

No./FCA/NH/...4508.../
HP Forest Department.

Dated Paonta Sahib the, 29/12/2022.

From:

DFO Paonta Sahib.

To: CF Nahan.

Subject:

Diversion of 1.8916 hectare Forest Land in Himachal Pradesh for Up-gradation of Paonta Sahib-Ballupur (Dehradun) section from km 97.000 to km 149.000 of NH-72 in the State of Uttarakhand and Himachal Pradesh. (Online Proposal No.: FP/HP/ROAD/144814/2021).

Memo:

Kindly refer to your office online observation dated 14.11.2022, on the subject cited above.

2. In this regard, it is intimated that as observations raised by GoI MoEF & CC, IRO at Shimla (HP) have been gone through and the reply is furnished as under :-

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| 1. | State Govt. may upload the forwarding letter of proposal submitted to IRO, Shimla in PARIVESH portal. | Forwarding letter of the same is uploaded in additional information at the level of this office. |
| 2. | FRA certificate is not provided, therefore an undertaking to provide the FRA certificate with all prescribed annexure including records of all consultations & meetings with Gram Sabha (s) & FRC (s) of all the concerned villages are need to be submitted before stage-II (final) approval. | User agency has uploaded the FRA certificate against col.No. K(i) (a) in Part-I in online FCA portal. |
| 3. | The private land (Non-Forest) is also included in the proposal. Therefore, consent of the private land owners by way of sale/Gift Deed/NOC or any other form is also required to be uploaded. | In this connection user agency has intimated that private land is being acquired as per NH Act. Notifications under Section 3D has been issued and the entire land has already been vested in Central Government. User agency has also upload the copy of relevant portion of NH Act and Gazette Notification under Section 3D of NH Act in additional information of part-I in online FCA portal. |
| 4. | As per the KML file, the PRow is passing through the existing road i.e. from Geo-coordinates point 30°25'42.22"N & 77°37'6.42"E and 30°25'42.60"N & 77°36'48.50"E. Therefore, it may be clarified that whether the existing road was constructed before 1980 or not. If yes, documentary | In this connection user agency has intimated that in the Forest Land in Himachal Pradesh portion there is no existing road. The coordinates mentioned pertain to Ch 3.600 to Ch 4.100 where a |

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| | proof of same may be provided. If not, details of already approved case of existing road with proposal number and approval letter of the Govt. of India may be provided. | canal inspection road owned by Uttarakhand Irrigation Department is existing. And also intimated that his portion is in Uttarakhand State and Stage-I Forest Clearance has been obtained. Moreover, the Canal road is outside the forest boundary. |
| 5. | Alignment of the already approved case may be superimposed on the proposed alignment of the extant proposal in distinct colours on KML/Line plan. Therefore, the revised KML/Layout accordingly may be uploaded on the PARIVESH portal. | As per ground report, user agency has submitted that there is no existing road on Paonta Sahib bypass portion. The alignment of proposed bypass to Paonta Sahib town is entirely green field. |
| 6 | As per the Joint Inspection Report (JIR), the RoW of existing Alignment is 23-30m and Alignment option-I, II, III, IV are mentioned as 30/40 m. Therefore, State Govt. may clarify whether the proposed RoW has been proposed to meet the provisions of IRC Codes for the Hill State. If Yes, details thereof may also be provided. | In this connection user agency has submitted that the justification of this point in which user agency has intimated that the existing road between km 97.000 and km 98.400 (design Chainage 0.000 to 1.400) is having ROW of 23-30 m. In this section there are residential/commercial buildings on both sides. The existing road is already 4-lane and no improvement is proposed. The present proposal is to construct a bypass to Paonta Sahib town, on a green field alignment. Out of 2080 m length of bypass in Himachal Pradesh 1045 m is on embankment and 1035 m is proposed on pillars. The forest land is in 437 m length, which is entirely on pillars. The entire alignment in HP is in Plain terrain. As per IRC standards, a ROW of 60 m is required. However, ROW of 45 m is proposed for the bypass portion to minimize the cutting of trees. Relevant Extracts from IRC:SP:84-2014, "Manual for Specification and Standards for Four Lane Highways" published by Indian Roads Congress, copy of the same is uploaded by user agency in additional information of part-I in online FCA portal. |
| 7. | Large number of trees are involved in the proposal which may lead to soil erosion. Therefore, State Govt. may provide details of the mitigation measures to be adopted to arrest the accelerated soil erosion/land slide during/after execution of project. Additionally, the State Govt. may submit Soil and Moisture Conservation Plan along with detail cost of its implementation as per MoEF&CC vide letter FC-11/43/2021-FC dated 07.06.2022. | In this regard it is intimated that out of 1015 only 34 Number of trees are proposed to be felled and 981 Nos are sampling of Khair and Shisham in river bed area. Further it is also intimated that species like Khair, Shisham & Kokat are present sporadically since the area gets inundated intermittently. |

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| | | <p>The entire forest land where trees are proposed to be felled will be covered by the two bridges.</p> <p>The proposal for the diversion of Forest Land is required for the construction of over way bridges. Therefore, no impact of soil erosion/landslide during/after the execution of the project. Therefore, the mitigation measure/Soil and Moisture Conservation Plan is not applicable to this project. However, in compliance with MoEF &CC Circular FC-11/43/2021-FC dated 07.06.2022; the user agency is ready to pay the proportional amount of the project cost of forest land proposal for diversion for Paonta Sahib bypass in HP as required or @ 0.5% for Soil and Moisture Conservation Plan. A copy of Undertaking is uploaded by the user agency in additional information of Part-I in online FCA portal.</p> |
| 8. | <p>The proposed alignment from Geo-coordinates points 30°26'21.17"N & 77°35'43.52"E and 30°26'29.69"N & 77°36'1.70"E has also been proposed in backward direction towards Badurpur Chowk. Same may be justified.</p> | <p>In this regard user agency has intimated that the Badripur Chowk there is an existing 4-lane road. There is no proposal for further backward direction widening in this section of 1.400 km (km 97.000 to km 98.400).</p> |
| 9. | <p>As per the "Detailed Note on the project" a bridge will be constructed on pillars in the forest land and this area is in active channel and partly in the flood zone of the Yamuna River. Therefore State Govt. may comment regarding the adverse impacts on the habitat of aquatic species in the river and mitigation measure/action plan may be provided, if required.</p> | <p>In this regard, it is intimated that in this case only 1.8916 ha. forest land is required for bridge and significant part of river bed area will stay available for housing the winter migrants as the river-bed is very wide in this area. Further the aquatic species do not fall in the category of rare endangered or unique species. Further it is also intimated that species like Khair, Shisham & Kokat are present sporadically since the area gets inundated intermittently. After construction of bridge pillars, flow of the river will be as usual.</p> |
| 10. | <p>As the alignment is passing through the River/Canal/Roads. Therefore, State Govt. may provide the NOC from concerned department.</p> | <p>The user agency has uploaded the NOC of concerned department of IPH Paonta Sahib & Canal (IPH) of UK Govt. in additional information of part-I in online</p> |

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| | | FCA portal. | | | | | | | | | | | | | | | | | | | |
| 11. | All the Beneficiary villages are required to be marked in KML file. | Now the user agency has uploaded the marked beneficiary villages as google earth map as additional information of part-I in online FCA portal. | | | | | | | | | | | | | | | | | | | |
| 12. | <p>The aerial distance analysis from protected area and its ESZ are as below:</p> <table><tr><th rowspan="2">Name of protected Area</th><th colspan="3">Aerial Distance from protected Area</th><th colspan="2">Aerial Distance from ESZ</th><th rowspan="2">Status of ESZ and its extent</th></tr><tr><th>As per the DFO (km)</th><th>As per the DSS (km)</th><th>As per the latest boundaries provided by HPFD (km)</th><th>As per DFO (km)</th><th>As per the latest boundaries provided by HPFD (km)</th></tr><tr><td>Sher Jung National Park Simbalbara</td><td>3.50</td><td>8.21</td><td>5.25</td><td>0.200</td><td>1.76</td><td>Extent of ESZ finally notified varies from zero to 8.064 km around the boundary of Sher Jung National Park</td></tr></table> <p>Since there is variation in aerial distance from Sher Jung National park Simbalbara and its notified ESZ as detailed in above table, therefore aerial distance from Sher Jung National Park Simbalbara and its notified ESZ may be re-verified and comment regarding this variation may be provided.</p> | Name of protected Area | Aerial Distance from protected Area | | | Aerial Distance from ESZ | | Status of ESZ and its extent | As per the DFO (km) | As per the DSS (km) | As per the latest boundaries provided by HPFD (km) | As per DFO (km) | As per the latest boundaries provided by HPFD (km) | Sher Jung National Park Simbalbara | 3.50 | 8.21 | 5.25 | 0.200 | 1.76 | Extent of ESZ finally notified varies from zero to 8.064 km around the boundary of Sher Jung National Park | <p>In this regard, it is intimated that DFO wildlife Shimla has issued the distance report to CCF, WL(S) Shimla from Sher Jung National Park Simalwara as well as its notified ESZ, hence the variation in aerial distance may please be clarified at the level of CCF Wildlife Shimla.</p> |
| Name of protected Area | Aerial Distance from protected Area | | | Aerial Distance from ESZ | | Status of ESZ and its extent | | | | | | | | | | | | | | | |
| | As per the DFO (km) | As per the DSS (km) | As per the latest boundaries provided by HPFD (km) | As per DFO (km) | As per the latest boundaries provided by HPFD (km) | | | | | | | | | | | | | | | | |
| Sher Jung National Park Simbalbara | 3.50 | 8.21 | 5.25 | 0.200 | 1.76 | Extent of ESZ finally notified varies from zero to 8.064 km around the boundary of Sher Jung National Park | | | | | | | | | | | | | | | |
| 13. | The Assan Barrage wetland is also located in the proximity of proposed diversion area. Therefore, the exact aerial distance from Assan Barrage Bird Sanctuary and comments from the concerned authorities regarding the adverse impact on the habitat of avian species in the Bird Sanctuary and mitigation measure/action plan may be provided, if required. | The user agency has intimated that Assan Barrage wetland is in Uttarakhand State and the aerial distance of the alignment is 924 m from Assan Barrage wetland. NOC from Chief Warden Wildlife Uttarakhand has been obtained and Stage-I clearance for Uttarakhand State section of the proposed project has already been obtained. The proposed diversion area in Himachal Pradesh State is significantly away from the Assan Barrage wetland. Copy of the same is also uploaded by the user agency in additional information of part-I in online FCA portal. | | | | | | | | | | | | | | | | | | | |
| 14. | In the line plan, the average width of the RoW of forest land is mentioned as 43.286 and in Non-forest land it is mentioned as 38.3385 m. Therefore, State Govt. may provide clarification and justification for the same as whether it is as | The user agency has intimated that the requirement as per IRC standard is 60 m. and reply of the same is already mentioned in point No. 6 and supporting document is | | | | | | | | | | | | | | | | | | | |

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| | per IRC norms or not. | already uploaded in addition information of part-I in online FCA portal. Apart from this user agency also intimated that the ROW of this case is taken only 45 m to minimize the impact on forest land. |
| 15. | It may be clarified that whether area of ERow has included in the area calculation of total diversion area in the present proposal or not. Accordingly, the detailed kilometer-wise proposed RoW (PRoW) and Existing ROW (EROW) along with the chainage wise area calculation falling in forest land and non-forest land may be provided. | In the area proposed for diversion, there is no existing road and the only forest area has been taken in the calculations for diversion. |
| 16. | Layout Plan/Line plan showing all the components {(Forest land/Non-forest land/Existing RoW/PRoW (Carriageway, Paved shoulder, earth Filling, drain))} with distinct colours duly authenticated by the concerned DFO is required to be submitted and the same shall be uploaded on the PARIVESH portal as well. | Now user agency has uploaded the same duly authenticated in additional information of part-I in online FCA portal. |
| 17. | Complete enumeration of trees/abstract of trees duly authenticated by DFO concerned is required to upload on the desired column of PARIVESH portal. | Needful has been done. The complete enumeration of trees/abstract of trees duly authenticated by undersigned is uploaded in additional information of part-II in online FCA portal. |
| 18. | State Govt. may submit the plantation model mentioning the site specific plant species, plant species which have capacity of the absorptions of CO ₂ and other pollutants to be planted along the RoW as per guidelines of MoEF&CC vide letter no. FC-11/39/2020-FC dated 08.09.2021. | Compensatory afforestation for planting of new plants in degraded forest has already been proposed detail of the same already uploaded in column. No. 13 (i) to (v) of part-II in online FCA portal. |
| 19. | Large numbers of trees and saplings (Total 1015) including the ecologically and economically important species like Shisham (<i>Dalbergiasissoo</i>) and Khair (<i>Acacia catechu</i>) are proposed for felling. Therefore, possibility of reducing the numbers of trees to be affected may be explored or rationalization to be done in the layout of the proposal to reduce green felling Further, separate list of trees which are required to be felled and retained (not to be felled may be provided. | The total number of trees to be felled in the forest area is 34 only. The rest of the trees come under saplings & poles. During the construction of the bridge, all efforts shall be done to fell a minimum number of trees/saplings. In this regard it is intimated that out of 1015 only 34 Number of trees are proposed to be felled and 981 Nos are sampling of Khair and Shisham in river bed area. Further it is also intimated that species like Khair, Shisham & Kokat are present very sporadically since the area gets inundated intermittently. Further the species have good coppicing tendering and tent to grant back if partly damaged. |
| 20. | As the KML file, the alignment is passing through the habitation/built-up areas. Therefore, State Govt. may clarify | In this connection user agency intimated that the land is being acquired as per NH |

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| | whether there is any displacement of any population. Also provide the copy of Resettlement and Rehabilitation (R&R) Plan for the population likely to be displaced, if any. | Act 1956 as per the relevant provision. There is a designated Competent Authority for land acquisition, who shall ensure private land acquisition as per this act. |
| 21. | As some part of the alignment is passing through the hilly areas and there may be the possibility of existence natural stream /springs /waterfall falling in the alignment on which local people depend for day to day life sustenance. Therefore, concerned Conservator of Forest may comment or provide the mitigation measures regarding the impact on such water resources due to the extant project. | In this matter GoI MoEF & CC IRO has required the comments of CF concerned. It is reported that user agency has also intimated that the entire alignment is in plain/rolling terrain. |
| 22. | Recommendation letter of the Nodal officer have not mentioned the correct name of the proposal. The same may be reviewed and rectified. | The matter pertains to higher ups. |
| 23. | Tatima of the Diversion area may be uploaded on the PARIVESH portal. | Now the user agency has uploaded the same in part-I as additional information in online FCA portal. |
| 24 | Clarification/justification regarding the CA area may be provided:- | |
| | (i) As per DSS analysis, the proposed area for CA is near major River Giri and Violates Hydrological Layer Rule. Therefore, State Govt. may review and comment on the same. | In this regard it is intimated that the proposed area for CA is selected as degraded forest and flow of Giri river is approximate 200-250 meters away from the proposed area. Further soil works (check dams etc) will be proposed in advance work before planting. In CA Bill amounting Rs. 6,00,000/- (six lakhs only) for soil working has already been added. |
| | (ii) CA scheme has been provided with 10 years maintenance, however comprehensive CA scheme is required to be submitted/uploaded as per para-2.8(ii) of the FCA guidelines 1980. | As per the this FCA guidance " <i>the comprehensive scheme shall include the details of non forest /degraded forest area identified for compensatory afforestation, map of areas to be taken up for compensatory afforestation, year wise phased forestry operations, details of species to be planted and suitability certificate from afforestation /management point of view alongwith the cost of structure of various operations</i> " are required. These all details already mentioned in proposal folder page No. 36 to 42 and also uploaded in column. No. 13 (i) to (v) of part-II in online FCA portal. |

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| | (iii) The status of proposed CA land may be provided, whether it is a Govt. Waste land declared as PF under HP Govt notification, 1952 or is notified as UPF/DPF under IFA, 1927 and is in possession of State Forest department or not. The copy of relevant document may be provided. | The proposed degraded CA land exist in Reserve Forest Giri C-3. |
| | (iv) State Govt. may submit document 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 &CC vide letter No. 11-423/2011-FC dated 13.07.2022 | Already attached in proposal folder as check list No. 20 at page No. 42 and also uploaded as additional information in online part-II. |

It is, therefore, requested that necessary approval in principle may kindly be got obtained from the competent authority for diversion of said land in favour of NH.

This is for favour of information and further necessary action at your instance please.


**Divisional Forest Officer,
Paonta Forest Division,
Paonta Sahib (HP).**