

No. 6533
HP Forest Department

Dated 31/1/2016 Rampur the

From:- DCF Rampur.

To: CCF (T) Rampur.

Subject:- Proposal for seeking prior approval of the Central Government under Section 2 (1) (ii) of the Van (Sanrakshan Evan Samvardhan) Adhiniyam, 1980 in favour of M/s Bushahr Laghu Udyog, VPO Jhakri, Tehsil Rampur Bushahr for non-forestry use of 2.1532 ha. of Protected Forest (1.4612 ha. for mining lease and saety zone, 0.3400 ha. for approach road and 0.3520 ha. for staking of raw material) for already established Stone Crusher at Pashada, P.O. Khaneri, within jurisdiction of Rampur Forest Division, Tehsil Rampur Bushahr, District Shimla, Himachal Pradesh. (Online No. FP/HP/MIN/34194/2018).

Memo: Please refer to your office online observation dated 15-12-2025 on the subject cited above.

2. In this context, it is submitted that the point wise reply of the observation is furnished as under.

Sr. No	Observation	Reply
1.	It is been reported that the user agency has submitted a proposal FP/HP/IND/35171/2018 for diversion of 0.0934 ha of Protected Forest (0.062 ha) and Gair Mumkin Machine (0.0314 ha) for renewal of already established Stone Crusher. The instant proposal pertains to diversion for mining lease, safety zone, approach road and for stacking of raw material. Therefore, the State Government is requested to clarify if these two proposals are interlinked and, if so, reason for applying separately may be submitted.	<p>The instant proposal no FP/HP/MIN/34194/2018 and another proposal no FP/HP/IND/35171/2018 have been submitted by the same user agency i.e. Smt. Kanegtu Devi Prop M/s Bushahr Laghu Udyog. Further the proposal no FP/HP/MIN/34194/2018) is for additional land required for quarry to feed the existing Stone Crusher which was in operation since 1980, Hence as per rule Form - A Applies.</p> <p>Further, the proposal no FP/HP/IND/35171/2018 pertain to renewal of diversion of existing stone crusher which was operational since 1980 for which FCA was accorded vide previous proposal No FP/HP/MIN/161/1997, hence as per rules the FORM-B apply.</p>

It is, therefore, requested that the case is forwarded online wib portal for further transmission to the quarter concerned please.

Dy. Conservator of Forests,
Rampur Forest Division,
Rampur Bushahr.

6 Submission of proposal seeking approval of the Central Government under section 2 of the Act -

- (1) Every User Agency that wants to use any forest land for non-forest purposes, shall make its proposal in the relevant Form appended to these rules, namely; Form 'A' for proposal seeking first time approval under the Act, Form 'B' for proposal seeking renewal of leases, where approval of the Central Government under the Act had already been obtained, and Form 'C' for prospecting of minerals, to the Nodal Officer of the concerned State Government or the Union Territory Administration, as the case may be, along with requisite information and documents, complete in all respect.
- (2) The User Agency shall endorse a copy of the proposal, along with a copy of the receipt obtained from the office of the Nodal Officer to the concerned Divisional Forest Officer, District Collector and Regional Office as well as the Monitoring Cell of the Forest Conservation Division of the Ministry of Environment, Forests and Climate Change.
- (3) (a) The Nodal Officer of the State Government or the Union Territory Administration, as the case may be, after having received the proposal under sub-rule (1) and on being satisfied that the proposal is complete in all respects and requires prior approval under section 2 of the Act, shall send the proposal to the concerned Divisional Forest Officer and the District Collector within a period of ten days of the receipt of the proposal.
(b) If the Nodal Officer of the State Government or the Union territory Administration, as the case may be, finds that the proposal is incomplete, he shall return it within a period of ten days to the User Agency and this time period and the time taken by the User Agency to re-submit the proposal shall not be counted for any future reference.
(c) The Divisional Forest Officer shall examine the factual details and feasibility of the proposal, certify the maps, carry out site-inspection and enumeration of the trees and forward his findings in the Format specified in this regard to the Conservator of Forests.
(d) The Divisional Forest Officer shall process and forward the application along with his findings on the proposal involving forest land upto forty hectares, above forty hectares and up to one hundred hectares and above one hundred hectares to the Conservator of Forests within a period of thirty days, forty-five days and sixty days respectively.
- ⁷(e) The District Collector shall-
 - (i) complete the process of recognition and vesting of forest rights in accordance with the provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (2 of 2007) for the entire forest land indicated in the proposal;
 - (ii) obtain consent of each Gram Sabha having jurisdiction over the whole or a part of the forest land indicated in the proposal for the diversion of such forest land and compensatory and ameliorative measures, if any, having understood the purposes and details of diversion, wherever required; and

⁶ Substituted vide GSR 185 (E) dated 14th March, 2014

⁷ Substituted vide GSR 200 (e) dated 6th March 2017.