

NO.....4.6.....

Dated 2/4/2025

From: Executive Engineer, HPPWD,  
Tissa, District Chamba (HP).

✓ To Divisional Forest Officer, Chamba  
Chamba.

**Subject: Diversion of 1.8810 ha. forest land in favour of HPPWD for construction of link road from Gatti Ghar (Pukhri) to Salhuin (Km 0/0 to 3/338) within the jurisdiction of Chamba Forest Division.**

**Memo,**

Kindly refer to GoI, MOEF, IRO office letter NO. FC/HPB/06/147/2022 dated 18.10.2022, Nodal Officer FCA EDS dated 02.09.2023 and online EDS dated 19.03.2025 on the subject cited above.

2. In this connection, it is submitted that the observations raised vide letter under reference have been attended incomplete incorporating the earlier replies, the point wise reply is given as under: -

Sr. No.	Observation	Reply
1	Part-1, A -3 (xvii), the name mentioned in the authorization letter does not match the details of the person making the application.	User agency submitted that, as per authority letter given by Engineer- in-Chief all Executive Engineers have been by authorized for seeking the prior approval of Central Government under FCA, 1980, so there is no need to match the details of the person making the application.
2	As per the Part -II, Para -5, Working Plan prescription for the part forest land proposed for diversion is 'Protection Working Circle'. Hon'ble Supreme Court in Writ Petition No 202/1995 T.N. Godavarman Thirumulpad Vs. Union of India and Others in its Judgement vide Interlocutory Application No. 3840 dated 11 March 2019 has ordered that '...There shall be no diversion of the forest lands allotted to a Protection Working Circle in any Working Plan under FRA and FCA...' Therefore, State Govt. may review the same.	<i>Rendered from reply of CF Chamba dated 17.03.2025</i> As per the Working Plan of Sh. RC Bergaal (IFS) the forest land proposed for diversion is Protection cum re-habitation.  But, as per the CH file and field verifications, the area proposed for diversion is open forest and having lantana infested and is grazing land, and there is no endangered flora and fauna. It has also been found that due to construction of proposed road no major impact will occur for soil erosion and flora & fauna. Further, the user agency has also undertaken to pay the cost of Soil Moisture

		<p>Conservation Plan, in which all the protection, conservation and mitigation measures shall be included.</p> <p>Keeping in view the above, the above subjected road is recommended for diversion of land in Protection cum- habitation working circle.</p>
3	<p>KML of the proposed site reveals that a road already exists connecting the village named 'TIKRI,' and the proposed alignment overlaps the existing path/road. However, as per the site Inspection Report, no violation has been reported by the concerned DFO. Therefore clarification/justification regarding the same may be provided: -</p> <ol style="list-style-type: none"> <li>A fresh Site Inspection report and Joint Inspection report for the instant proposal.</li> <li>The date/year of violation may be provided.</li> <li>The Action Taken Report against the violators as per Para 1.21 (i) and/ or (ii) of FCA Guidelines may be submitted/ uploaded in the portal.</li> <li>Action taken by the State Government against the officials concerned for not being able to prevent the use of forest land for non-forestry purpose without prior approval of Govt. of India.</li> <li>Current Status of the violation, whether continuing or stopped</li> </ol>	<p><i>Rendered from reply of CF Chamba dated 17.03.2025</i></p> <p>In this regard, it is intimated that there is no existing road to the proposed villages, whereas the existing road/ path which is visible in the KML file is a Bridal path. Widening / repair of bridal path is done by the concerned Gram Panchayat, <b>and there is not violation of FCA-1980.</b> However, as per your query the DCF Chamba has also visited the proposed road area on dated 20-06-2023, which is uploaded on the portal against Part-I by UA and in Part-II by DFO Chamba against additional information please.</p>
4	<p>As per the DSS analysis, the Proposed DA is 1.881 ha however, the calculated area is 0.76 ha. Therefore, State Govt. may review the difference in the proposed DA area and calculated area, and accordingly, fresh KML may be uploaded under the appropriate column of the online portal.</p>	<p>KML file has been corrected/revised and has been uploaded against appropriate column in Part-I.</p>
5	<p>Penal NPV calculation sheet is required to be submitted as per the revised rates by MoEF&amp;CC dated 06.01.2022.</p>	<p>As submitted in reply of point No. 3 in this proposal no violation of FCA 1980 is found, hence, Penal NPV bill is not required in the instant Proposal.</p>



6	As per the justification, the proposed road is being constructed for the motor link from Ghatti Ghar (Pukhri) to village Saluin. However, all the villages along the proposed alignment are already connected by the road. Therefore, State Govt. may provide justification for the proposed road; otherwise, the proposal is liable to be rejected.	User agency submitted that in reply of point No.3 the road visible in the KML is a bridle path and no any connectivity of motor able road is existing for the proposed villages.
7	Administrative Approval of the project from the competent authority needs to be provided.	Administrative Approval/ Expenditure sanction is uploaded against additional in online Part-I by the User Agency.
8	A fresh KML of the instant proposal may be provided in the polygon of the diversion area along the Forest and Non-Forest area in a distinct colour	KML file in Polygon of the diversion area showing the forest and non-forest area in distinct colour has been uploaded against appropriate column in online Part-I.
9	The layout plan must include a legend and the proper dimensions of each component, such as Carriageway, Paved Shoulder, Earth Filling, Drain, and Protection Work, as well as an area-wise calculation. Furthermore, the forest land and non-forest land involved in the proposal must be represented in the layout plan with distinct colors and need to be duly authenticated by the concerned DFO may be provided.	The Layout/Linear Map showing each component like Road, Dumping Sites, earth Filling, Drain, Protection Work etc. Paved shoulder shall be erected in whole road along the road side.
10	The diversion area is in hilly terrain and large numbers of trees will be affected; hence soil erosion is inevitable. Therefore, The Soil Moisture Conservation Plan (SMC), along with its cost of implementation as per MoEF&CC dated 07.06.2022, may be provided/uploaded.	Undertaking to pay the cost of Soil Moisture Conservation plan as per FCA guidelines has been furnished by User Agency. And same duly authenticated by DFO Chamba has been uploaded against additional information in online Part-I.
11	NOC/Sale deed/Gift deeds for non-forest land acquired from private individuals are required to be submitted	Gift deed for non-forest/ private land has been obtained from the concerned Land owner and has been uploaded on the portal against additional information in online Part-I.
12	Enumeration list, including the compartment number and along with the date of tree enumeration, which is duly authenticated by the concerned DFO, needs to be provided.	Revised trees enumeration list duly countersigned by the DCF Chamba is uploaded on the portal against additional information in Part-II.
13	Large numbers of trees are getting affected. State Govt. shall ensure retaining of trees which are proposed	User agency submitted that, in this proposal only 83, nos. of trees are enumerated for felling which are minimum considering all

	for felling. Therefore, possibility of reducing the number of trees to be affected may be explored or rationalization may be done in the layout of the proposal to reduce the green feeling, further list of trees which are required to be felled and retained (Not to be felled) may be provided.	other possible alternative. Further, the maximum efforts to save the tree will be made during the construction of proposed road.
14	Muck Management Plan and Reclamation Plan needs to duly authenticate by the concerned DFO	Muck Management Plan and Reclamation Plan duly authenticate by the DFO has been uploaded against additional information.
15	All the dumping sites are proposed on forest land. The state government shall explore non-forest land for the same. If a dumping site is necessarily required to be proposed in forest land, the area of forest land involved in muck dumping shall be reduced. Further, a separate enumeration list of trees for the dumping site may be provided.	User agency has submitted that people of the area are having very less agriculture land and no other suitable land is available for dumping purpose near to the proposed road, so the dumping sites are proposed in forest land. Further, it has again submitted by user agency that 13 Nos of trees standing in dumping site, separate trees enumeration list is uploaded on the portal. It has also been submitted and undertaken by the User Agency that no tree shall be felled standing on the proposed dumping sites.
16	State Govt. must ensure all existing water sources and drain within and adjacent to this site are free from interruption and contamination.	User agency submitted that necessary compliance for existing water sources and drains shall be ensured during and after the construction of road. It is also clarified that no water source exist in the alignment of proposed road.
17	FRA certificate is provided. However, it has to be provided with all annexures and a copy of records of all the consultation and meetings of FRC(s) and Gram Sabha(s) of the concerned villages before Stage-II approval.	FRA Certificate along with its all annexures and a copy of records of all the consultation and meetings of FRC(s) and Gram Sabha(s) is uploaded on the portal in online Part-I against appropriate column.
18	The Status of Proposed CA land may be provided, whether it is a Govt. Wasteland is declared as PF under HP Govt. notification, 1952, or it is notified as UPF/DPF under IFA 1927.	<i>Rendered from earlier reply of CF dated 14.08.2023</i> The proposed CA land was declared as DPF vide HP Govt. Notification No. Ft. 8-3/74-SF (part-II) Dated 23-08-1976 and published to HP Rajpatra on dated 11-12-1976.
19	In Part II, column - 14, the District profile and geographical area are incorrect. Needful may be done in this regard.	Needful has been done in online Part-II by DFO Chamba.

  
 Executive Engineer,  
 XEN Tissa PWD..  
 Tissa at Bhanjra 176316