

No. 9045 /
HP Forest Department

Dated Gohar, the 12/03/2025

From: DFO Nachan.

To: Nodal officer-Cum -
Addl. Pr. CCF FCA
O/o Pr. CCF H.P. Shimla

Subject:

Diversion of 10.7352 ha of forest land in favour of HPPWD for the construction of Kanda Lot to Murala road kms 0/00 to 17/260 within the jurisdiction of Nachan Forest Division Nachan at Gohar Distt. Mandi, HP.

Memo,

Kindly refer to the GoI letter No. FC/HPC/06/20/2024 1/92069/2025 dated 01.01.2025 on the subject cited above.

2.

The point-wise reply with regard to the observations raised vide above referred to communication is submitted here as under in an annotated manner for favour of information taking further necessary action at your end please:-

Sr. No.	Observations	Reply
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.	In this regard it is submitted that as per the order passed by the Hon'ble High Court of HP in CWP No. 5600 of 2012 dated 05 th 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 Samvardhan) 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. 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.	In this regard, the user agency has submitted the latest status of 13 violation cases out of total 2183 violation cases of roads pertaining to HPPWD Division Gohar (copy enclosed).
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In view of the same it is therefore, requested that the observations as pointed out by the GoI has been attended and uploaded in the Parivesh Portal. It is therefore, requested that the same may kindly be transmitted to the quarter concerned and stage-I approval may kindly be obtained from competent authority and conveyed accordingly.

Encls:-As above.

Endst. No. 9046-47 /

Dated Gohar, the

Divisional Forest Officer,
Nachan Forest Division at Gohar

12/03/2025

Copy for information and necessary action is forwarded to:-

1. CF Mandi.

2. Executive Engineer, Gohar Division (B&R) HPPWD Gohar, Distt. Mandi HP w.r.t. his office letter No. 12062-64 dated 05.03.2025.

Divisional Forest Officer,
Nachan Forest Division at Gohar

Details for roads constructed in violations of FCA-1980

Sr. No	2183 Violation list Sr.No	Division	Name of Work	Status
1	391	Gohar	Construction of Shilnoo Taru Bhalana Road km. 0/000 to 9/000.	The Revenue papers has been prepared, after completion of all codal formalities, the proposal will be uploaded very shortly online in the web portal.
2	392	Gohar	Construction of Latogali Badhu Via Marhog Raya Road km. 0/000 to 6/000.	The Revenue papers has been prepared, after completion of all codal formalities, the proposal will be uploaded very shortly online in the web portal.
3	5	Gohar	Construction of Kutachi Badhu Road km. 0/000 to 7/000.	The Revenue papers has been prepared, after completion of all codal formalities, the proposal will be uploaded very shortly online in the web portal.
4	397	Gohar	Construction of Badhu Sanjala Road km. 0/000 to 2/400.	The Revenue papers has been prepared, after completion of all codal formalities, the proposal will be uploaded very shortly online in the web portal.
5	398	Gohar	Construction of Bassa to Badhu Road km. 0/000 to 3/000.	The Revenue papers has been prepared, after completion of all codal formalities, the proposal will be uploaded very shortly online in the web portal.
6	398	Gohar	Construction of Sianj Pangliur Road km. 0/000 to 2/000.	The Revenue papers has been prepared, after completion of all codal formalities, the proposal will be uploaded very shortly online in the web portal.

7	400	Gohar	Construction of Bassa to Kuther Road km.0/000 to 5/000.	The Revenue papers has been prepared, after completion of all codal formalities, the proposal will be uploaded very shortly online in the web portal.
8	401	Gohar	Construction of Sianj (Seri) Nandi Road km.0/000 to 7/500.	The Revenue papers has been prepared, after completion of all codal formalities, the proposal will be uploaded very shortly online in the web portal.
9	403	Gohar	Construction of Noun Pagneti Chawali road Km 0/000 to 30/000	The Revenue papers has been prepared, after completion of all codal formalities, the proposal will be uploaded very shortly online in the web portal.
10	404	Gohar	Construction of Pathan Dari Kunsot road Km 0/000 to 11/135	The Revenue papers has been prepared, after completion of all codal formalities, the proposal will be uploaded very shortly online in the web portal.
11	405	Gohar	Construction of Kandha Lot to Murahala road Km 0/000 to 17/260	Forest case has been submitted online in Parivesh Portal The RO Shimla raised observation on dated 01-01-2025 which is attended by the EE Gohar.
12	407	Gohar	Construction of Got Khad to Biju Road 0/000 to 2/000	he Revenue papers has been prepared, after completion of all codal formalities, the proposal will be uploaded very shortly online in the web portal.
13	408	Gohar	Construction of Jahal to Bukhras Kamrunaag Road km. 0/000 to 7/000	he Revenue papers has been prepared, after completion of all codal formalities, the proposal will be uploaded very shortly online in the web portal.

Executive Engineer,
Gohar Division,
HISPD Gohar

