

HPFD-F05/126/2023-FCA

H.P. Forest Department.

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

To: The Assistant Inspector General of Forests (Central)
Ministry of Environment, Forest and Climate Change (MoEF&CC),
Government of India,
Indira Paryavaran Bhawan,
Jor Bagh Road, New Delhi –110003

Subject: **Diversion of 1.9 hectare of forest land for construction of link road Bholi to Lower Bholi Gassour road km. 0/0 to 2/500 in Distt. Bilaspur (HP) within the jurisdiction of Bilaspur Forest Division, Distt. Bilaspur, H.P.**

Sir,

Kindly refer to the observation as raised by the Govt. of India vide letter No. 03/10/2024 to the subject cited proposal.

2. The pointwise reply to the observations as raised vide your letter reference is furnished as under:

Sr. No	EDS/Observations	Reply to EDS
1	The State Government shall provide details 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 Samvardhan) Rules, 2023.	As per the note on violation submitted by the user agency (placed at page-71 of the proposal folder), the path/track was constructed by local people or local authorities approximately 20 years ago, with a formation width of 2.00 to 2.50 meters. No official records are available in the office regarding any action taken against the violators at that time. However, in accordance with Para 1.21(ii), the bill for penal NPV has already been raised and is placed in the proposal folder. Therefore, at this belated stage, it is not feasible to initiate action under the Forest (Conservation and Enhancement) Act, 1980 and the Forest (Conservation and Enhancement) Rules, 2023.
2	The State Govt. shall submit a detailed status report to the Regional office in case of 2183 road projects for which directions have been passed by Honble High Court of HP including the detail of proposals already approved under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and the balance cases that are yet to be	The user agency has intimated that the road is part of 2183 roads constructed in violation of FCA, 1980 and depicting as serial No. 181 of the list pertaining to Forest Circle Bilaspur, Distt. Bilaspur. This road was constructed by the local Panchayat/ Panchayati Raj institution and local people as jeep able standard road to provide access to villagers for safety consideration as the

	<p>processed. The Regional office shall examine the matter holistically and forward the same to the Ministry along with its comments/recommendation.</p>	<p>area is hilly terrain. This road was not constructed by the HPPWD hence the proposal for connecting the villagers of Village Bholi, Batholi and Gassoure initiated to regularize the already constructed jeep able road and further construction of the motor able road to provide bus/Transport facility to the villagers. It is also submitted that It is submitted that a condition regarding submission of the status of roads constructed in violation of the Forest (Conservation) Act, 1980—based on the list of 2,183 roads submitted by HPPWD to the Hon’ble Supreme Court in W.P. (C) No. 202/1995—is being sought in each proposal, which is causing unnecessary delays in regularization of important public roads. It is requested that approval of such technically complete proposals may not be withheld for want of this information, which may instead be sought separately, so that public interest projects are not delayed on procedural grounds.</p>
3	<p>The State Govt. shall submit the revised KML file for proposed area for diversion along with details of the dumping sites. In view of the above, the State Govt. is requested to furnish clarification/information, as indicated above for further necessary action in the matter.</p>	<p>The fresh KML file has been uploaded by the user agency.</p>

Yours faithfully,

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