



Government of West Bengal

Directorate of Forests

Office of the Divisional Forest Officer, Kalimpong Forest Division

Ringkingpong Road, Kalimpong:: 734301

Phone - Fax:: (03552) 255496. Email Id-dfokpgdlv@gmail.com/dfokalsc-wb@nic.in



### Details of Violation

**Extra diversion of land from the proposed 116.001 ha of land for realignment rehabilitation and upgrading to 2 lane with paved shoulders configuration of Bagrakote to Kafer and Kafer to Rishi Border of NH717A in Kalimpong Forest Division in the state of West Bengal.**

It has come to the notice of the undersigned that a large amount of area has been used by NHIDCL over its allowed land use of 116.001 ha. The extra area has been used up is in tune of 11.7542ha (Details in annexure).

1. This has happened chiefly due to unauthorised and unscientific muck disposal at various sites. This has resulted in sever loss of indigenous flora and fauna.
2. Lack of proper soil moisture conservation has caused erosion and landslides is a large stretch of area as well. Retaining walls have been either absent or has been inadequate resulting in huge landslides.
3. Actual area used for road widening seems to be much more then approved road with of 24 meters at many places. This has been taken up as muck disposal sites.
4. Road widening works are being taken up in an unscientific method which has resulted in huge landslides at many location.

These actions violate the conditions laid out by both the In-Principle Approval and also the Stage-II approval accorded by the stage of west Bengal.

  
Divisional Forest Officer,  
Kalimpong Forest Division.



Government of West Bengal  
Directorate of Forests  
Office of Additional Principal Chief Conservator of Forests, North Bengal  
Upper Nivedita Road, P.O. Pradhan Nagar, Siliguri (W.B.)-734003  
E Mail: [apccfnb-wb@nic.in](mailto:apccfnb-wb@nic.in)



No. CAMP/2/June/2021

Dated 07.06.2021

To  
Sh Ganga Chettri IFS  
CCF Hills

**Sub: Bagrakote-Algarha Road widening Project by NHIDCL in Kalimpong Division-FCA Matters**

In reference to the above, on 06.06.2021 undersigned inspected Bagrakote-Algarha Road widening project being implemented by NHIDCL as already approved under Forest (Conservation) Act 1980. DFO Kalimpong also accompanied me during my field inspection.

Following observations are made for doing needful from your end.

1. Actual area excavated for road widening seems to be much more than approved road width of 24 metres at many places.
2. Road widening works are being taken up in an unscientific method which has resulted in huge landslides at many locations. No retaining /protection walls were constructed to prevent major land slides by the user agency.
3. Unauthorised Muck disposal & temporary labour sheds noticed in many forest areas.

You are requested to kindly look into the matter and take appropriate action to prevent any damage to the forests. Detailed assessment of actual area used by the user agency may be made and user agency should be instructed to stop works outside areas approved under FCA immediately and submit revised proposal for additional diversion of forests, if required.

This is for your kind information & taking necessary action.

Your's sincerely,

Dr V.K.Sood IFS  
Additional PCCF, North Bengal

Copy forwarded for information to:

1. Nodal Officer, FCA, W.B.
2. DFO Kalimpong Division

Additional PCCF, North Bengal



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Directorate of Forests

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Ringkingpong Road, Kalimpong:: 734301

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Memo No. 1470/

Dated, Kalimpong, 28/07/2021

From: The Divisional Forest Officer  
Kalimpong Forest Division

To : The General Manager  
NHIDCL Ltd, Project Monitoring Unit  
Dr. B.L Dixit Road, SSB Ground  
Kalimpong

- Ref: 1. APCCF NB letter vide CAMP/2/June 2021 on 07/06/21  
2. CCF Hill Circle letter number 638/C2-224/2021 dated 10/06/21  
3. DFO letter number 1142/9-33 dated 11/06/21  
4. DFO letter number 1242/9-33 dated 28/06/21  
5. DFO letter number 863/9-33 dated 22/04/2021  
6. Joint Inspection attended by CCF WL (N), GM NHIDCL and DFO kalimpong dated 10/07/2021

Sub: Extra diversion of land from the proposed 116.001 ha of land for realignment, rehabilitation and upgrading to 2 lane with paved shoulders configuration of Bagrakote to Kafer and Kafer to Rishi Border of NH 717 A in Kalimpong Forest Division in the state of West Bengal

Sir,

It has come to the notice of the undersigned that a large amount of area has been used by NHIDCL over its allowed land use of 116.001 ha. The extra area has been used up is in tune of 11.7542 ha (Details in annexure

1. This has happened chiefly due to unscientific mud disposal at various sites. This has resulted in severe loss of indigenous flora and fauna. Not only that several streams and ponds have been polluted because of the same causing damage to aquatic fauna and flora as well.
2. Lack of proper Soil Moisture Conservation has caused erosion and landslides in a large stretch of area as well. Retaining walls have been either absent or has been inadequate resulting in huge landslides.
3. Temporary labour sheds still persist despite prior communication in this regard.

These actions violate the conditions laid out by both the In-Principle Approval and also the Stage II approval accorded by the stage of West Bengal viz. Moreover, prima-facia it also violates the Clause 2(ii) of Forest Conservation Act 1980.

*Clause 9 of In-principle Approval and Stage II Approval*

*Forest Land utilized for the creation of Border Infrastructure Projects shall not be used for any other purpose other than that specified in approval accorded by the state government. Any change in land use without the prior permission of the State Government shall amount to the violation of the Forest Conservation Act, 1980.*

Thus the undersigned wants to know why the project should not be stopped as it violates several sections of FCA 1980 and also the approvals granted to the project by the State Government and the Central Government.


Divisional Forest Officer,  
Kalimpong Forest Division.

No 14701

Dated: Kalimpong, the : 28.07.2021.

Copy forwarded for kind information to:-

1. APCCF and Nodal Officer, FCA
2. APCCF North Bengal
3. CCF Hill Circle
4. CCF WL(N)

  
Divisional Forest Officer,  
Kalimpong Forest Division.



No	Chainage	Area In Ha	Remarks
1	3+450	.057	Soil Dump
2	3+450 (Beside Culvert)	.851	Soil Dump
3	3+ 600	.162	Soil Dump
4	3+800	.1	Soil Dump
5	3+830	.106	Soil Dump
6	3+950	.04	Soil Dump
7	4+050	.2002	Soil Dump
8	S7	.12	Soil Dump
9	4+750	.2	Soil Dump
10	5+160/5+385	.225	Soil Dump
11	5+385/600	.415	Soil Dump
12	5+800/6+050	.45	Soil Dump
13	6+050/090	.16	Soil Dump
14	8+650/9+100	3.15	Soil Dump
15	Hill Top left Side	.5	Soil Dump
16	9+350/650	2.1	Soil Dump
17	12+000	.2	Soil Dump
18	12+000/350	.7	Soil Dump
19	13+900/14+300	.4	Soil Dump
20	15+100/450	.45	Soil Dump
21	15+700/16+200	.5	Soil Dump
22	29+930	.092	Boulders out of ROW
23	34+520	.396	Sand and Boulders
24	35+360	.080	Soil dump
25	35+950	.040	Material Stacking
26	38+560	.060	Material Stacking
	<b>Total Area in Ha</b>	<b>11.7542</b>	



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Memo. No: 1142/9-33

Dated: 11 / 06 / 2021

From : The Divisional Forest Officer,  
Kalimpong Forest Division

To : The General Manager(P),  
NHIDC Ltd, Project Monitoring Unit,  
Dr B.L. Dixit Road, SSB Ground,  
Kalimpong

Sub : Joint Inspection of Bagrakote-Kafer NH 717A

Ref : APCCF, North Bengal letter no CAMP/2/June/2021 dated 07.06.2021  
&  
CCF, Hill Circle Letter no 638/C2-224/2021 dated 10.06.21

Sir,

Apropos this is to inform you that during field visit of widening Bagrakote-Kafer NH 717A road project by Addl Principal Chief Conservator of Forests, North Bengal accompanied by the undersigned on 06.06.21 the following facts were observed.

1. Actual area excavated for road widening seems to be much more than approved road with of 24 meters at many places.
2. Road widening works are being taken up in an unscientific method which has resulted in huge landslides at many locations. No retaining/protection walls are constructed to prevent major landslide by the U.A
3. Unauthorized muck disposal & temporary labour sheds noticed in many forest areas

A letter from this office was also issued regarding the matter of temporary labour shed vide this office memo no: 863/9-33 dated 22.04.21 compliance report of which is still pending from your end.

Now, as per section 3B(1)(a)(b) of The Forest Conservation Act, 1980 any deviation from the conditions laid down at In-Principle Approval shall be liable to be prosecuted.

Hence, you are now requested to fix a date for joint-inspection of the Bagrakote-Kafer NH 717A to measure the width of land excavated and landslide areas caused due to absence of retaining/protection walls.

**Enclosed:**

- As stated
- Photographs with Geo References of the excavated area and temporary labour camps.

  
Divisional Forest Officer,  
Kalimpong Forest Division.

Dated: 11 / 06 / 2021

Memo. No: 1142/9-33

Copy Forwarded For kind information to

1. The Addl. PCCF, North Bengal, Siliguri
2. The Chief Conservator of Forests, Hill Circle, Darjeeling.

  
Divisional Forest Officer,  
Kalimpong Forest Division