

Registered

No. Ft. 48-5174/2020(FCA),
Forest Department, Himachal Pradesh.

From: Nodal Officer-cum-APCCF (FCA),
O/o Pr.CCF (HoFF), H.P. Shimla-1.

To: The Assistant Inspector General of Forests (Central), GoI
Ministry of Environment, Forest & Climate Change,
(Forest Conservation Division), Indira Paryavaran Bhawan,
Jor Bagh Road, Aliganj, New Delhi- 110003.

Dated Shimla -1, the **E4 JUL 2022**

Subject: Proposal for seeking prior approval of the Central Government under Forest (Conservation) Act, 1980 for non- forestry use of 54.668 ha. of forest land for extraction of sand, stone and bajri from bed of river Yamuna mining project by Randeep Singh, mauza and Mohal Bhagani, Distt. Sirmour, within the jurisdiction of Paonta Forest Division, Distt, Sirmour Himachal Pradesh (online proposal No. FP/HP/MIN/34137/2018) - regarding.


Sir,
Kindly refer to your office letter No.8-03/2020-FC dated 20.06.2022 on the subject cited above.

2 In this regard, it is submitted that KML files of the polygons of forest area under diversion and degraded forest area identified and accepted for raising compensatory afforestation has been uploaded in the E-Green Watch Portal. The copy of print preview of the same is enclosed herewith information please.

In addition to above, it is, also submitted that the user agency has obtained permission of Hon'ble Supreme Court for the diversion of forest land for subject cited project. Copy of the orders of Apex Court is enclosed herewith.

Yours faithfully,

Encls: As above.









Nodal Officer-cum-APCCF (FCA),
O/o Pr. CCF (HoFF), H.P.Shimla-1.

View Sites for which polygons uploaded

Export To Excel

-GPS Uploaded/Updated On-

Today This Week This Month This Year All

S.No.	FCA Project No	GPS ID	Division	Range	Project Name	Project Year	Site/Work/Asset Name	Area(In Ha.)	Updated	Download
1	FCA Project details not available	21026	Paonta	Bhagani	Diversion of 54.668 ha forest land for mining lease in favour of sh. Randeep Singh	2022	RF Kandela C-8	10.000	23/06/2022	
2	FCA Project details not available	21025	Paonta	Bhagani	Diversion of 54.668 ha forest land for mining lease in favour of sh. Randeep Singh	2022	RF Mehruwala C-1	20.000	23/06/2022	
3	FCA Project details not available	21024	Paonta	Bhagani	Diversion of 54.668 ha forest land for mining lease in favour of sh. Randeep Singh	2022	RF Dhandla C-8	5.000	23/06/2022	
4	FCA Project details not available	21018	Paonta	Bhagani	Diversion of 54.668 ha forest land for mining lease in favour of sh. Randeep Singh	2022	RF Yamuna C-2	25.000	22/06/2022	
5	FCA Project details not available	21017	Paonta	Bhagani	Diversion of 54.668 ha forest land for mining lease in favour of sh. Randeep Singh	2022	RF Yamuna C-1	20.000	22/06/2022	
6	FCA Project details not available	21016	Paonta	Bhagani	Diversion of 54.668 ha forest land for mining lease in favour of sh. Randeep Singh	2022	RF Dhandla C-2	20.000	22/06/2022	
					Upgradation of Kumarhatti-Saralain-Nahan Paonta-Dehradun road (Portion Premnagar	2022	RF Dhandla C-2	5.000	22/06/2022	



Divisional Forest Officer
PAONTA FOREST DIVISION
Paonta Sahib (H.P.)

83

Certified to be true Copy
Assistant Registrar (Judl.)
1 2020
Supreme Court of India SECTION PIL-W

ITEM NO.2

COURT NO.5

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s).202/1995

019404

IN RE : T.N. GODAVARMAN THIRUMULPAD

Petitioner(s)

VERSUS

UNION OF INDIA AND ORS.

Respondent(s)

[1] INTERLOCUTORY APPLICATION NOS. 160157/2021 AND 41909/2022
[APPLICATIONS FOR DIRECTIONS ON BEHALF OF STATE OF H.P.]

WITH INTERLOCUTORY APPLICATION NOS. 168479 AND 168463/2021
[APPLICATIONS FOR IMPLEADMENT AND DIRECTIONS ON BEHALF OF SHRI.
RANDEEP SINGH, APPLICANT]

I.A. NOS. 59886/2022 (CLARIFICATION/DIRECTION), 41415/2022
(CLARIFICATION/DIRECTION) AND 41420/2022 (APPLICATION FOR
PERMISSION)

IN INTERLOCUTORY APPLICATION NO. 3840 (Disposed of) [APPLICATION
FOR PERMISSION FOR CARRYING OUT SILVICULTURAL FELLING OF TREES]

IN RE : SILVICULTURE FELLING OF TREES IN THE STATE OF HIMACHAL
PRADESH IN WRIT PETITION (CIVIL) NO. 202/1995

Date : 02-05-2022 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO
HON'BLE MR. JUSTICE B.R. GAVAI

For the parties:

By Courts Motion, AOR

Mr. Harish N. Salve, Sr. Adv. [A.C.]

Mr. A.D.N. Rao, Sr. Adv [A.C.]

Ms. Aparajita Singh, Sr. Adv [A.C.]

Mr. Siddhartha Chowdhury, Adv. [A.C.]

Signature valid
Digitally signed by
BALAKRISHNAN HI
Date: 2022.05.05
13:53:05
Reason:

Mr. Balbir Singh, Ld. ASG
Mr. D.L.Chidananda Adv
Ms. Suhasini Sen, Adv
Ms. Archana Pathak Dave, Adv
Mr. Salvador Santosh Rebello, Adv
Mr. Shyam Gopal, Adv
Mr. Sughosh Subramanyam, Adv
Mr. G.S. Makker, AOR

Ms. Indira Bhakar, Adv.
Ms. Mrinal Mazumdar, adv.
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HP

Mr. Tushar Mehta, Ld. SG
Mr. Ashok Sharma, Sr. Adv.
Mr. Vikas Mahajan, Sr. Adv.
Mr. Anil Kumar, Adv.
Mr. Vivek Mahajan, Adv.
Ms. Reena Devi, Adv.
Mr. Arun Singh, Adv.
Mr. Salik Ram, Adv.
Mr. Vinod Sharma, AOR

Mr. Tushar Mehta, Ld. SG
Mr. Ajit Pudussery, AOR
Mr. Vijayan K., Adv.

Mr. Siddhartha Dave, Sr. Adv.
Mr. Ajay Marwah, Adv.
Mr. Ayush Gupta, Adv.
Mr. Tapan Masta, Adv.
M/s. Lawyer's Knit And Co., AOR

Mr. Ish Karan Singh Chhbhra, Adv.
Mr. Shiv Singh Yadav, Adv.
Ms. Rani Chhabra, Adv.

Mr. Chirag M. Shroff, AOR
Mr. Amandeep Mehta, Adv.

Mr. Hariom Yaduvanshi, Adv.
Dr. Monika Gusain, AOR

Mr. Shovan Mishra, AOR
Ms. Bipasa Tripathy, Adv

Mr. Upendra Mishra, Adv.
Mr. Avijit Mani Tripathi, AOR
Mr. T.K. Nayak, Adv.
Mr. P.S. Negi, Adv.
Mr. Daniel Lyngdoh Adv.
Mr. K.V. Kharlyngdoh, Adv.

IA.52897/2021 &
52898/2021

Mr. Syed Mehdi Imam, AOR
Mr. Mohammad Parvez Dabas, Adv
Mr. Uzmi Jameel Husain, Adv
Mr. Tashriq Ahmad, Adv
Mr. S. Mansoor Ali Rizvi, Adv

Mr. Anil Kumar, Adv.
Mr. Umang Tripathi, Adv.
Mr. Kamal Mohan Gupta, AOR

Ms. Mrinal Elkar Mazumdar, Adv
Mr. Mukesh Kr.Verma, Adv
Mr. Neeraj Kr.Sharma, Adv
Ms. Indira Bhakar, Adv.
Mr. G.S. Makker, AOR

Mr. Neeraj Kr.Sharma, Adv
Mr. Harsh Singhal, Adv.
Ms. Priyanka Sharma, Adv.
Mr. Prahil Sharma, Adv.
Mr. Ambuj Saraswat, Adv.
Mr. G.S. Makker, AOR

Mr. Amit Kumar, Adv.
Mr. Ziya Ahmad, Adv.
Mr. Vinod Sharma, Adv.

Mr. Ravindra Raizada, AAG/Sr Adv
Mr. Rajeev Kumar Dubey, Adv
Mr. Ashiwan Mishra, Adv
Mr. Kamlendra Mishra, AOR

Mr. Saket Singh, Adv.
Ms. Sangeeta Singh, Adv.
Ms. Somyashree, Adv.
Niranjana Singh, AOR

Mr. Nishe Rajen Shonker, AOR
Ms. Anu K. Joy, Adv.
Mr. Alim Anvar, Adv
Mr. Abraham C. Mathews, Adv

Mr. Aravindh S., AOR
Ms. C. Rubavathi, Adv.

Mr. Basva Prabhu Bomesi, Adv.
Mr. Hitesh Kumar Sharma, Adv.
Mr. S.K. Rajora, Adv.
Ms. Mahalakshmi Linchnayaya, Adv.
Mr. Kuldip Singh, AOR

Mr. P.S. Sudheer, Adv.
 Mr. Rishi Mahreshwari, Adv.
 Ms. Anne Mathew, Adv.
 Mr. Bharat Sood, Adv.
 Ms. Shruti Jose, Adv.

Mr. D. Kumanan, AOR
 Mr. Sheikh Fakhruddin Kalia, Adv.

Mr. V.N. Raghupathy, AOR
 Mr. P. Venkat Reddy, Adv.
 Mr. Prashant Kr. Tyagi, Adv.
 Mr. P. Srinivas Reddy, Adv.
 M/s Venkat Palwai Law Associates, AOR

Ms. Archana Pathak Dave, Adv.
 Ms. Deepanwita Priyanka, AOR

Mr. Aaditya A. Pande, Adv
 Mr. Rahul Chitnis, Adv.
 Mr. Sachin Patil, AOR.
 Mr. Geo Joseph, Adv.

Mr. Sunny Choudhary, AOR
 Mr. Abhimanyu Singh Adv.

Dr. Manish Singhvi, Sr Adv
 Mr. Arpit Parkash, Adv
 Mr. Sandeep Kumar Jha, AOR

Mr. Mahfooz Ahsan Nazki, AOR
 Mr. Polanki Gowtham, Adv

Mr. Shaik Mohamad Haneef, Adv
 Mr. T. Vijaya Bhaskar Reddy, Adv
 Mr. K.V. Girish Chowdary, Adv
 Ms. Rajeswari Mukherjee, Adv

Mr. Shuvodeep Roy, AOR
 Mr. Ishaan Borthakur, Adv.

Mr. Amit Kumar Singh, Adv.
 Ms. K. Enatoli Sema, AOR
 Ms. Chubalemla Chang, Adv.

Mr. Barun Kumar Sinha, AAG
 Mr. Kumar Anurag Singh, Adv
 Mr. Anando Mukherjee, AOR
 Mr. Shwetank Singh Adv.

UPON hearing the counsel the Court made the following
 O R D E R

INTERLOCUTORY APPLICATION NOS.41909 of 2022, 41415 and 41420 of 2022:

I.A.No.41909 of 2022 has been filed by the State of Himachal Pradesh and I.A.Nos. 41415 and 41420 of 2022 have been filed by SJVN Ltd. for relaxing the restrictions imposed on diversion of forest land under the Forest (Conservation) Act, 1980 and under the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of forest Rights) Act, 2006. A further direction is sought to permit the State of Himachal to issue formal orders for diversion of forest land under the Forest (Conservation) Act, 1980 for construction of 12 projects mentioned in para 7 of the application.

After examining the request made by the State of Himachal Pradesh, the learned Amicus Curiae appearing for CEC submitted that clearance may be granted to the State of Himachal Pradesh as sought for in the application.

The State of Himachal Pradesh is permitted to issue formal orders for diversion of forest land under the forest (Conservation) Act, 1980 for construction of 12 projects mentioned in para 7 of I.A. No.41909/2022.

I.As are accordingly allowed.

INTERLOCUTORY APPLICATION NO.59886 of 2022:

This application is filed by the of Himachal Pradesh for relaxing the restrictions imposed by an order

dated 11.03.2019 for diversion of forest land under the Forest (Conservation) Act, 1980 and under the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of forest Rights) Act, 2006.

10 projects, the particulars of which have been mentioned in para 7 this I.A can be permitted to proceed and relevant orders may be passed by the Himachal Pradesh for diversion of forest land under the Forest (Conservation) Act, 1980. In respect of 14 cases, the details of which have been mentioned at para 8 relates to FRA, 2006. Permission is granted to the State of Himachal Pradesh to issue formal orders for diversion of forest land for the said 14 projects as mentioned in para 8 subject to an undertaking being filed by the State Government to the effect the compulsory afforestation would be undertaken for the area that requires to be diverted for the said projects.

I.A is accordingly allowed.

INTERLOCUTORY APPLICATION NOS.168463 and 168479 of 2021:

Relaxing of restriction imposed on diversion of forest land under the Forest conservation Act, 1980 vide order dated 11.03.2019 is sought in these applications filed by Mr. Randeep Singh who carries on the activity of "Extractions of river bed minerals". Another direction was sought to direct the State of Himachal Pradesh to issue formal orders for grant of Stage II Compliance/Final

Approval for diversion of land use from forest to non-forest use after compliance of all conditions specified thereto as per rule 8 of the Forest Conservation Rules, 2003.

The CEC has recommended that the applications can be allowed, subject to the applicant paying an amount of Rs.6,15,81,436/- towards NPV and the applicant obtaining required permissions such as EC, FC, approved Mining Plan, consent to operate etc.

On behalf of the State of Himachal Pradesh, Mr. Tushar Mehta, learned Solicitor General submitted that necessary orders may be passed on payment of NPV and compliance of the conditions that are imposed by the Government, Ministry of Environment forests and climate change in its letter dated 02.03.2021 written to the Additional Chief Secretary Forests, Government of Himachal Pradesh.

Mr. Siddhartha Dave, learned senior counsel appearing for the applicant submitted that payment of money towards NPV shall be done within a week from today.

Subject to the compliance of other conditions to be imposed by the Ministry of Environment, Forest and Climate Change and payment of Rs.6,15,81,436/-, the State government is directed to pass suitable orders for diversion of 54.668 ha. of forest land for non-forestry use.

I.As are accordingly allowed.

INTERLOCUTORY APPLICATION NOS.3686 of 2013, 37666, 37670 and 37679 of 2020:

Issue notice to the State of Rajasthan.

List after summer vacation, 2022.

INTERLOCUTORY APPLICATION Nos.52897-52898 of 2021:

Issue notice.

List along with Jammu and Kashmir matter after summer vacation, 2022.

INTERLOCUTORY APPLICATION NOS.130445 and 130448 of 2020, 28062-28064 of 2022, 130772/2020, 130776/2020, 37424 of 2022., 30227-30228/2022:

List on 06.05.2022.

— Sd —
(B.Parvathi)
Court Master

— Sd —
(Anand Prakash)
Court Master

A1-No. 6629

Urgent Fee: Rs 5/-

Certification Fee: Rs 10/-

No. of Folio 8 Rs 8

Total Cost Rs 23

(a) application filed on: 5-5-22

(b) the date given to receive copy: 5-5-22

(c) date on which copy is made ready: 5-5-22

(d) the date on which the copy is received by the applicant or sent to the applicant: 05-5-22

Knishan Kr
Branch Officer
Supreme Court of India

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