

No.  
H.P. Forest Department.

Dated Rampur, the

From: CCF Rampur.

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

Subject:-

Diversion of 1.9683 ha of forest land in favour of HPPWD for the construction of Gadasu Lauthi Punan road (0/00 to 6/478 km) within the jurisdiction of Rampur Forest Division (Proposal No. FP/HP/Road/153148/2022).

Memo:

Kindly refer to GoI letter No. nil dated 11.2.2025 on the subject cited above.

2. In this connection it is intimated that GoI had not accepted the reply of observation No. 1 & 2 of this office as find mentioned the letter No. 1/86890/2024 Dated 12.11.2024 of GoI. Therefore, the point wise reply of observation No.1 & 2 are again furnished as under:-

Sl. No.	EDS/observation	Reply
1	The State Govt. shall provide details of action taken against the violation as per provisions mentioned in consolidated guidelines and clarification issued under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and Van (Sanraksahn Evam Samvardhan) Rules, 2023.	<p>The violation in the extant case falls under the Indian Forest Act, 1927 as per Rule 1.16 (i), under Chapter-1 of consolidated Guidelines and Clarifications issued under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and Van (Sanrakshan Evam Samvardhan)Rules, 2023.</p> <p>The damage caused in the extant case is reported as per the Inspection of the Committee Chaired by Chief Conservator of Forests, Rampur dated 07.03.2029 and involves no tree felling (<b>Attached as Annexure-I</b>).</p> <p>However, the said case forms part of the case list in which the Hon'ble High Court of Himachal Pradesh has passed directions as to ratification of past violations in CWP No. 5600/2012 a/w CWP No. 9797 of 2012 and COPC No. 59/2009. This case is listed at Sr. No. 298 of the list provided vide letter No. PBW (B) E (3)-1/2013 Dated 5.11.2013 by Principal Secretary, HPPWD, Govt. HP to APPCF (Central)</p>

		<p><b>(Attached as Annexure-II).</b></p> <p>It is brought to notice that in the said CWP the Hon'ble High Court of HP has ordered dated 5.9.2013 in paragraphs 6,7 and 8 that the insistence on submitting the list of officers with their names, designations and complete addresses responsible for past violations will be counter productive</p> <p><b>(Complete orders attached as Annexure-III)</b></p> <p>Hence, as guided by the Hon'ble High Court of HP , no list of officers responsible for the violation in the present case needs to be called for.</p> <p>Furthermore, the Hon'ble High Court of HP has also ordered about the action to be taken (as desired in EDS 1) in the extant case of violation, in the same CWP, dated 26.7.2023 in paragraphs 1,2,3 where in the Hon'ble Court has inclined to accept the ratification of such roads in public interest and in good faith on such conditions, as permissible in law, including imposing environmental damage, compensatory costs and putting up retention walls etc.</p> <p><b>(Attached as Annexure-IV)</b></p> <p>Thus, as guided by the orders of the Hon'ble High Court of HP the appropriate action to be taken in this case shall be the levying of appropriate environmental damages as permissible under law and putting up retention wall etc.</p> <p>It is therefore, intimated that in compliance of the Hon'ble Court directions, penal NPV <b>(Attached as Annexure-V)</b> and penal CA <b>(Attached as Annexure-VI)</b> have been proposed to which the user agency has also given undertakings for compliance <b>(Attached as Annexure-VII)</b>. In addition, the Inspection Committee has also recommended engineering works of 8</p>
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		<p>meters at various stretches amounting to Rs.95 Lakh <b>(Refer to Para No. 13 of Annexure-I).</b></p> <p>These are, therefore, the details of action taken in the present matter, in compliance of the orders passed by the Hon'ble High Court.</p>																					
2.	<p>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 balance cases that are yet to be processed. The decision in such types of cases shall be taken holistically by Regional Office and forward the same to Ministry along with its comments.</p>	<p>The detailed status report of all 2183 FCA violation cases pertains to Nodal Office. Out of which 68 cases pertains to Rampur Forest Circle, the detail is as under:-</p> <table border="1"> <thead> <tr> <th>S. No.</th><th>Particular</th><th>Status</th></tr> </thead> <tbody> <tr> <td>1.</td><td>Total cases of violation pertaining to Rampur Forest Circle.</td><td>68</td></tr> <tr> <td>2.</td><td>Violation cases which have received final approval from IRO.</td><td>9</td></tr> <tr> <td>3.</td><td>Violation cases which have been received in-principle approval.</td><td>4</td></tr> <tr> <td>4.</td><td>Violation cases which have been received from user agency and are under process</td><td>5</td></tr> <tr> <td>5.</td><td>Violation cases which have not received from user agency.</td><td>50</td></tr> <tr> <td></td><td>Total</td><td>68</td></tr> </tbody> </table> <p>The detail of 68 cases are attached as <b>Annexure-VIII</b></p>	S. No.	Particular	Status	1.	Total cases of violation pertaining to Rampur Forest Circle.	68	2.	Violation cases which have received final approval from IRO.	9	3.	Violation cases which have been received in-principle approval.	4	4.	Violation cases which have been received from user agency and are under process	5	5.	Violation cases which have not received from user agency.	50		Total	68
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This is for favour of information and further necessary action please.

Encl:- As above.

Chief Conservator of Forests,  
Rampur Bsr, H.P.