

**BEFORE THE NATIONAL GREEN TRIBUNAL**  
**PRINCIPAL BENCH, NEW DELHI.**

O.A. No. 505/2022

**Report of the Joint Committee in compliance of order dated 30/08/2022 passed by the Hon'ble NGT in O.A. No. 505/2022 titled Devendra Kumar & Anr v/s State of H.P.**

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Dated: 29/11/2022

HPSPCB, Shimla, H.P.

**HP STATE POLLUTION CONTROL BOARD**

Him Parivesh, Phase-III, New Shimla (H.P.)

No. PCB/OA No. 505/2022- 16196-98

Dated: 29/11/2022

To

The Registrar General  
Hon'ble National Green Tribunal  
Faridkot House, Copernicus Marg, New Delhi-110001

**Subject: Report of the Joint Committee in compliance of order dated 30/08/2022 passed by the Hon'ble NGT in O.A. No. 505/2022 titled Devendra Kumar & Anr v/s State of H.P.**

Sir,

Please refer to order dated 30/08/2022 passed by Hon'ble NGT in the above cited matter related to illegal construction of road in a forest area from Khoda Thatch to Jogni Gala in Bali Chowki area of Distt. Mandi, (H.P.) wherein following directions were passed:-

*"...3... In view of the allegations made in the application, we consider it appropriate that a Joint Committee be constituted to verify the factual position. Accordingly, we constitute a Joint Committee comprising of representative of Principal Secretary, PWD, Principal Chief Conservator of Forests, Government of Himachal Pradesh, State PCB and Deputy Commissioner, Mandi and direct the same to meet within two weeks, undertake visits to the site, look into the grievances of the applicant, associate the applicant and representative of the concerned project proponent, verify the factual position and submit its report within one month by e-mail... The State PCB will be the nodal agency for coordination and compliance..."*

In compliance to the above directions of Hon'ble NGT, a Factual and Action Taken Report has been submitted by the Joint Committee (annexed as **Annexure-I**) which may kindly be taken on record please.

(Enclosed: As above)

Yours faithfully,



Member Secretary

HPSPCB, Shimla,  
Tel. No. 0177-2673766.

**Copy to following for information & necessary action in terms of aforementioned NGT's order dated 30/08/2022:-**

1. The Principal Chief Conservator of Forests, Government of H.P,

I/168771/2022

Forest Department, Talland, Shimla, H.P. 171001.  
2. Engineer-in-Chief, Head Office, HPPWD, Nirman Bhawan, Nigam  
Vihar, Shimla-171002 (H.P).

-sd

Member Secretary

HPSPCB, Shimla,  
Tel. No. 0177-2673766.

**JOINT INSPECTION CUM ACTION TAKEN REPORT OF THE COMMITTEE  
CONSTITUTED VIDE HON'BLE NGT ORDERS DATED 30.08.2022 IN O.A. NO.  
505/2022 TITLED AS DEVENDRA KUMAR & Anr. VS STATE OF H.P.**

**BACK GROUND**

A complaint was admitted in the Hon'ble NGT as O.A. No. 505/2022 titled as Devendra Kumar & Anr. Vs State of H.P, the grievance in the original petition as per Original Application is as under:

“Illegal construction of the road from Khoda Thatch to Jogni Naala in Bali Chawk area of District Mandi Himachal Pradesh which will pass through dense forest and result in cutting of green trees in violation of environmental norms and judgement of Hon'ble Supreme Court”.

As per the directions passed by the Hon'ble National Green Tribunal in the said orders -  
“.....3. *In view of the allegations made in the application, we consider it appropriate that a Joint Committee be constituted to verify the factual position. Accordingly, we constitute a Joint Committee comprising of representative of Principal Secretary, PWD, Principal Chief Conservator of Forests, Government of Himachal Pradesh, State PCB and Deputy Commissioner, Mandi and direct the same to meet within two weeks, undertake visits to the site, look into the grievances of the applicant, associate the applicant and representative of the concerned project proponent, verify the factual position and submit its report within one month by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF. The State PCB will be the nodal agency for coordination and compliance.*

In compliance to the orders of the Hon'ble National Green Tribunal, the said committee carried out site visit in order to investigate the grievances of the applicant and verify the factual position on ground. The details of the same are as below:

## **1. JOINT INSPECTION OF THE COMMITTEE**

The Joint inspection of the alleged road site i.e Khoda Thatch to Jogni Naala and the surrounding area in Bali Chowki area of District Mandi carried out by the Committee on 06.10.2022 under the Chairmanship of Addl. District Magistrate Mandi (representative of The Deputy Commissioner, Mandi, Distt. Mandi). The following Committee members and the Co-opted officials of various departments were present during the visit of the Committee:

1. **The Additional District Magistrate, Mandi, Distt. Mandi H.P**
2. **The Divisional Forest Officer, Suket, Tehsil. Sundernagar, Distt. Mandi**  
*(Representative of The Principal in Chief Conservator of Forest, Government of Himachal Pradesh)*
3. **The Executive Engineer, HPPWD Division Thalout, Distt. Mandi**  
*(Representative of The Principal Secretary, HPPWD, Government of Himachal Pradesh)*
4. **The Assistant Engineer, HPPWD Sub-Division Bali chowki, Distt. Mandi.**
5. **The Environmental Engineer, HP State Pollution Control Board Mandi, Distt. Mandi H.P.**

Also, the local representatives and residents of nearby panchayat areas were present during the inspection. The copy of the attendance sheet is enclosed as **(Annexure-I)**.

It was also tried to identify/contact the applicants as mentioned in the original petition i.e Sh. Devender Kumar, President & Sh. Mir Chand, Secretary “भारत की जनवादी नौजवान सभा” but both the representatives have not been identified, the local representatives and residents also reported that no such residents or any organization by such name are known to them or exists in the area.

During the joint inspection, no work related to road excavation, construction or any allied activity was observed by the committee. 21 no. local representatives and residents of nearby panchayats were also present during the joint inspection of the committee. The Chairman of the committee requested the attendees to submit their concerns/grievances related to construction of the said road.

The residents reported/recorded their joint statement signed by all the persons present during the inspection (copy of the same is enclosed as **(Annexure II)**). The summary of statements recorded during the time of joint inspection is as under:

The construction of the road for Khoda Thatch to Jognigalu has been supported by the persons during the time of joint inspection. It was apprised by them that the residents of six no. local panchayats gets benefited by the construction of this road as the construction of the same will marginally reduce the distance of local offices, Distt. Headquarters and other basic facilities such as Educational Institute, Hospital etc.

It was also submitted that the construction of this road will enable them to sell their vegetables and other agricultural and horticultural produce to the nearby wholesale and local markets more easily. The construction of this road will help them in transportation of their local idols. No dissent against the construction of the said road was made by any local.

The Addl. District Magistrate Mandi cum chairman of the Committee, directed all the committee members present at site to take necessary action as per the observations made by them and as per the mandate of their respective departments and to submit status cum action taken report report w.r.t the points raised in the complaint to the nodal officer i.e. Environmental Engineer, HP State Pollution Control Board Regional Office Mandi within two weeks.

## **2. GEOGRAPHICAL LOCATION OF THE SITE**

The road construction project starts from Village Khoda Thatch, Tehsil Bali chowki, Distt. Mandi (Latitude: 31°36'06.4"N Longitude:77°15'27.0"E)



### **Khodathach to Jognigalu road**

#### **3. NATURE OF ACTIVITIES IN THE PROJECT**

The road construction project is having potential of causing pollution from fugitive emissions and muck generation, these aspects are required to be controlled by taking adequate pollution control measures i.e water sprinkling and scientific management of muck/debris generated during the construction of the project by dumping the same on designated sites by adopting adequate protection measures.

#### **4. SITING CRITERIA FOR SUCH ROAD CONSTRUCTION PROJECTS**

There are no sitting / distance criteria notified by any competent authority for construction of such link road projects.

## 5. ENVIRONMENT CLEARANCE APPLICABILITY

As per EIA Notification 2006, the applicability of Environmental Clearance for road Construction projects as listed at Sr. no. 07 (f) is as under:

Project or Activity		Category with Threshold limit		Conditions, (if any)
		A	B	
7 (f)	Highways	i) New National High ways; and ii) Expansion of National High ways greater than 30 KM, involving additional right of way greater than 20m involving land acquisition and passing through more than one State.	i) All State Highway Project; and ii) State Highway expansion projects in hilly terrain (above 1,000 m AMSL) and or ecologically	General Condition shall apply. <b>Note:</b> Highways include expressways."

As per the report submitted by HPPWD, the said road project is Construction of link road from Khodathach to Jognigalu Km .0/0 to 2/500 and the construction of same is exempted from the applicability of Environment Clearance as per the provisions of EIA Notification 2006.

## 6. NOCs / LICENCES / APPROVALS OF VARIOUS DEPARTMENTS / AGENCIES

The construction of the road project is being executed by recently notified HPPWD Division, Thalout, Distt. Mandi, however the necessary clearances/permissions during the approval stage were issued in favor of the then HPPWD Division Seraj at Janjehli, Distt. Mandi.

**6.1 Gram Panchayat NOC** - The Gram Panchayat Bang Jahalgarh has passed a resolution in the Gram Sabha meeting held on 28.01.2018

regarding the construction of road from Khodathach to Jognigalu (copy enclosed as **(Annexure-III)**)

**6.2 HP Public Works Deptt.** The Superintending Engineer, 1<sup>st</sup> Circle, HPPWD Mandi has issued administrative approval and Expenditure sanction vide letter no. PWD-SEI-R-25-26/Janjehli/Estimate/2021-25267-73, dated 09.02.2022 for amounting to Rs. 87.61 Lacs (Eighty-Seven Lakh Sixty-One Thousand only) and there were provision of funds Rs. 10.00 Lakh in state Head Budget. The additional provision of the funds Rs. 10.00 Lakh has been made by the Chief Engineer, Mandi Zone vide his office letter no. PW-CE(MZ)-Bud. Allotment (P1/Vol.38)2022-23-562-63, dated 20.06.2022 and after completion of all codal formalities the work has been awarded to various contractors. (Copy enclosed as **Annexure-IV**)

**6.3 Forest Clearance** – As per the report submitted by HPPWD Thalout, The permission for diversion of 0.9822 Ha. of forest land falling in Muhal Rangcha/671 under Tikki Beat, Dahar Forest Block of Thachi Forest range in Nachan Forest Division comprising Khasra no. 1728, 64, 1216,48, 368, 48, 336 and 48 has been granted in favour of Executive Engineer, HPPWD division Seraj at Janjehli for the construction of the road from Khodathach to Jognigalu under FRA, 2006 vide DFO Nachan approval No. 04/2021/2021-22FRA dated 26/02.2022. (Copy enclosed as **Annexure-V**)

**6.4 State Pollution Control Board** – Construction of small link road projects are exempted from Consent mechanism of the State Board; However, the consent is applicable for the project components such as Captive Stone Crushers, Hot Mix Plant's etc, In this case no such project component was observed to be installed by the project Authorities/contractors. Further, in ref to complaint of illegal cutting of trees, it is the mandate of the Forest Department to take cognisance in such cases.

## 7. PHYSICAL STATUS AT PROJECT SITE

As per the report submitted by The Executive Engineer, HPPWD Thalout Division (B&R) HPPWD Thalout, Distt. Mandi the total length of the proposed road is 2.5 KM i.e Km. 0/0 to 2/500 and 1.00 Km road construction works has been completed till date. There are two no. dumping sites, one is located at Muhal DPF Rangcha/671 at Khasra No.  $\frac{1}{2}$  and second in Muhal Bung/670 at Khasra no. 972/889/2, the 1<sup>st</sup> dumping site has only been utilized for muck dumping till date. It has also been submitted that protection of wildlife, forest and biodiversity has been ensured and the debris generated has been dumped at designated muck dumping site. It has also been reported that the work is being done as per the terms and conditions given in the approval granted by the Forest Department under FRA, 2006.



**Khodathach to Jagnigalu road (constructed stretch)**

## 8. ENVIRONMENTAL COMPLIANCE

During the inspection construction work was observed to be shut down, hence no violation w.r.t the Water and Air Pollution by the project has been observed.

## 9. MUCK MANAGEMENT PLAN

As reported by Executive Engineer, HPPWD, Division Thalout, Distt. Mandi, there are two no. dumping sites, one is located at Muhal DPF Rangcha/671 at Khasra No. ½ and second in Muhal Bung/670 at Khasra no. 972/889/2, the 1<sup>st</sup> dumping site has only been utilized for muck dumping till date.

The photographs of the muck dumping site in use is as under:



**MUCK DUMPING SITE NO. 01 (in use)**

## **10. SPECIFIC FINDINGS / OBSERVATIONS REPORTED BY VARIOUS DEPARTMENTS / AGENCIES**

### **10.1 HP STATE POLLUTION CONTROL BOARD**

No environmental violations were observed during the visit.

### **10.2 DFO Suket, Suket Forest Division, HP Forest Deptt.**

On spot cutting of soil is noticed for the purpose of construction of the road. Construction work of road is incomplete till date of joint inspection. DFO Nachan, intimated that for this Purpose approval for the diversion of 0.9822 ha. of forest land for the Construction of link road from Khodathach to Joganigalu 0/0 to 1/610 km has been granted in favour of Executive Engineer, PWD Division, Seraj at Janjehli under FRA, 2006 vide D.F.O. Nachan approval No. 4/2021 -22/FRA dated 26.02.2022 after obtaining approval from Hon'ble Supreme Court Of India as per procedure (Copy attached as Annexure-I).

10.2.1 As per the DFO Nachan report, 30 number Rai & Tosh trees of different classes (Detail as per annexure-1) having standing volume 83.335 cum. were involved in said road and the same have been handed over to HPSFDC Ltd. for exploitation as Lot No. 5/2022-23 R.A. Khodathach to Joganigalu.

10.2.2 On spot committee observed that some portion of the road was found constructed (Kutchra) by the user agency. Few slips due to monsoon were reported along with some unmanaged muck dumping in the area. In this regard, DFO Nachan, has intimated that 20 cum. and 18 cum. excavated muck was found dumped in an unauthorized way in DPF Rangcha by Shri Pokh Raj S/o Sh. Keshav Ram and Hardyal Singh S/o Sh. Lal Singh and for this offence Damage Report No. 002 dated 21.09.2022 and 003 dated 24.09.2022 has been issued by the Forest Guard in charge Parkhol Beat. Further an amount of Rs. 12420/- and 13800/- has been realized from the

above offenders vide Receipt No. 3880 dated 26.09.2022 & 3881 dated 26.09.2022 (copies enclosed) and the same has been remitted into Govt. Treasury.

## 11. CONCLUSION

- (a). No violation w.r.t Forest land encroachment/excavation of forest land was observed.
- (b). No major unscientific muck disposal was observed in and around the project site. However for the violations observed by the forest deptt reg muck in the forest land damage report has been issued for the offence.
- (c). The executing agency i.e Executive Engineer, HPPWD division Thalout shall ensure the scientific muck management into the approved dumping sites only.
- (d) The various Deptts. / Agencies shall keep a check/vigil over the project during the construction phase.

In view of above findings, it is concluded that the construction of the proposed road from Khodathach to Jognigalu has been executed by HPPWD Division, Thalout after completion of all requisite codal formalities for diversion of Forest land and the necessary action against the violations/observations as reported above at per Sr. No. 10.2.2 above has already been taken by the concerned Forest Division, HP Forest Deptt. However, the concerned executing agency i.e HPPWD division Thalout shall ensure the adoption/implementation of all requisite measures for environment protection as well as wildlife and biodiversity in the project area during the construction of remaining road construction work.



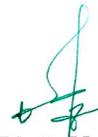
Environmental Engineer  
HPPCB Mandi



Executive Engineer  
HPPWD



Divisional Forest  
Officer Suket



Addl. Distt. Magistrate  
Mandi



Deputy Commissioner  
Mandi District Mandi (H.P.)

ATTENDANCE SHEET OF THE <sup>13</sup> JOINT INSPECTION IN COMPLIANCE Annexure-I

To Oreds passed by Honble National Green Tribunal  
 on dated 30/08/2022 Held under the Chairmanship of  
 ADM, Mandi On 6/10/2022.

S.No	Name & Designation	Department/Address	Contact No.	Signature
1.	Atul Kumar, EE	HPPCB	9418049333	
2.	Er Suresh Kumar Kanchhal	EE HPPWA	9418074475	
3.	Dr. Dixit Shalant	Shalant		
4.	Er Sushil Kumar	AE HPPWD	70186-68661	
5.	Subhash Chand Anshum	Bali chuk	9418062181	
6.	Shreshank Gupta (JE)	DFO Suket		
7.	Tapender Negi DRRO	HPPWD Bali chukki	7018917215	
8.	VINAY KUMAR	Forest Deptt.	9418450975	
9.	Tulsi Ram	AEE, HPPCB, Mandi	9418102866	
10.	Ram Singh	R/o Bung	7018131903	
11.	Gopal Singh	R/o Dahanar	7876345227	
12.	Nag	R/o Tonsh	9816436445	
13.	Khoor Singh	R/o Dahanar	7876300659	
14.	Dave Ram	R/o Dahanar	7876374494	
15.	Yuvraj	R/o Tonsh	8091714481	
16.	Shriya Singh	R/o Tonsh	8580857104	
17.	Yog Raj	R/o Rangcha Dhaer	7876264413	
18.	Tarinder Singh	R/o Santyauli	8580556181	
19.	Roshni	R/o Tonsh	7876383722	
20.	Tanvir D'Al	R/o Dhan	9459248665	
21.	Dev Raj	R/o Dhubberr	9459248667	
22.			70181-98343	

माननीय राष्ट्रीय हरित प्राधिकरण द्वारा दिए गए निर्देशानुसार (O.A no. 505 of 2022), Devender Kumar & Anr vs. State of H.P.; मौका निरीक्षण संयुक्त कमेटी द्वारा अतिरिक्त जिला दंडाधिकारी, मंडी, जिला मंडी की अध्यक्षता में दिनांक 6/8/2022 को किया गया। संयुक्त निरीक्षण के दौरान स्थानीय निवासी ग्राम खोड़ा धाच, डार, डारवार, तौंस (अप्पर और लोअर), शारणाधार, सिंघाधार, बूंग, टिककी, कारा, प्रया के द्वारा कमेटी से संपर्क किया गया।

स्थानीय निवासीओं द्वारा दिए गए संयुक्त ध्यान निम्न प्रकार से हैं :-

श्री श्रीमाराज ठाकुर ग्राम खोड़ा धाच (7876264413) द्वारा खोड़ा धाच से जौगनी गाला तक बन रहे सड़क मार्ग का समर्थन किया गया। उनके द्वारा बताया गया कि इस सड़क मार्ग के बनने से स्थानीय व.सं. (06) पंचायतों को लाभ होगा। यह सड़क मार्ग भुनाम, जंजेंदली, धतरी, करसौंग, तताफानी, शिमला इत्यादि स्थानों को जोड़ेगा। इस सड़क के बनने से उन्हें 100-150 कि.मी. साफर शिमला जाने के लिए कम हो जाएगा।

नजदीकी स्वास्थ्य सेवाएं भी नैसर्गिक या शिमला में उपलब्ध हैं, इस सड़क मार्ग के बनने से उनकी दूरी कम होगी एवं स्थानीय बच्चे बुजुर्गों को इसका लाभ होगा।

उनके द्वारा बताया गया कि इस सड़क के बनने से उनकी उपजाऊ भूमि एवं कई प्रकार की फसलें उनको मछरी तक पहुँचाना आसान होगा।

स्पानीय बच्चों को लम्बापानच का लक्ष्य जन्म हेतु श्री  
 यह सड़क मार्ग उपयोगी साबित होगा।  
 स्पानीय देवता स्पान (शैलीनाग) आने आने के  
 लिए श्री यह मार्ग उपयोगी होगा।

स्पानीय लोगों के द्वारा बताया गया कि श्री  
 देवेंद्र कुमार, अच्युत, भारत की जनवादी नौजवान  
 सभा एवं श्री गीर चंद्र साधव नौजवान सभा  
 क्षेत्रिय समिती बालीचांकी के नाम का कोई भी  
 उपस्थित या कार्यालय नहीं है।

1. श्री भीमा राम ठाकुर → *Bhima Ram*  
गाँव खोड़ापानच।
2. श्री चौगाराज, गाँव रामचरण → *Chouhara Raj*
3. श्री नाग, गाँव डोहर, खोड़ापानच → *Nag*
4. श्री राम सिंह, गाँव डोहर, खोड़ापानच → *Ram Singh*
5. श्री तुलसी राम, गाँव बूंग → *Tulsi Ram*
6. श्री डोबे राम, गाँव डोहर → *Dobe Ram*
7. श्री तेजिन्दर सिंह, गाँव सत्यबाली → *Tejinder Singh*
8. श्री युवराज, गाँव ताँस → *Yuvraj*
9. श्री लाल सिंह, गाँव डोहरपार → *Lal Singh (7018692735)*
10. श्री आलम चन्द, गाँव डोहरपार → *Alam Chand (no mobile)*
11. श्री विक्रम शर्मा, पूर्व सव्याव ग्राम डोहर → *Vikram Sharma (7876361127)*
12. श्री शूभ राम, गाँव डोहर → *Shubh Ram (8278860268)*
13. श्री रोशन लाल, गाँव ताँस → *Roshan Lal (9459248665)*



HIMACHAL PRADESH  
PUBLIC WORKS DEPARTMENT

Annexure-IV

Email: [ee-thalout-man@hp.gov.in](mailto:ee-thalout-man@hp.gov.in)

Telephone: 01905-293767

No. PW/THL/CB/WA/NGT OA No. 505/2022- 30245-47

Dated:- 22/10/22

To

The Environmental Engineer,  
H.P. State Pollution Control Board,  
Mandi Distt. Mandi H.P.

Subject:- Order dated 30.08.2022 passed by the Hon'ble NGT in Original Application No. 505/2022 titled as Devendra Kumar & Anr. V/s State of H.P.

Reference:- Your office letter No. PCB/RO Mandi/(Loose File/O.A No. 505/2022- 179-83 dated 17.10.2022.

Sir,

In this connection, it is submitted that a resolution was passed by the Gram Panchayat Bang Jahalgarh in the Gram Sabha on 28.01.2018 regarding the construction of road from Khodathach to Jognigalu. The Gram Sabha proposed that this is a shorter route for the travelling towards Chunni, Chet, Gadagusaini etc. and would benefit about 100 families. The road alignment was done taking into account all possible measures to include the minimum possible forest area. Alternative alignments were also explored to avoid any possible forest area. The road was proposed to be passing through DPF Rangcha/671 under Tikki beat Dahar Forest block of Thachi forest Range. All codal formalities were completed by the user agency for diversion of said forest land in favour of HPPWD. The Hon'ble Supreme Court of India vide order dated 11-03-2019 had restrained the power of DFOs under Section 3(2) of FRA 2006. Thereafter, Hon'ble Supreme Court of India vide order dated 15.02.2021, copy of which has been endorsed vide Pr. Chief Conservator of Forests (HOFF) HP endst. No. Ft-42-345/2019 (FCA) dated 22-02-2021, permission has been granted to some projects. The project namely construction of road from Khoda Thach to Jognigalu pertaining to Nachan Forest Division also appears in the said list of permitted project at Sr. No. 20 circulated by the Nodal Officer (FCA) vide above endorsement.

The permission for diversion of 0.9822 ha. of forest land falling in Muhal Rangcha/671 under Tikki Beat, Dahar Forest Block of Thachi Forest Range in Nachan Forest Division comprising Khasra No. 1728, 64, 1216, 48, 48, 368, 48, 336 and 48 has been granted in favour of the Executive Engineer, HPPWD Division Seraj at Janjahli for the construction of road from Khodathach to Jognigalu under FRA, 2006 vide Divisional Forest Officer, Nachan approval No. 04\_/2021/2021-22 FRA dated 26/02/2022. The copy of approval is enclosed herewith for ready reference.

The A/A & E/S for the constriction of road from Khodathach to Jognigalu has been granted by the Superintending Engineer, 1<sup>st</sup> Circle, HPPWD Mandi vide letter No. PW-SEI-R-25-26/Janjehli/Estimate/2021- 25267-73 dated 09.02.2022 for amounting to Rs. 87.61 lacs. (Rs. Eighty seven lacs sixty one thousand) only and there were provision of funds Rs. 10.00 lacs. in state head budget. The additional provision of funds Rs. 10.00 lac. has also been made by the Chief Engineer, (MZ) HPPWD Mandi vide his office letter No. PW-CE (MZ)-Bud./Allotment(P1/Vol-38)/2022-23 562-63 dated 20.06.2022.

Thereafter, completing the codal formalities of tender the following works of formation cutting for above road has been awarded to various contractor.

Sr. No.	Name of Work	Name of Contractor	Letter No. & Date	Awarded amount	Remarks
1.	C/o link road from Khodathach to Jogni Gallu Km. 0/00 to 2/500 (SH: F/C 5/7 Mtrs. wide in Km. 0/00 to 0/495).	Sh. Dev Raj, Govt. Contractor	EE HPPWD Divn. Seraj at Janjehli letter No. 23442-46 dt. 04.03.2022	Rs. 5,12,400/-	Work has been completed.
2.	C/o link road from Khodathach to Jogni Gallu Km. 0/00 to 2/500 (SH: F/C 5/7 Mtrs. wide in Km. 0/495 to 0/705).	Sh. Dev Raj, Govt. Contractor	EE HPPWD Divn. Seraj at Janjehli letter No. 23447-52 dt. 04.03.2022	Rs. 5,15,945/-	Work has been completed.
3	C/o road from Khodathach to Jognigalu Km. 0/0 to 2/500 (SH: F/C 5/7 mtr. wide at RD. 0/705 to 0/820) Under MMGSY.	Sh. Dev Raj, Govt. Contractor	This office letter No. 19199-08 dated 24.08.2022	Rs. 5,08,132/-	Work has been completed.
4	C/o road from Khodathach to Jognigalu Km. 0/0 to 2/500 (SH: F/C 5/7 mtr. wide at RD. 0/820 to 0/945) Under MMGSY.	Sh. Tek Singh, Govt. Contractor	This office letter No. 19169-78 dated 24.08.2022	Rs. 5,07,502/-	Work has been completed.
5.	C/o link road from Khodathach to Jognigalu Km. 0/00 to 2/500 (SH: F/C 5/7 Mtrs. wide in Km. 0/945 to 1/060).	Sh. Baldev Raj, Govt. Contractor	This office letter No. 1708-17 dt. 18.05.2022	Rs. 5,09,082/-	Work in progress.
6.	C/o link road from Khodathach to Jognigalu Km. 0/00 to 2/500 (SH: F/C 5/7 Mtrs. wide in Km. 1/060 to 1/180).	Sh. Baldev Raj, Govt. Contractor	This office letter No. 1698-1707 dt. 18.05.2022	Rs. 5,09,655/-	Work yet to be executed.

It is furthermore, intimated that till date 1.00 Km. of the road has been constructed. There are two dumping sites on this road one in Muhal DPF Rangcha/671 at khasra number ½ and second in Muhal Bung/670 at khasra number 972/889/2, in which first dumping site has been used. This division has ensured protection of the wildlife, forest and biodiversity during the construction of the road and the debris generated during the construction is being disposed of properly on dumping site. The work is being done as per the terms and conditions given in approval granted by the Forest Department under FRA 2006.

DA: As above

Executive Engineer,  
Thalout Division (B&R),  
HPPWD Thalout

Copy to:

1. The Additional District Magistrate, Mandi District Mandi for kind information please.
2. The Assistant Engineer, Sub-Division HPPWD Balichowki for information.

Executive Engineer,  
Thalout Division (B&R),  
HPPWD Thalout

## Joint inspection report

A complaint has been made through e-mail by Shri Devindra Kumar and others to the Hon'ble National Green Tribunal, Principal Branch which has been registered as Original Application No. 505/2022- titled as Devindra Kumar & others V/s State of H.P. The said Original Application was listed before the Hon'ble National Green Tribunal, Principal Branch on 30.08.2022.

The allegations taken in the said Original Application are regarding illegal construction of road from Khodathach to Joganigalu in Balichowki area of District Mandi, H.P., which will pass through dense forests and result in cutting of green trees in violation of environmental norms and judgment of the Hon'ble Supreme Court. The Hon'ble National Green Tribunal, Principal Branch vide its judgment dated 30.08.2022 has passed the following order: -

In view of allegation made in the application, be consider it appropriate that a joint committee be constituted to verify the factual position. Accordingly, be constitute a joint committee comprising of representative of Pr. Secretary, PWD, Pr. CCF, Govt. of Himachal Pradesh, State PCB and Deputy Commissioner Mandi and direct the same to meet within two weeks, under take visits the site, look into the grievance of the applicant and associate the applicant and representatives of the concerned project proponent, verify the factual position and submit its report within one month.

In compliance to the directions issued by the Hon'ble National Green Tribunal, Principal Branch vide its judgment dated 30.08.2022; the committee visited the site on 06.10.2022. CCF Mandi vide his letter No./Misc 5974 dated 03-Oct-2022 directed undersigned to join the committee constituted in this regard for carrying out the joint inspection of the road as a representative on behalf of Forest Department. The observations reported/made are as under:

1. On spot cutting of soil noticed for the purpose of construction of road. Construction work of road is incomplete till date of joint inspection. DFO Nachan, intimated that for this purpose approval for diversion of

0.9822 hac. of forest land for the construction of link road from Khodathach to Joganigalu 0/0 to 1/610 km has been granted in favour of Executive Engineer, PWD Division, Seraj at Janjehli under FRA, 2006 vide D.F.O. Nachan approval No. 4/2021-22/FRA dated 26.02.2022 after obtaining approval from Hon'ble Supreme Court of India as per procedure (Copy attached as Annexure-I).

2. As per the DFO Nachan report, 30 number Rai & Tosh trees of different classes (Detail as per annexure-I) having standing volume 83.335 cum. were involved in said road and the same have been handed over to HPSFDC Ltd. for exploitation as Lot No. 5/2022-23 R.A. Khodathach to Joganigalu.
3. On spot committee observed that some portion of the road was found constructed (Kutchha) by the user agency. Few slips due to monsoon were reported along with some unmanaged muck dumping in the area. In this regard, DFO Nachan, has intimated that 20 cum. and 18 cum. excavated muck was found dumped in an unauthorized way in DPF Rangcha by ShriPokh Raj S/o Sh. Keshav Ram and Hardyal Singh S/o Sh. Lal Singh and for this offence Damage Report No. 002 dated 21.09.2022 and 003 dated 24.09.2022 has been issued by the Forest Guard incharge Parkhol Beat. Further an amount of Rs. 12420/- and 13800/- has been realized from the above offenders vide Receipt No. 3880 dated 26.09.2022 & 3881 dated 26.09.2022 (copies enclosed) and the same has been remitted into Govt. Treasury.

The report is hereby submitted for information and necessary action, please.

  
(Subhash Chand Prashar, HPFS)  
Divisional Forest Officer,  
Suket Forest Division,  
Sundernagar HP