

No. C-28-b-1634/ FCA (Online)/Shimla / 3568  
Himachal Pradesh Forest Department

Dated, the Shimla-02 26-7-22

From:

CCF Shimla

To: Nodal Officer-cum-APCCF (FCA)  
O/o Pr.CCF (HoFF) HP, Shimla

Subject:

Diversion of 0.0112 ha of Forest land for the construction of Ambulance road from Fire Brigade road for the building in Dazy Bank Estate Lower Jakhu Shimla Ward No.16 Kms 0/0 to 0/ within the jurisdiction of Shimla Urban Forest Division (FP/HP/ROAD/14345/2020)

Memo

Kindly refer to your office Endst No. 48-5201/2020(FCA) dated 24.02.2022 on the subject cited above.

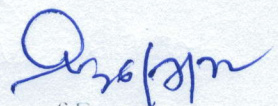

It is informed that the above-referred proposal is located in core zone & green belt of MC Shimla as per directions Hon'ble NGT dated 16.11.2017. Keeping in view Hon'ble NGT directions, DFO (U) requested User Agency vide letter No. DFO (U)/FCA/2022-23 /675 dated 23-6-2022 to seek approval of High Power expert committee, supervisory committee & implementation committee, in compliance to Hon'ble NGT direction for the construction of aforesaid road under FCA 1980.

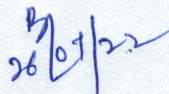
The User Agency vide its letter No. MCS/R& B/2022-4035 dated 21.07.2022 has submitted the reply that there is no need to obtain approval for such type of proposal from above mentioned committees as similar case regarding Ambulance road from Deepak project gate barrier to Tulsi ram niwas near Durga Ghoda chowki ward No. 9 Kacchighatti Shimla has been approved under FCA 1980, where approval of above mentioned committees was not sought. The reply of User Agency is not tenable as the referred road proposal is not located in cold zone & green belt of MC Shimla hence Hon'ble NGT directions dated 16.11.2017 are not applicable. The User Agency has not taken views of T&C planning department as was requested.

Since the proposal falls in core area & green belt, it is mandatory to abide by the directions of Hon'ble NGT & the approval of above referred committees would be required. The FCA proposal has been examined as provision of FCA 1980 & rules 2003 & instruction issued by Govt. of India & Hon'ble Courts from time to time.

The report is submitted please.

Encls: 2 No. (proposal folders)

  
Chief Conservator of Forests  
Shimla Forest Circle, Shimla 

  
26/07/22