

I/364693/2024

No. 48-3440/2016 (FCA)

H.P. Forest Department

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

To: The Deputy Inspector General of Forest, .
Sub-Office, Ministry of Environment,
Forest and Climate Change, CGO Complex,
Shivalik Khand, Longwood, Shimla, H.P.

Dated Shimla-1, the

Subject: **Diversion of 3.9654 ha(Instead of 5.5334 ha) of forest land in favour of HPPWD for construction of link road Khal Tibba (Km 0/00 to 7/00), within the jurisdiction of Bilaspur Forest Division, Distt. Bilaspur, HP(Online Proposal No. FP/ HP/ROAD/20681/2020).**

Kindly refer to your office letter No. 8B/HP/06/02/2020 dated 29.01.2024 on the subject cited above.

2. The pointwise reply to the observations as raised vide your above referred communication is submitted as below:-

1. To this point CCF replied that User Agency has intimated that the all remaining proposals will be submitted within six months.
2. CCF Bilaspur has intimated that the road is appearing in the list of 2183 road proposals constructed in violation of FCA, 1980 as the same has been depicted at Sr. No. 137. This road has been already constructed by local people many years ago to jeepable standard. The HPPWD has not constructed any part of this road. No records are available about the construction of this road.
3. (i) As per user agency the road has been constructed 22 years back by local Gram Panchayat and residents. As such there is no record available in his office about action taken against the violators. However, as per Para 1.21(ii), bill on account of Penal NPV has already been raised and placed in the proposal folders.
(ii) Since, violation has taken place a long time back as such no record is available about action taken against the officials concerned for not being able to prevent the use of forest land for non forestry purpose without prior approval of GoI.
4. The relevant order of High Court passed in CWP No.5600 of 2012 dated 05.09.2013 titled "Sh. Manoj Kumar S/o Sh. Shiv Charan V/s UOI and others"

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linked the COPC No. 56 of 2009 order dated 16.11.2017 passed in CWPIL No. 91 of 2017 and direction order issued by the Govt. vide letter No. 15.11.2016 are enclosed herewith.

Yours faithfully

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