 P.M. at Shimla in which the application(s) of applicants of Gram Sabha Shingla claiming rights in Village Shingla forest area(s) 01-41-94 hect. under FRA, 2006, duly processed and recommended by the Sub-Division Level Committee Rampur were discussed to consider the same for admission by the District Level Committee.

After scrutiny of the documents and detailed discussions, the claim of following applicant(s) were found to be in order and hence admitted:-

Sr.No.	Name of Applicant	Name of Forest	Detail of forest Right
		--Nil	

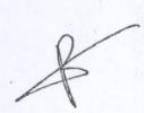
Claims of the following applicants were not found in order and hence rejected:-

Sr.No.	Name of Applicant	Name of Forest	Detail of forest Right
		--Nil	
		OR	

As informed by SDO (Civil) Rampur, no application was received from Gram Sabha claiming right in 01-41-94 hect. forest area.

Place: Shimla

Date: 11-09-2017


Deputy Commissioner-Cum- Chairman
~

①

(23)

Annexure - F3

PROCEEDING OF THE MEETING OF DISTRICT LEVEL FOREST RIGHT COMMITTEE HELD ON 11-09-2017 UNDER THE CHAIRMANSHIP OF SHRI Rohan Chand Thakur, IAS, DEPUTY COMMISSIONER, SHIMLA.

At the very outset the Addl. District Magistrate (I.&O) welcomed all the members of the committee and a total cases for issuance of Forest Right Certificate which have been received from the Sub-Divisional Committee placed before the District Level Forest Right Committee and after detail discussion following decision were taken.

All the cases which were placed before the committee have been approved to be processed under FCA.

The meeting ended with vote of thanks.

(Shri. Sharma)
11.9.17

(Leg.)
11/9/2017

(Shri. Awasthi)
Dfo. Theog.

(Shri. Singh)

(Shri. Sharma)
Dfo. Rohm.

(Shri. Sharma)
Deputy Commissioner-Cum-Chairman
District Level Forest Right Committee
Shimla District Shimla, H.P.

(24)
Annexure - F4

2

**OFFICE OF THE SUB-DIVISIONAL OFFICER (CIVIL), RAMPUR
BUSHAHR DISTT. SHIMLA, HIMACHAL PRADESH**

Proceeding of the meeting of the Sub-Divisional Level Committee constituted under Scheduled Tribes & Other Traditional Forest Dwellers (Recognition of Rights) Act, 2006

A meeting of the Sub-Division Level Committee of Rampur Sub-Division constituted under FRA, 2006 was held under the chairmanship of Sub-Divisional Officer (C), Rampur Bushahr, Distt. Shimla, H.P. on 11.07.2017 at 12:00 Noon at Rampur in which the applications of the applicants of Gram Sabha Shingla claiming rights in area measuring 01-41-94 hectares of the land in Forest Division Rampur for the Construction of Judicial Court Complex & Seprate Block of Juvenil Justice Board at revenue village Shingla, under the jurisdiction of Rampur Tehsil, Distt. Shimla under FRA, 2006 duly processed and recommended by the Forest Right Committee Shingla is discussed to consider the same for recommendation to the District Level Committee.

After scrutiny of the documents and details discussions, the claim of the applicant is found to be in order and recommended for admission to District Level Committee.

Place: Rampur Bushahr

Dated: 11-07-2017

by
SDO(civil)-cum-Chairman,
Sub Division Level Committee (FRA)
Rampur Bushahr
District Shimla



कार्यालय ग्राम पंचायत, शिंगला

विकास खण्ड रामपुर, जिला शिमला (हि०प्र०)

पंचायती राज विभाग

प्रतिलिपि प्रस्ताव संख्या.....8.....जो ग्राम पंचायत/ग्राम सभा की बैठक में दिनांक...15-06-2017

को...20/7/2017...सदस्यों की उपस्थिति में प्रधान...श्री अरवि शिंगला...20/7/2017

ग्राम पंचायत, शिंगला की अध्यक्षता में पारित किया गया।

क्रमांक.....

दिनांक.....

विषय :-

प्रस्ताव न०-8 ग्राम पंचायत शिंगला के अर्न्तगत नि० न्यायिक परिसर फ़ैनीधार में निर्माण हेतु F.R.A हेतु अनापति प्रमाण देने बारे।

ग्राम पंचायत शिंगला की ग्राम सभा बैठक में उक्त विषय बारे विचार विमर्श किया गया जिस में ग्राम पंचायत शिंगला के अर्न्तगत नि० न्यायिक परिसर फ़ैनीधार में निर्माण हेतु F.R.A हेतु अनापति प्रमाण देने बारे चर्चा की गई। जिस में ग्राम सभा द्वारा सर्वसम्मति से पारित हुआ कि ग्राम पंचायत शिंगला के अर्न्तगत नि० न्यायिक परिसर फ़ैनीधार में निर्माण हेतु अनापति प्रमाण देना उचित है। इस नि० न्यायिक परिसर फ़ैनीधार में निर्माण के लिए वन भूमि के हस्तांतरण से किसी व्यक्ति के अधिकार आहत नहीं होते हैं।

अतः ग्राम पंचायत शिंगला की ग्राम सभा बैठक में पारित हुआ कि ग्राम पंचायत शिंगला के अर्न्तगत नि० न्यायिक परिसर फ़ैनीधार के निर्माण हेतु अनापति प्रमाण पत्र विहिद अधिकारी की सेवा में प्रेषित है।

प्रमाणित किया जाता है कि नवल प्रस्ताव असल है।



प्रधान
ग्राम पंचायत शिंगला
विकास खण्ड रामपुर बुधौहर
जिला शिमला (हि० प्र०)

ग्राम पंचायत शिंगला
विकास खण्ड रामपुर
जिला शिमला (हि० प्र०)

184

(56)

180

(36)

Annexure-I

अनुसूचित जनजाति और अन्य परम्परागत वन निवासी (वन अधिकारों की मान्यता) अधिनियम, 2006

वन अधिकार समिति
ग्राम सभा शिशोला
प्रतिलिपि प्रस्तावप्रस्ताव संख्या 10दिनांक 18-6-2017

वन अधिकार समिति ग्राम सभा शिशोला की बैठक आज दिनांक 18-06-2017
को 11-00 बजे, स्थान ग्राम पंचायत शिशोला में श्री/श्रीमति विमला दास
की अध्यक्षता में की गई जिसमें 218-प-0 शिशोला के गांव के अनुसूचित जनजाति
और अन्य परम्परागत वन निवासी (वन अधिकारों की मान्यता) अधिनियम, 2006 के अन्तर्गत शिशोला
जंगल/वन क्षेत्र में (जिसमें प्रायम विभाग द्वारा प्रायम परियोजना के
निर्माण के लिए 41-94 हेक्टेयर वन भूमि के उपयोग की मंजूरी प्रस्तावित है) वन अधिकारों के लिए दावे हेतु प्राप्त
हुए गांव वासियों 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 वन अधिकार समिति सभा द्वारा निम्न लिखित पात्रों
का दावा नियमानुसार सही पाया गया :-

क0स0 * पात्र गांव वासी का नाम जंगल का नाम वन अधिकार का ब्यौरा

1. निर
2. तदानुसार यह वन अधिकार समिति इस दावे/ इन दावों को पारित करने हेतु ग्राम सभा से इसकी सिफारिश करती है।

उपरोक्त में से निम्न लिखित पात्रों का दावा नियमानुसार सही नहीं पाया गया:-

क0स0 * पात्र ग्राम वासी का नाम

1. निर
2. तदानुसार ग्राम सभा इस दावे/इन दावों को निरस्त करने की सिफारिश करती है।

या

जंगल/वन क्षेत्र में कोई भी वन अधिकार का दावा प्राप्त नहीं हुआ।

स्थान शिशोला
दिनांक 18-6-2017अधीकृत हस्ताक्षरकर्ता
ग्राम सभा विमला दास

- अध्यक्ष
वन अधिकार समिति
ग्राम पंचायत शिशोला
(दिनांक 18-06-2017)
- * ग्रामवासी/ग्राम वासियों के नाम जिन्होंने इस वन क्षेत्र/जंगल/वन अधिकारों के दावे के लिए आवेदन किया है।
- ** प्रोजेक्ट/कार्य का नाम जिसके लिए वन (संरक्षण) अधिनियम, 1980 के अन्तर्गत वन भूमि के उपयोग की अनुमति दी जानी है

Annexure-II

अनुसूचित जनजाति और अन्य परम्परागत वन निवासी (वन अधिकारों की मान्यता) अधिनियम, 2006

ग्राम सभा शिंगला
प्रतिलिपि प्रस्ताव

प्रस्ताव संख्या 8

दिनांक 15-6-2017

ग्राम सभा शिंगला की बैठक आज दिनांक 15-6-2017 को 11-00 बजे, स्थान शिंगला में श्री/श्रीमति विमला शर्मा की अध्यक्षता में की गई जिसमें शिंगला गांव के अनुसूचित जनजाति और अन्य परम्परागत वन निवासी (वन अधिकारों की मान्यता) अधिनियम, 2006 के अन्तर्गत सुनीवार क्षेत्र में (जिसमें शिंगला विभाग द्वारा सुनीवार परिसर के निर्माण के लिए 1-4-94 ईस्टेयर वन भूमि के उपयोग की मंजूरी प्रस्तावित है) वन अधिकारों के लिए दावे हेतु इस ग्राम सभा की वन अधिकार समिति की सिफारिश के उपरान्त प्राप्त हुए गांव वासियों के आवेदनों पर चर्चा की गई। वन अधिकारों के प्रस्तावों के साथ प्रस्तुत दस्तावेजों के अध्ययन तथा उस पर विस्तृत चर्चा के उपरान्त इस ग्राम सभा द्वारा निम्न लिखित पात्रों का दावा नियमानुसार सही पाया गया :-

क0स0 * पात्र ग्राम वासी का नाम जंगल का नाम वन अधिकार का ब्यौरा

- 1.
- 2.

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

क0स0 * पात्र ग्राम वासी का नाम

- 1.
- 2.

तदनुसार ग्राम सभा इस दावे/इन दावों को निरस्त करती है।

या
इस ग्राम सभा की वन अधिकार समिति से प्राप्त सूचना के अनुसार जंगल/वन क्षेत्र में कोई भी वन अधिकार का दावा प्राप्त नहीं हुआ

स्थान शिंगला प्रधान शिव प्रकाश शिंगला आधिकृत हस्ताक्षरकर्ता शिव प्रकाश शिंगला
दिनांक 15-6-2017 जिला शिमला (हि0 प्र0) ग्राम सभा शिंगला
* ग्रामवासी/ग्राम वासीयों के नाम जिनमें इस वन क्षेत्र/जंगल में वन अधिकार के दावे के लिए आवेदन किया है।

** प्रोजेक्ट/कार्य का नाम जिसके लिए वन (संरक्षण) अधिनियम, 1980 के अन्तर्गत वन भूमि के उपयोग की अनुमति दी जानी है।

अनुसूचित जनजाति और अन्य परम्परागत वन निवासी (वन अधिकारों की मान्यता) अधिनियम, 2006

ग्राम सभा ग्राम रामपुर शिंगला
विकास खण्ड रामपुर बुरीहर जिला शिमला (हि0प्र0)

प्रतिलिपि प्रस्ताव

दिनांक 15-6-17

गणपूर्ति

20/7/17

प्रस्ताव संख्या 8

विषय:

ग्राम सभा ग्राम रामपुर शिंगला विभाग/संस्था को ग्राम सभा परिसर
के निर्माण हेतु जंगल/वन क्षेत्र में प्रस्तावित 1-41-94 हैक्टयर वन भूमि के
उपयोग की मंजूरी के लिए सहमति प्रदान करने हेतु।

ग्राम सभा शिंगला की बैठक 20 ज दिनांक
15-6-2017 को 12-00 बजे, स्थान ग्राम रामपुर शिंगला में
की गई, जिसमें ग्राम सभा विभाग/संस्था को ग्राम सभा परिसर
के निर्माण हेतु जंगल/वन क्षेत्र में प्रस्तावित
1-41-94 हैक्टयर वन भूमि के उपयोग की मंजूरी के लिए सहमति प्रदान करने पर चर्चा की गई।

सभी ग्रामवासियों ने संबंधित वन भूमि के प्रस्तावित कार्य हेतु उपयोग के उद्देश्यों को पूरी तरह समझने के बाद सर्व सम्मति से यह निर्णय लिया कि यह ग्राम सभा उपरोक्त प्रस्ताव के लिए वन भूमि दिए जाने पर सहमत है।

ग्राम सभा की इस बैठक में अनुसूचित जनजाति और अन्य परम्परागत वन निवासी (वन अधिकारों की मान्यता) अधिनियम, 2006 के अन्तर्गत वन अधिकारों के दावों के निपटारे पर भी चर्चा की गई तथा सर्व सम्मति से यह पारित किया गया कि उपरोक्त अधिनियम के अन्तर्गत वन अधिकारों के दावों के निपटारे सम्बंधित सारी प्रक्रिया पूरी की जा रही है/कर ली गई है तथा प्रस्तावित 1-41-94 हैक्टयर वन भूमि को ग्राम सभा परिसर निर्माण हेतु उपयोग के लिए ग्राम सभा ग्राम रामपुर शिंगला की सहमति दी जाती है।

स्थान शिंगला
दिनांक 15-6-2017



प्रधान
ग्राम सभा शिंगला
विकास खण्ड रामपुर बुरीहर
जिला शिमला (हि0प्र0)


अधीकृत प्रस्तावकर्ता

ग्राम सभा

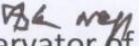
Annexure-G

Undertaking for condition No. 7.

I undertake that no residential accommodation will be constructed on the proposed construction without approval of Ministry of Environment, Forest & Climate Change of Govt. of India.


District and Sessions Judge,
Kinnaur Civil and Sessions
Division at Rampur Bushahr, H.P.

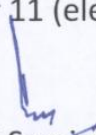
Countersigned by


Dy. Conservator of Forests,
Rampur Forest Division,
Rampur Bushahr, Himachal Pradesh

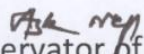
Annexure-H

Undertaking for condition No. 8.

I undertake that the area of 0.3504 reported under the component future extension will be strictly used for the purposes reported by the State Govt. vide their letter dated 22.06.2019 under 11 (eleven) categories.


District and Sessions Judge,
Kinnaur Civil and Sessions
Division at Rampur Bushahr, H.P.

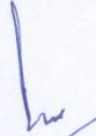
Countersigned by


Dy. Conservator of Forests,
Rampur Forest Division,
Rampur Bushahr, Himachal Pradesh

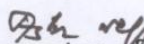
Annexure-J

Undertaking for condition No. 10.

I undertake that the felling of the trees shall be restricted to the minimum numbers in the diverted/proposed forest land for the construction of Judicial Court Complex and complete separate Court block for Juvenile Justice Board at Shingla-Rampur Bushahr (maximum of 12 trees and 05 saplings) and the trees shall be felled under strict supervision of the State Forest Department. The cost of felling of trees shall be deposited with State Forest Department.

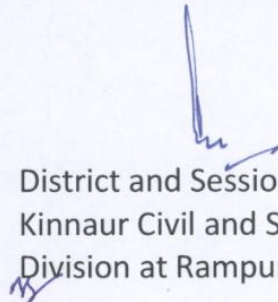

District and Sessions Judge,
Kinnaur Civil and Sessions
Division at Rampur Bushahr, H.P.

Countersigned by


Dy. Conservator of Forests,
Rampur Forest Division,
Rampur Bushahr, Himachal Pradesh.


Undertaking for condition No. 11.

I undertake that no harm will be done to the flora and fauna of the surrounding area of proposed forest land.



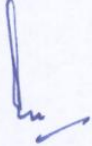

District and Sessions Judge,
Kinnaur Civil and Sessions
Division at Rampur Bushahr, H.P.

Countersigned by

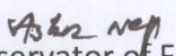

Dy. Conservator of Forests,
Rampur Forest Division,
Rampur Bushahr, Himachal Pradesh.

Undertaking for condition No. 13.

I undertake that the Environmental clearance as per the Provisions of the Environment (Protection) Act, 1986 shall be obtained as and when required.



District and Sessions Judge,
Kinnaur Civil and Sessions
Division at Rampur Bushahr, H.P.


Countersigned by

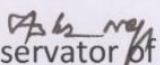

Dy. Conservator of Forests,
Rampur Forest Division,
Rampur Bushahr, Himachal Pradesh.

Undertaking for condition No. 14.

I undertake that the layout plan of the proposal for the construction of Judicial Court Complex and complete separate Court block for Juvenile Justice Board at Shingla-Rampur Bushahr shall not be changed without prior approval of the Competent Authority.



District and Sessions Judge,
Kinnaur Civil and Sessions
Division at Rampur Bushahr, H.P.

Countersigned by

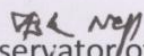

Dy. Conservator of Forests,
Rampur Forest Division,
Rampur Bushahr, Himachal Pradesh.

Undertaking for condition No. 15.

I undertake that no labour camp shall be established on the proposed forest land for the construction of Judicial Court Complex and complete separate Court block for Juvenile Justice Board at Shingla-Rampur Bushahr.

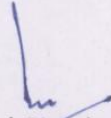

District and Sessions Judge,
Kinnaur Civil and Sessions
Division at Rampur Bushahr, H.P.

Countersigned by

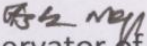

Dy. Conservator of Forests,
Rampur Forest Division,
Rampur Bushahr, Himachal Pradesh.

Undertaking for condition No. 16.

I undertake that sufficient firewood, preferably the alternate fuel shall be provided to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel, during the construction of Judicial Court Complex and complete separate Court block for Juvenile Justice Board at Shingla-Rampur Bushahr on proposed forest land.

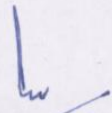

District and Sessions Judge,
Kinnaur Civil and Sessions
Division at Rampur Bushahr, H.P.

Countersigned by

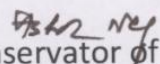

Dy. Conservator of Forests,
Rampur Forest Division,
Rampur Bushahr, Himachal Pradesh.

Undertaking for condition No. 17.

I undertake that the boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Division Forest Officer.

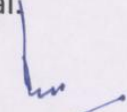

District and Sessions Judge,
Kinnaur Civil and Sessions
Division at Rampur Bushahr, H.P.

Countersigned by

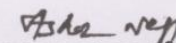

Dy. Conservator of Forests,
Rampur Forest Division,
Rampur Bushahr, Himachal Pradesh.

Undertaking for condition No. 18.

I undertake that the proposed forest land for the construction of Judicial Court Complex and complete separate Court block for Juvenile Justice Board at Shingla-Rampur Bushahr shall not be used for any purpose other than that specified in the project proposal.


District and Sessions Judge,
Kinnaur Civil and Sessions
Division at Rampur Bushahr, H.P.

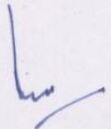
Countersigned by


Dy. Conservator of Forests,
Rampur Forest Division,
Rampur Bushahr, Himachal Pradesh.

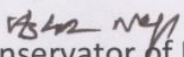
Annexure-R.

Undertaking for condition No. 19.

I undertake that the proposed forest land for the construction of Judicial Complex and complete separate Court block for Juvenile Justice Board at Shingla-Rampur Bushahr shall not be transferred to any other Agency, Department or person, in any circumstances, without prior approval of the Govt. of India.


District and Sessions Judge,
Kinnaur Civil and Sessions
Division at Rampur Bushahr, H.P.

Countersigned by


Dy. Conservator of Forests,
Rampur Forest Division,
Rampur Bushahr, Himachal Pradesh.

Undertaking for condition No. 20

I undertake that any violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980).


District and Sessions Judge,
Kinnaur Civil and Sessions
Division at Rampur Bushahr, H.P.

Countersigned by

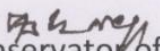
Abh ney
Dy. Conservator of Forests,
Rampur Forest Division,
Rampur Bushahr, Himachal Pradesh.

Undertaking for condition No. 21

I undertake that the conditions stipulated by the Ministry of Environmental, Forests & Climate Change from time to time in the interest of conservation, protection and development of forests & wildlife will also apply to current project.



District and Sessions Judge,
Kinnaur Civil and Sessions
Division at Rampur Bushahr, H.P.

Countersigned by

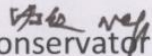

Dy. Conservator of Forests,
Rampur Forest Division,
Rampur Bushahr, Himachal Pradesh.

Undertaking for condition No. 22

I undertake that the muck generated from the proposed construction will be utilized for the filling up of site development, adjusted in the approach road for the complex and below the retaining structure which will come up for the site development in such a manner that it does not fall from the boundary of site as proposed by the concerned HP,PWD Authority vide letter dated 01.10.2019 (copy enclosed as annexure-U-1) due to non-availability of non forest land for muck disposal and in this behalf certificate of Deputy Collector, Shimla & Dy. Conservator of Forest Rampur Bushahr is enclosed herewith as annexure-U-2.


District and Sessions Judge,
Kinnaur Civil and Sessions
Division at Rampur Bushahr, H.P.

Countersigned by


Dy. Conservator of Forests,
Rampur Forest Division,
Rampur Bushahr, Himachal Pradesh.



HIMACHAL PRADESH
PUBLIC WORKS DEPARTMENT

Annexure 01

Telephone No. 01782-233017
e-mail: ee-ram-hp@nic.in

No.PW/ RMP/WA-I/Building/2019-20 - 7737-38
To

Dated:- 1-10-19

The District and Sessions Judge.
Kinnaur Civil and Session,
Division at Rampur Bushahr, HP.

Subject: - Diversion of 1-4194 ha. of forest land in favour of District and Session Judge, Kinnaur Civil and Sessions Division, Rampur District Shimla, H.P. for the construction of Judicial Courts Complex and Complete separate Court Block for Juvenile Justice Board at Shingla within the jurisdiction Rampur Forest Division District Shimla HP.

Sir,

'Jai Hind'

Enclosed please find the certificate as required, vide your office letter No. D&SJ/RMP/EC/N. Court Build/RMP/2018-4579 dated 28th August, 2019, the certificate are as below:-

1. The muck generated, from the site for the construction of judicial court complex and complex separate court block for Juvenile justice block at Shingla, will be utilized for the filling up of site development, adjusted in the approach road for these complex and below the retaining structures which will come up for the site development of this complex.
2. That the area shown in each component of the complex is minimum as per the norms circulated by the Hon'ble High Court of HP and there is no possibility of reducing the same and the road areas are fulfilling, all other requirement of modern judicial complex is desirability of adopting environment friendly measures, renewal energy, rain water harvesting and as well differently-abled friendly.

Executive Engineer
Rampur Division (B&R),
HPPWD, Rampur Bsr.

Copy to the Assistant Engineer, Rampur Sub-Division, HPPWD, Rampur for information with reference to his letter no. PW/RSD/Building/2019-668 dated-18.09.2019.

Executive Engineer
Rampur Division (B&R),
HPPWD, Rampur Bsr.

A/ee
1/10/19

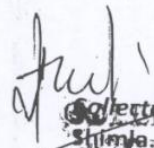
Non Availability of Non forest land Certificate for muck disposal in the diversion of 1.4194 ha of Forest land in favour of District & Session Judge Kinnaur, Civil and Session Division Rampur Bushahr Distt. Shimla for the construction of Judicial Courts Complex and Complete separate Court Block for juvenile justice Board at Shingla, within the jurisdiction of Rampur Forest Division, Distt. Shimla, Himachal Pradesh. (onlineno.FP/HP/Others/32672/2018).

This is to certify, that all the Govt Waste land in this District are considered in Forest Land in view of the 1952 Notification of Government of Himachal Pradesh, which has declared all Government waste land in Protected Forests. Hence there is no availability of suitable non forest land, within the jurisdiction of Rampur Forest Division, for muck disposal in lieu of diversion of 1.4194 ha of forest land in favour of District & Session Judge Kinnaur, Civil and Session Division Rampur Bushahr Distt. Shimla under the jurisdiction of Tehsil Rampur Bushahr, Distt Shimla . H.P.

Place : Shimla
Date : 28/01/2020

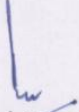
Divisional Forest Officer
Rampur Forest Division

Dy. Conservator of Forests
Rampur Forest Division
Rampur Bushahr (H.P.)

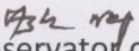

Collector
Shimla District.

Undertaking for condition No. 23

I undertake that the necessary permission under any other relevant Act/Articles/rules/Court Orders/instructions etc. if any, applicable to this proposal shall be obtained as and when required.

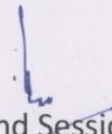

District and Sessions Judge,
Kinnaur Civil and Sessions
Division at Rampur Bushahr, H.P.

Countersigned by

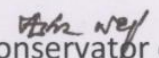

Dy. Conservator of Forests,
Rampur Forest Division,
Rampur Bushahr, Himachal Pradesh.

Undertaking for condition No. 24

I undertake that the compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).


District and Sessions Judge,
Kinnaur Civil and Sessions
Division at Rampur Bushahr, H.P.

Countersigned by


Dy. Conservator of Forests,
Rampur Forest Division,
Rampur Bushahr, Himachal Pradesh.