

I/9156/2022



भारत सरकार/GOVERNMENT OF INDIA
एकीकृत क्षेत्रीय कार्यालय
Integrated Regional Office
पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय
Ministry of Environment, Forest and Climate Change
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File No.: FC/HPB/06/78/2021

Dated: 29.06.2022

सेवा में,

नोडल अधिकारी-सह-अतिरिक्त प्रधान मुख्य अरण्यपाल (एफ.सी.ए.)

हिमाचल प्रदेश सरकार

वन विभाग, टालैंड, शिमला।

(Email:- nodalfcahp@yahoo.com)

विषय: Diversion of 2.178 ha of forest land in favour of HPPWD for the construction of link road Panyala Tiun Khas km. 0/0 to 5/500, within the jurisdiction of Bilaspur Forest Division Distt. Bilaspur, HP (Online No. FP/HP/Road/20153/2016)

संदर्भ: नोडल अधिकारी-सह-अतिरिक्त प्रधान मुख्य अरण्यपाल (एफ.सी.ए.), हि0प्र0 के पत्रांक 48-3380/2016 (एफ.सी.ए.) दिनांक 30.05.2022.

महोदय,

उपरोक्त संदर्भित पत्र द्वारा प्रस्तुत प्रतिउत्तर का ध्यानापूर्वक अवलोकन करने के पश्चात अभी भी प्रस्ताव में निम्नलिखित कमियाँ पाई गई हैं:-

1. In reply to point no. 3, it has been submitted that dumping site has been proposed in private land and same is uploaded in para-B 2.4 in online Part-I. However, dumping site component is not found uploaded in para-B 2.4. Therefore, all the components of the project whether in private land or in forest land and required to be mentioned in para B 2.4.
2. Name of forest (DPF Sadyar) has been rectified in CA scheme and Land Suitability Certificate. However, revised Land Suitability Certificate is not uploaded at designated location. Also, name of forest proposed for CA is required to be rectified in para-13, para-(i).
3. The Layout/Line plan and KML file showing broken and unbroken area in forest land and in private land/non forest, marked with distinct colours is required to be uploaded.
4. The private land is also included in proposal. Therefore, consent of the private land owners by way of sale/gift/NoC or any other from is also required to be submitted.
5. It has been observed from KML file that area of proposed diversion is 0.73 ha. However, area proposed for diversion is 2.178. Therefore, same may be reviewed and revised KML file with correct area figures is required to be uploaded.
6. As per the Joint Inspection Report (JIR) and Note on violation, issued by DFO, Bilaspur, "The road (broken area) was a Fire Line which was constructed by Forest Department. However, this fire line has taken the shape of jeepable road a long time ago which has been constructed by the local inhabitants/Panchayats". Therefore, following documents/clarification in this regard may be provided:-

- i. The documentary proof (copy from Working Plan/any other document etc.) showing the broken area as Fire Line may be provided.

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- ii. As per the Note on Violation submitted by the DFO, the extent of violation i.e. - damage on account of breaking of land/digging of soil and compensation charges, total amounting to Rs. 38,11,500/- has been occurred. Therefore, Action Taken by the department/concerned DFO for realizing the above cited amount along with documentary proof shall be provided.
- iii. The detail of name of person/s responsible for violation, designation and address of person/s responsible for violation and Action Taken against the person/s responsible for violation is required to be filled in Part-II, Para-11.

7. The clarification/documents regarding the following may also be provided:-

- i. Complete legible list of 2183 roads provided by HPPWD to Hon'ble High Court of H.P. constructed in violation of FCA, 1980, highlighting the Sr. No. and name of the road of the extant proposal.
- ii. Copies of the order of Hon'ble High Court of H.P. which clearly finds mention of regularisation of 2183 roads which have already been constructed in violation of the provisions of FCA, 1980.

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 forest land for non-forest purposes which includes violation of Forest (Conservation) Act, 1980 as specified in Para-1.21 (i) and (ii) will be examined at the level of Ministry. Therefore, the State Government is requested to submit the reply to this office at the earliest.

यदि चाही गई सूचना पत्र जारी होने की तिथि के 60 दिनों के भीतर (अधिकतम 90 दिन) इस कार्यालय में प्राप्त नहीं हुई तो प्रस्ताव को निरस्त किया जा सकता है।

भवदीय,
हO/-
(सत्य प्रकाश नेगी)
क्षेत्रीय अधिकारी