

**H.P. Forest Department****Nahan Forest Circle**Email: cfnah-hp@nic.incfnahan@gmail.com

From: C.F. Nahan.

To: Nodal Officer –cum-APCCF (FCA)

O/o Pr. CCF (HoFF) HP) Shimla.

Subject: Diversion of 0.327 ha. of forest land in favour of HPPWD for construction of link road from village Bhogpur Simbalwala km.0/0 to 3/440 (portion 1/730 to 2/120 and 3/285 to 3/440 i.e.0.545 kms within the jurisdiction of Nahan Forest Division Distt. Sirmour H.P.

Memo:

In this regard, the reply of observations as raised by Integrated Regional Office, MoEF & CC, CGO Complex, ShivalikKhand, Longwood Shimla letter No. 38699/2023 dated 20.02.2022 is submitted as under please:-

Sr. No.	Observation	Reply
1.	Against observation no. 1 , in the reply provided State Govt. has submitted that the Gram Panchayat as violators and year of violation is 1990. Also, it is mentioned that HPPWD has completed its formation cutting in 2001-2002. The penal provisions as per para 1.21 (ii) of FCA Guidelines has been also provided. However, the reply is singularly silent on provisions of para 1.21 (i) b and para 1.21 (ii) c. and d. regarding the action taken by department against violators and the officials concerned for not being able to prevent the use of forest land (Reserve Forest in this case) for nor forestry purpose without prior approval of Govt. of India. Therefore, the State Govt Shall furnish the Action Taken Report in this regard.	In this connection, User agency has intimated that the construction work of the road from Bhogpur to Simbalwala was started during the year 1977 as a footpath track by the Gram Panchayat concerned. The road construction work was initially started by the Gram Panchayat in the year 1990 probably in length of nearly 200 mtrs and later its formation cutting was completed by the HPPWD during the year 2001-02. It is further submitted that subject cited FCA violation case has been listed in approval to cases of construction of road in compliance of directions passed by the Hon'ble High Court of H.P. on 08.08.2013 and 05.09.2013 in CWP No. 5600 of 2012 a/w CWP No. 9797/2012 and COPC No. 56/2009. The Hon'ble High Court of H.P. has also given the order to regularize 2183 roads including this road which has already been constructed in violation of the provisions of FCA, 1980. Since the violation in this case has been directed to regularize by the Hon'ble High Court H.P. hence in view of the above no action has been taken by the Forest department against the official involved in construction of this road, as it will amount to contempt of Hon'ble Court's directions. Moreover, this formation of cutting in this road was carried out by HPPWD only during the year 2001-02 and before the HPPWD department had no interference in the said road.

However the names of Official/officers of HPPWD department and forest department were posed during the period 1990-2001-02 are as under:-

HPPWD Department		
Sr. No.	Name and designation of the Officer	Period
1.	Er. L.C. Gupta Executive Engineer	01.08.1989 to 07.07.1992
2.	Er. D.D. Gautam, Executive Engineer	07.07.1992 to 04.07.1994
3.	Er. S.S. Rawat Gupta Executive Engineer	04.07.1994 to 05.11.1998
4.	Er. V.K. Bhandari, Executive Engineer	05.11.1998 to 05.04.2003
5.	Er. J.P. Sharma, Assistant Engineer	11.07.1988 to 29.08.1991
6.	Er. M.P. Garg, Assistant Engineer	29.08.1991 to 05.07.1994
7.	Er. R.D. Jain, Assistant Engineer	16.08.1994 to 31.03.2000
8.	Er. R.K. Aggarwal, Assistant Engineer	01.04.2000 to 30.04.2003

Forest Department				
Sr. No.	Range Forest Officer	Block Officer	Forest Guard	Period
1.	Sh. Sant Ram Rana	Sh. Kul Bhusan Singh	Sh. Amar Singh	1990-2001-02.
2.	Sh. Ram Parkash	Sh. Krishan Dutt	Sh. Ram Parkash	
3.	Sh. J.C. Katar	Sh. Ganga Ram	Sh. Shamsheer Singh	
4.	Sh. T.R. Chauhan		Sh. Yashwant Singh	
5.	Sh. S.P. Singh		Sh. Sumer Chand	
6.	Sh. Yashpal Ganeria		Sh. Jasmer Singh	
7.	Sh. Nasim Mohd. Didan		Sh. Naryan Singh	

In addition to the above, DFO Nahan has intimated that the record of other forest field staff (i.e. Dy. Ranger & Fgds) could not be traced out because the record of said period has been destroyed , copy of the same has been uploaded in additional information against column No. 12 in online part-II.

Divisional Forest Officer (Hqr)
O/o Conservator of Forest,
Nahan Forest Circle, Nahan.