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No.Ft.48-3489/2016 (FCA)
H.P. Forest Department

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

To: Integrated Regional Office, Ministry of Environment,
Forest and Climate Change, CGO Complex,
Shivalik Khand, Longwood, Shimla, H.P.

Dated Shimla-1, the **22 JUN 2023**

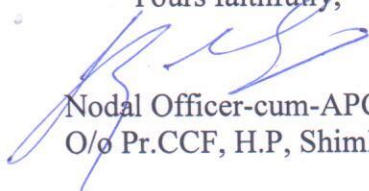
Subject: Diversion of 0.327 ha of forest land in favour of HPPWD, for the construction of link road to village Bhogpur Simbalwala km. 0/0 to 3/440 (Portion 1/730 to 2/120 and 3/285 to 3/440 i.e. 0.545 km), within the jurisdiction of Nahan Forest Division, District Sirmaur, Himachal Pradesh (online No. FP/HP/Road/ 22919/2016).

Sir,

Kindly refer to your office letter No. FC/HPB/06/29/2021 dated 20-2-2023 on the subject cited above.

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 issued 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^{be} 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 would 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 name of officers/ officials of HPPWD and forest department who were posed during the period of 1990 to 2001-02 has been given in the letter of CF Nahan as uploaded in the reply to EDS dated 19.6.2023 please.

Yours faithfully,


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