

No.Ft. 48-3380/2016 (FCA),
Forest Department, Himachal Pradesh

From: Pr. Chief Conservator of Forests (HoFF),
Himachal Pradesh, Shimla-1.

To: The Deputy Inspector General of Forest,
Sub Office, Ministry of Environment,
Forest and Climate Change, CGO Complex,
Shivalik Khand, Longwood, Shimla, HP.

Dated Shimla-1, the

Subject: Diversion of 2.178 ha of forest land in favour of HPPWD for the construction of link road Panyala Tiun Khas km. 0/0 to 5/500, within the jurisdiction of Bilaspur Forest Division Distt. Bilaspur, HP (Online No. FP/HP/Road/20153/2016).

Sir,

Kindly refer to your office letter No. FC/HPB/06/78/2021 dated 29.06.2022 on the subject cited proposal.

2. The point-wise reply to the observation as raised vide your above referred communication is submitted as below:-

Sr. No.	EDS/Observations	Reply
1	In reply to point no. 3, it has been submitted that dumping site has been proposed in private land and same is uploaded in para-B 2.4 in online Part-I. However, dumping site component is not found uploaded in para-B 2.4. Therefore, all the components of the project whether in private land or in forest land and required to be mentioned in para B 2.4.	Necessary correction has been made in B 2.4 in online Part-1 by User Agency.
2	Name of forest (DPF Sadyar) has been rectified in CA scheme and Land Suitability Certificate. However, revised Land Suitability Certificate is not uploaded at designated location. Also, name of forest proposed for CA is required to be rectified in para-13, para-(i).	CCF Bilaspur has submitted that the name of the forest (DPF Sadyar) has been rectified in the CA Scheme and the land suitability certificate.
3	The Layout/Line plan and KML file showing broken and unbroken area in forest land and in private land/non forest, marked with distinct colours is required to be uploaded.	The revised layout plan has been uploaded at S. No.50 against the additional information detail in Part-I online by the User Agency. Further the KML file showing broken and unbroken area in forest land and in private land/non forest, marked with distinct colours has been uploaded against the appropriate

		column in Part-I.
4	The private land is also included in proposal. Therefore, consent of the private land owners by way of sale/gift/NoC or any other form is also required to be submitted.	The user agency has intimated that -the gift deed of the Private land acquired - has been uploaded against additional information detail in online Part-1 at Sr. No. 38.
5	It has been observed from KML file that area of proposed diversion is 0.73 ha. However, area proposed for diversion is 2.178. Therefore, same may be reviewed and revised KML file with correct area figures is required to be uploaded.	The revised KML file showing the correct area has been uploaded against the appropriate column by the User Agency.
6	<p>As per the Joint Inspection Report (JIR) and Note on violation, issued by DFO, Bilaspur, "The road (broken area) was a Fire Line which was constructed by Forest Department. However, this fire line has taken the shape of jeepable road a long time ago which has been constructed by the local inhabitants/Panchayats". Therefore, following documents/clarification in this regard may be provided:-</p> <p>i. The documentary proof (copy from Working Plan/any other document etc.) showing the broken area as Fire Line may be provided. File No.FC/HPB/06/78/2021 I/9156/2022 140 2 of 2</p> <p>ii. As per the Note on Violation submitted by the DFO, the extent of violation i.e. - damage on account of breaking of land/digging of soil and compensation charges, total amounting to Rs. 38,11,500/- has been occurred. Therefore, Action Taken by the department/concerned DFO for realizing the above cited amount along with documentary proof shall be provided.</p> <p>iii. The detail of name of person/s responsible for violation, designation and address of person/s responsible for violation and Action Taken against the person/s responsible for violation is required to be filled in Part-II, Para-11.</p>	<p>i. The User Agency has intimated that the present alignment of road has been proposed on the old existing track/Fire line which was in existence prior to 1980. The road was appeared in MLA Priority during 2017 and as per User Agency they have not interfered in the Forest land in any manner. As per certificate issued by the concerned Gram Panchayat Kothi, the local residents have improved the old existing track to Jeepable standard. The certificate in this regard issued by the concerned Gram Panchayat as provided by the User Agency is enclosed herewith. Further the said fire line is not appeared in approved Working Plan of Bilaspur Forest Division.</p> <p>ii. The User Agency has intimated that the road has been appeared in MLA priority during 2017-18 and as per User Agency they have not interfere in the existing track in any manner prior to 2017. The Compensation charges amounting to Rs.38,11,500/- will be recovered from User Agency along with other levies i.e. CA, NPV etc. on receipt of in Principle approval by the competent authority.</p> <p>iii. CF Bilaspur has reported that there is no record available in the office of Divisional Forest Officer, Bilaspur about the action taken against the violators.</p>
7	The clarification/documents regarding the following may also be provided:-	i. As per user agency the documents regarding Point No 7 (i) the complete

	<p>i. Complete legible list of 2183 roads provided by HPPWD to Hon'ble High Court of H.P. constructed in violation of FCA, 1980, highlighting the Sr. No. and name of the road of the extant proposal.</p> <p>ii. Copies of the order of Hon'ble High Court of H.P. which clearly finds mention of regularisation of 2183 roads which have already been constructed in violation of the provisions of FCA, 1980.</p>	<p>legible copy of 2183 road that has been provided by HPPWD to Hon'ble High Court of HP constructed in violation of FCA, 1980 highlighting the name at Sr. No. 135 & Page No. 206 of PDF documents of the said road has been uploaded against additional information detail in online Part-1 at S.No. 42, Page No.2.</p> <p>ii. Copies of the order of Hon'ble High Court of HP which clearly finds mention of regularization of 2183 roads which have been constructed in violation of the provisions of FCA, 1980 has been uploaded against additional information detail in online Part-1 at Sr. No. 42, Page No.24.</p>
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Yours faithfully,

Nodal Officer-cum-PCCF (FCA)
O/o Pr. CCF (HoFF), H.P