



**OFFICE OF DEPUTY CONSERVATOR OF FORESTS,
HAMIRPUR FOREST DIVISION, HAMIRPUR, HP, 177001,
Phone & Fax 01972-224922, e-mail – dfoham-hp@nic.in**

No\RK\ 3376

dated 20/6/2023

From:- DCF Hamirpur.

To:- CF Hamirpur.

Subject:- Diversion of 0.0422 ha of Forest Land for c/o of Panyali to Nugran Road, KM 0/0 to 2/0, within jurisdiction of Hamirpur Forest Division (FP/HP/ROAD/15823/2015).

Memo:

Kindly refer to your office letter no. 1088 dated 06.06.2023 addressed to your good office, on the subject cited above.

In this context, it is intimated that the observation pointed vide communication refer to above have been attended and point wise reply is furnished as per detail given below:-

Sr No.	EDS/Observation	Reply to EDS
1.	CF has submitted the proposal through EDS whereas, point wise reply to the EDS is required to be submitted. Further, the reference of uploaded document (i.e. Sr. No., column No. & Part) are to be mentioned in forwarding memorandum. Further the pointwise reply of the EDS is again submitted as under:-	In this context, it submitted that the reply has already been submitted vide this office letter no. RK/15069 dated 27.02.2023 (copy enclosed).
	1. The location of villages proposed to be benefited may be marked over KML file uploaded in online Part – I	The villages have been mentioned in KML file at Sr No. C (ii) b – 1 of online part I
	2. It appears that the alignment proposed beyond the boundary of target village in the KML. Hence, the state govt. may submit their jurisdiction in this regard and also make it upto boundary of village in forest land.	Proposed alignment is upto end point of Village boundary for covering entire population and accordingly the KML file has been uploaded at Sr No. C (ii) b – 1 of online part I
	3. The broken area is 0.0422 ha. i.e. (The Whole length) but the RoW is not mentioned anywhere in the proposal. Therefore, the state Govt. may mention the RoW in this regard.	The RD wise detail has been mentioned in Joint inspection report of committee constituted vide Judgement of the Hon'ble High Court of HP in CWP No. 5600 of 2012 at Sr No. 7&8 which was already attached with the proposal folder, however copy of the same is enclosed herewith at Sr No. – 1 in additional information of online part II

P.T.O.

	4. State Govt. may submit the Penal NPV calculation after incorporating 12% simple interest from the year 2000 to till the deposit is made.	The revised bills of Penal NPV are enclosed herewith and the same are uploaded in online Part II as Additional Information
	5. In view of guideline Para 1.21 (ii) © & (d) State Govt. may submit the action taken report to this office	The case has already been reported in the CWP No. 5600/2012 and is now pending for regularization
2.	The bill of Penal NPV is not been prepared as per the Para 1.21 (ii) (a) of Chapter – I of Handbook of FCA 1980 i.e. “The penalty for violation shall be equal to NPV of forest land per hectare for each year of violation from the date of actual diversion as reported by the inspecting office with maximum up to five (5) times the NPV plus 12 percent simple interest till the deposit is made.” Further bill of NPV & Penal NPV are required to be prepared as per rates issued by GoI dated 06.01.2022	The revised bills of NPV and Penal NPV are enclosed herewith. and the same are uploaded in online Part II as Additional Information
3.	Since the reply of the observation/EDS are being submitted after lapse of 2 years whereas GoI asked to furnish the same asked to furnish the same within 90 days, hence, the reason for such delay may be given, so that GoI could be apprised accordingly.	In this context, it submitted that the user agency has intimated that there was land dispute between the local habitants and the alignment of road was not finalized thereby the delay in submission of reply occurred and the same is uploaded in online Part I as additional information at Sr No. 3.

This is for your kind information and further necessary action.

Encls:- As Above.

Deputy Conservator of Forests,
Hamirpur Forest Division,
Hamirpur.

Endst. No. 3377 / Dated Hamirpur, the 20/8/2023 /

Copy to

1. Executive Engineer, Barsar Division, HPPWD w.r.t. his letter no. PW-BSR/WA/FCA/2022-23/1371-72 dated 10.05.2023 for information.

Deputy Conservator of Forests,
Hamirpur Forest Division,

19.6.23



OFFICE OF DEPUTY CONSERVATOR OF FORESTS,
HAMIRPUR FOREST DIVISION, HAMIRPUR, HP, 177001,
Phone & Fax 01972-224922, e-mail - dfohamirpur@gmail.com

No. RK/VS/069

dated 27/12/2023

From:- DCF Hamirpur.

To:- Addl PrCCF Hamirpur.

Subject:- Diversion of 0.0422 ha of Forest Land for c/o of Panyali to Road, KM 0/0 to 2/0, within jurisdiction of Hamirpur Forest Div

Memo:

Kindly refer to Deputy Inspector General, Regional Office Central Zone), Dehradun letter no. 8वी/एच. पी./06/72/2020/एफ. सी./93 15.06.2020 on the subject cited above.

In this context, it is intimated that the observation pointed vide communication refer to above have been attended and point wise reply is furnished as per detail given below:-

1. The villages have been mentioned in KML file.
2. Proposed alignment is upto end point of Village boundary for covering entire population and accordingly the KML file has been uploaded
3. The RD wise detail has mentioned in Joint inspection report which was already attached with the proposal folder, however copy of the same is enclosed herewith.
4. The revise bill of Penal NPV w.e.f. the year 2000 is enclosed herewith.
5. The case has already been report in the CWP No. 5600/2012 and is now pending for regularization.

Therefore, three nos. project proposal folders are sent herewith for information and necessary action please.

Ends:- As Above.

Deputy Conservator of Forests,
Hamirpur Forest Division,
Hamirpur.

Endst. No. 15070 / Dated Hamirpur, the 27/12/2023

Copy to

1. The Executive Engineer, Barsar Division, HPPWD for information.

Deputy Conservator of Forests,
Hamirpur Forest Division,
Hamirpur.

BILL FOR NET PRESENT VALUE

Name of Project:	Diversion of Forest Land 0.0.0422 for Construction of Panyali-Nugran road Km 0/0 to 2/0 Under FCA 1980 (FP/HP/ROAD/15823/2015)
Forest Area involved	0-04-22 ha
Class of Forest	Eco Class V
Density	0
Rate of NPV	Rs. 10,05,210/- per hect.
Total amount of NPV	Rs. 42,420-00

Rs. Forty two thousand four hundred and twenty only.

It is certified that the Net Present Value in this diversion case/proposal for the Diversion of Forest Land 0.0.0422 for Construction of Panyali-Nugran road Km 0/0 to 2/0 Under FCA 1980 (FP/HP/ROAD/15823/2015) has been worked out in accordance with the rates fixed vide Hon'ble Supreme Court of Indian order dated 28.03.2009 and 09.05.2009.


(Rakesh Kumar, IFS)
Deputy Conservator of Forests,
Hamirpur Forest Division,
Hamirpur Forest Division,
Hamirpur, HP
Hamirpur (H.P.)

Bill on account of penalty for violation qual to the NPV of 0.0422 ha. Of forest land w.e.f. the year 2000 plus 12% simple interest till the deposit is made 0.0422 ha. Forest land proposed for diversion for construction of Panyali Nugran link road

User Agency - Executive Engineer HPPWD Barsar Division at Barsar Distt Hamirpur, HP

Sr No.	Particulars	Remarks
1	Year of report of violation	0.0422
2	No. of years of violation	23
3	Area violated in Ha.	0.0422
4	Ecoclass	Vth (Open)
5	Rate of NPV applied	1005210
6	NPV Amount for violated area (5X1)	42420
7	Penalty for violation i.e. NPV for forest land per hectare for each year of violation from the date of actual diversion as reported by the inspecting officer with maximum upto five (5) times the NPV (five times 6X5)	212100
8	Interest at 12% simple interest till the deposit is made	585396
	Total Penalty (7+8)	797496

Note:- The area falls under Eco Class V Oper Forests. This is in accordance with Hon'ble Supreme Court of India order dated 28.03.2008

(Rakesh Kumar, IFS)
Deputy Conservator of Forests,
Hamirpur Forest Division,
Hamirpur (H.P.)

SUBMISSION OF REPORTS BY THE COMMITTEE CONSTITUTED VIDE JUDGEMENT OF THE HON'BLE HIGH COURT OF H.P. IN C.W.P. NO. 5600 OF 2012 DATED 5/9/2013 REGARDING CONSTRUCTION OF ROAD IN VIOLATION OF FCA 1980.

Sr. No.	Name of Circle:	Name of District:	Name of Division:	Name of Tehsil:	Name of Range:	Name of road including kilometres from -to -:	Total length of the road for which forest land has already been broken/ constructed passing through the forest and private area:	Length of the road and extent (in hectare) passing through forest:	Dates of starting and completing the work:	Name of the organisation which constructed the road:	Details of damages caused to bio-diversity including number of trees felled other than braking the earth (which is already covered under point 5 above)	Details of the soil coservation / engineering works necessary on the upper and lower sides of the road for its strengthening and avoiding land slides:	Estimated expenditure for carrying out these engineering works:
1	Hamirpur	Hamirpur	Hamirpur			C/O Panyali Nugran road, Km. 0/0 to 2/0.	0/0 to 0/066=0.066 Kms. (Violation in forest land)	Length of the road in forest land= 0.066 Kms.	Date of starting:- June,2000	HP PWD Division Barsar District Hamirpur (H.P.)	(1) The stretch of the road in which the road has been constructed in violation of the FCA is levelled one, where the possibility of land slides etc. does not exist. However, the HP PWD proposes to carry out the plantation work in the rainy season as a part of its annual plantation drive.	(1) Rs. 0.50 Lacs. (2) Rs. 1.50 Lacs.	
2	Hamirpur	Hamirpur	Hamirpur				0/066 to 2/0= 1.934 Kms. (Private land)	Area of the road in forest land=0.0422 Hectare.	Date of completion:- Work incomplete.				
3	Hamirpur	Hamirpur	Hamirpur										
4	Hamirpur	Hamirpur	Hamirpur										
5	Hamirpur	Hamirpur	Hamirpur										
6	Hamirpur	Hamirpur	Hamirpur										
7	Hamirpur	Hamirpur	Hamirpur										
8	Hamirpur	Hamirpur	Hamirpur										
9	Hamirpur	Hamirpur	Hamirpur										
10	Hamirpur	Hamirpur	Hamirpur										
11	Hamirpur	Hamirpur	Hamirpur										
12	Hamirpur	Hamirpur	Hamirpur										
13	Hamirpur	Hamirpur	Hamirpur										

At
 Excise Engineer
 S.R. Division H.P.P.W.D.
 Barsar

<p>14 Recommendations of the committee (should include length in kilometres, extent of forest land additionally required for completing the work, expenditure to be incurred on engineering/vegetative works necessary for stabilizing the soil/boulders on upper and lower sides of the road etc.):</p>	<p>The committee recommended a regulation of all road work should be included in regulation of P.W.D. The work should be done in a regular manner. The work should be done in a regular manner.</p>
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Signature of Committee

Chairman
 Divisional Forest Officer,
 Hamirpur Forest Division,
 Hamirpur (H.P.)

Member
 Representative of Deputy Commissioner,
 (S.D.M.)

Member Secretary
 Executive Engineer of the area

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 19/10/14

AH
 Executive Engineer
 P.W.D. Division Hamirpur,
 Hamirpur