

No.D-VI-188(M)
HP Forest Department

Dated Bilaspur the/

From: CCF Bilaspur.

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

Subject:- **Diversion of 2.178 ha. of forest land in favour of HPPWD for the construction of link road from Panyala to Tiun Khash Kms. 0/0 to 5/500 within the jurisdiction of Bilaspur Forest Division.**

Memo:-

Kindly refer to your office memo. No. Ft.48-3380/2016 (FCA) dated 26.10.2023 on the subject cited above.

2. The point-wise reply to the shortcomings raised vide your office memo. No. has been furnished by DFO Bilaspur as under:-

Sr. No.	EDS/Observations	Reply to EDS
1.	In reply to point No. 3 the broken and unbroken area in forest land and in Pvt. Land/Non Forest, marked with distinct colors has still not been marked in layout plan, hence revised layout plan duly signed by DFO concerned may be uploaded. Further, the forest land and in Pvt land/Non forest, marked with distinct colors in KML is not corrected which may be revised as 2.53 ha. area is measured as per KML file whereas proposed area is 2.178 ha. which is required to be uploaded	The layout plan and KML file has been uploaded online Part-1 by the user agency.
2.	The undertaking regarding providing sale/gift/NOC or private land owner stated to have been enclosed but same has not been found. Hence, same may be uploaded against the additional information column of Part-1.	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.
3.	GoI has asked at Point No. 6 (ii), to apprise the action taken by the Department/concerned DFO for realizing the above cited amount along with documentary proof. In response to this it has been mentioned 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. Whereas, it has been mentioned that the user agency has not constructed the road but it is not clarified that why compensation are being recovered from the user agency. Further, it may be clarified that against whom and under which rules/guidelines damage report have been chalked out.	It is submitted that 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 for which note on violation has been placed in proposal folder. The above amount will be recovered alongwith other levies i.e. CA, NPV etc on receipt of In-principle approved by the competent authority. Beside this no damage report and etc. is chalked out in this case.
4.	The reply of point 6(iii) is still not acceptable, the detail of violator and responsible persons as asked by GoI is necessarily required.	There is no record available in this office about the action taken against violators. However as per Para 1.21(ii), Bill on a/c of Penal NPV has already been raised and placed in proposal folders.
5.	The documents regarding point No. 7 (i) and (ii) stated to have been enclosed but same has not been found. Hence, same may be uploaded against the additional information column of	As per user agency the documents regarding Point No 7 (i) the complete legible copy of 2183 road that has been provided by HPPWD to Hon'ble High Court of HP constructed in

	Part-1	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). (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 by the user agency.
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Conservator of Forests,
Bilaspur Forest Circle,
Bilaspur, HP.

File No. D.VI-188(M)

Copy is forwarded to DFO Bilaspur w.r.t. his office memo.
No. 6700 dated 30.10.2023 for information.