

**H.P. Forest Department.
Mandi Forest Circle, Mandi**

From: CF(T) Mandi.

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

Subject: - Diversion of 10.3574 ha. of forest land in f/o HPPWD for the c/o Kandha to Lot Murhala Road Kms 0/00 to 17/260 within the jurisdiction of Nachan Forest Division Distt. Mandi HP (Online Proposal No. FP/HP/ROAD/37179/2018).

Memorandum:

Kindly refer to the GoI office file No. FC/HPC/06/20/2024 & e-office letter No. I/92069/2025 dated 01.01.2025 on the subject cited above.

The point wise reply with regard to the observations raised vide above referred communication is submitted by DFO Nachan & User agency in annotated manner, detail as under:-

Sr. No.	Eds raised	Reply to eds
1	The State Government shall provide details, of action taken against the violation as per provisions mentioned in consolidated guidelines and clarification issued under Van (Sanrakshan Evam Samvardhan) Rules, 2023.	DFO Nachan has submitted that as per the order passed by the Hon'ble High Court of HP in CWP No. 5600 of 2012 dated 05th September, 2013 titled as "Shri Manoj Kumar son of Shri Shiv Charan v/s Union of India and Ors" linked with COPC No. 56 of 2009 regarding to deal with against 'violation as per the provisions mentioned in consolidated guidelines and clarifications issued by the Hon'ble High Court of HP. The judgment passed by the Hon'ble High Court of HP all the codal formalities has been completed by the user department and therefore case for the diversion of 10.7352 ha. forest land is sent herewith for seeking approval under FCA 1980. As per the judgment passed by the Hon'ble High Court one time relaxation to pursue 2183 cases for approval under FCA, 1980 has been accorded and the instant case is appearing in the list of the violation of road at serial No. 405. According to the instructions given in the judgment the Penal NPV has been imposed in this case for which the user agency has admitted to pay the same by submitting an undertaking. So far as the question of providing the detail of action taken against the violation as per provisions mentioned in consolidated guidelines and clarifications issued under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and Van (Sanrakshan Evam Sanvardhan) Rules, 2023 is concerned, the Hon'ble High Court of HP vide above order has accorded one time relaxation therefore no action could be taken against the user agency as per the judgment passed by the Hon'ble High Court of HP.
2.	The State Government shall submit a detailed status report to the Regional Office in case of 2183 road projects for which directions have been passed by Hon'ble High Court of Himachal Pradesh including the detail of proposals already approved under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and the balance cases that are yet to be processed.	In this regard, DFO Nachan has submitted that the latest status of 13 violation cases out of total 2183 violation cases of roads pertaining to HPPWD Division Gohar is enclosed herewith and same has been uploaded on PARIVESH portal.

	The decision in such type of cases shall be taken holistically by Regional Office and forward the same to the Ministry along with its comments/recommendations.	
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It is therefore, requested that the necessary approval for the diversion of above land may kindly be obtained from the competent authority and conveyed to this office please.

Encls. As above.

Conservator of Forests,
Forest Circle, Mandi, HP.