

I/266318/2023

No.D-VI-186(M)/  
HP Forest Department

Dated Bilaspur the/

From: CCF Bilaspur.

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

**Subject:-** **Diversion of 3.9705 ha. of forest land in favour of HPPWD for the construction of link road from Padyalag, Dohru, Maryani, Chandoh, Dadhol kala, Patta, Dikhut Km 0/0 to 6/450 within the Jurisdiction of Bilaspur Forest Division, Distt. Bilaspur, HP.**

Memo:-

Kindly refer to GoI letter No. FC/HPC/06/114/202 dated 27.07.2023 on the subject cited above.

2. The point-wise reply/information to the shortcomings as furnished by DFO Bilaspur is as under:-

Sr. No	EDS/Observations	Reply to EDS
1	In reply to S.N.1- <b>REPLY NOT ACCEPTED</b> State Government may furnish the details of violators for further necessary action as the proposal. Since as per the latest direction of the Ministry of Environment, Forest and Climate Change, Government of India vide File No. FC-7/43/2020-FC dated 22.03.2022, the proposals for use of forestland for non forest purpose which includes violation of the Forest (Conservation)Act, 1980 as specified in Para-1.21 (i) and (ii) will be examined at the level of Ministry after discussion in REC.	(i) In reply to point No. 1, user agency has intimated that the road has been constructed long time ago by local Gram Panchayat and residents. As such there is no record available in his office the action taken against violators. However, as per Para 1.21 (ii), Bill on a/c of penal NPV has already been raised and placed in proposal folders. (ii) Since, violation has taken place a long time ago as such no record is available about action taken against the official concerned for not being able to prevent the use of forest land for non –forestry purpose without prior approval of GoI.
2	In report to S.N. 3- <b>REPLY NOT ACCEPTED</b> in Part-1, A-3 (xvii), the name mentioned in the authorization letter does not match with details of the person making the mismatch or fresh authorization certificate needs to be submitted.	In reply to point No.3, user agency has intimated that the Engineer-in-Chief HPPWD, Shimla has authorized all the Executive Engineer's under PWD organization in Himachal Pradesh to apply for the diversion of forest land for the construction of road and accordingly the then E.E. Parkash Chand had applied for diversion of forest land in accordance with his official capacity and thereafter the said authority has been transferred from his office to another office and forest case is being dealt by the different Executive Engineer's in different official capacity. The copy of authority letter is attached herewith.
3	In reply to S.N. 11, S.N.16, S.N. 17 and SN.18- <b>REPLY NOT ACCEPTED</b> . A complete Enumeration list including the	In reply to point No. 11, the complete Enumeration list including the compartment No. duly authenticated by the DFO is

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	<p>compartment no along with date of tree enumeration which is duly authenticated by the concerned DFO, needs to be provided to gain the clarity on the above mentioned points.</p>	<p>already placed in the proposal folders. In reply to point No. 16, No trees are involved in dumping sites. In reply to point No. 17, As already intimated by the user agency that during the tree enumeration, all the trees and saplings which susceptible for felling due to the execution of the project were considered. Further, it is submitted that during the project preparation and finalization of FCA case minimum Nos. of tree felling is involved. As proposed road is going to be constructed on a jeep able of 2-3 mtr. width due to which tree felling will be minimum. Hence, keeping in view all aspect and minimum damage to the vegetation and forest land, the proposed road has been finalized. Hence, the proposed alignment has been found most suitable and acceptable to all.</p>
4	<p>In reply to S.N. 19- REPLY NOT ACCEPTED. As per para 2.4(vii) of the Handbook of FCA, 1980 and FC Rules, 2003 (Guidelines and Clarifications), MoEF &amp;CC, 2019, State Govt. may look for a new CA site (i.e., Open Forest) along with the Status of proposed CA land may be provided, whether it is a Govt. Wasteland is declared as PF under HP Govt. notification, 1952, or it is notified as UPF/DPF under IFA, 1927. Additionally, submit documentation regarding the suitability of land for CA in lieu of forest land proposed for diversion in terms of its vicinity to the area being proposed for DA and/or contiguity with the existing forest area and also ensure the manageability as per the latest Guidelines of MoEF &amp; CC vide letter No. 11-423/2011-FC dated 13.07.2022.</p>	<p>In reply to point No. 19, As per approved working plan necessary document has uploaded online. CA area is infested with lantana upto 75%. There is prevalence of other bushes as well in the area. The average lantana infestation in whole of the area is about 75% and density is below 20% as such this area is suitable/fit for raising of CA as per guidelines. Further, CA land Suitability certificate (Check list Sr. No. 20) is already placed in proposal folder.</p>

Encls:-As above.

Chief Conservator of Forests,  
Bilaspur Forest Circle,  
Bilaspur, HP.

Endst. No. D.VI-186(M):-

Copy is forwarded to DFO Bilaspur w.r.t. his office memo. No.D-Blp/Padyalag Dohru/6788 dated 07.10.2023 for information.

