



No./FCA/. 110
HP Forest Department

Dated Gohar, the/ 10/04/2024

From:- DFO Nachan.

To:-CCF Mandi.

Subject:-

Diversion of 0.0869 ha. of forest land in favour of Agriculture Department of Himachal Pradesh, Krishi Bhawan Directorate of Agriculture Boilauganj, Shimla for the c/o Sub Divisional Soil Conservation Officer, Office building at Bagsaid within the jurisdiction of Nachan Forest Division, District Mandi, HP. Proposal No. (FP/HP/Others/14938/2021).

Memo:

Kindly refer to Regional Officer Government of India Interegrated Regional Office, Ministry of Environment & Climate Change, CGO Complex, Shivalik Khand, Long Wood Shimla, HP eoffice letter No. FC/HPB/09/60/2021/51919/2023 dated 29.08.2023 on the subject cited above.

2. The point-wise reply with regard to observations raised by the GoI vide letter under reference is submitted in an annotated manner hereas under:-

Sr. No.	Observation	Reply
1	<p>i) As per clarification of MoEF & CC guidelines dated 24.01.2022 regarding non-site-specific activity it has been clearly mentioned that, <i>“Utilization of forest area for establishing industries, construction of residential colonies, institutes etc. are non-site-specific activities and cannot be considered on forest land as rule”</i>. Therefore, the State Government may explore non-forest land for the extant proposal.</p> <p>ii) Since this is a non-site specific project the State Government must explore the alternatives in more details and must give complete</p>	<p>i) It is submitted that as per Govt. of India MoEF & CC Guidelines dated 24.01.2022 the land proposed for the construction of Sub Divisional Soil Conservation office building is non site specific activity for which user agency has given a detailed reply. The same is reproduce as under:-</p> <p>It is submitted that the Sub Divisional Soil Conservation office building is proposed to be constructed in village Bagsiad, District Mandi. Village Bagsaid is located in a remote locality of District Mandi and majority of population in the area is dependent on agriculture and horticulture produce. Landholding of the villagers is very small, as such private land is not available for construction of the same. Most of the government land falls under the category of Forest land. Hence, construction of the office building has been proposed on the forest land since no other land is</p>

justification establishing inescapability for locating the project in forest area. All alternatives (two) shall be marked in KML file. Area of forest land and trees involved in the each alternatives including proposed alignment shall be mentioned in tabular for.

available for this construction. Use of forest land is unavoidable and bare minimum forest land is proposed to be diverted. Three alternatives were explored and the most suitable site selected for diversion. Detailed justification note is uploaded online (copy attached for ready reference).

It is also clarified that the proposed diversion land is only for the purpose of construction of office building and no other such activity is being carried out, that has been mentioned under MOEF letter No. FC-11/155/2020-FC dated 24.01.2022 that is establishing industries, construction of residential colonies, institutes, disposal of fly ash, rehabilitation of displaced persons, etc.

In accordance with the MoEF & CC guidelines dated 24.01.2022 the user agency has submitted the layout plan of the site, land use, land cover map of Soil Conservation Office as well as detailed map of the site and component wise utilization of the land. In view of the reply and documents submitted by the user agency the land proposed for the construction of Sub Divisional Soil Conservation office building at Bagsaid is not non site specific activity, the proposed land be considered for the diversion of 0.0869 ha. of forest land for the construction of Sub Divisional Soil Conservation office building at Bagsaid.

ii) As per the directions issued by the MoEF & CC Guidelines the user agency had explored 3 alternative sites and selected on spot for the construction of aforementioned project on the Govt. Forest land the site wise detail of the same is given as under:-

Three sites were explored as per detail given below:

1. Proposed Site – This site involves 0.0869 ha of forest area. No tree felling is involved in this patch of forest land. Proposed land is suitable for office purpose since it is easily approachable, involves minimum area and no tree felling.
2. Alternate Site 1 – This site involves forest area of 0.1488 ha and 28 number of trees which is much higher than the proposed site.
3. Alternate Site 2 – This site involves forest area of 0.1581 ha and 34 number of trees which is significantly higher than the proposed site.

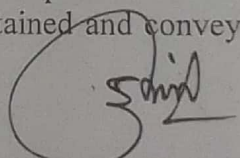
Site	Area (ha)	Number of Trees	Remarks
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			Proposed Site	0.0869	0	Involves minimum area and no tree felling, hence this site was selected.
			Alternate Site 1	0.1488	28	Area is more than proposed site and involves 28 trees. Hence, this site was rejected.
			Alternate Site 2	0.1581	34	Area is more than proposed site and involves 34 trees. Hence, this site was rejected.
2	The State Govt. may clarify the legal status of the proposed diversion area, whether it is Waste land declared as Protected Forest as per 1952 notification of HP Government or it is a Forest Land as per IFA 1927. Documentary evidence (Land Revenue records) for the proposed diversion area may be provided.	Status of the land to be diverted is given below:- i) 0.0789 ha. land is Charagah Billa Drakhtan. ii) 0.0080 ha. land is Jungle Mehfuja Gair Mehduda (UPF) as per revenue record. Nakal Jamabandi of the proposed land is enclosed herewith and same uploaded on the Parivesh I FCA Portal.				
3	In Para-14 of Part-II, district area is mentioned as 638.59 ha whereas the area under forest land is mentioned as 37219.26 ha. The data provided in the various columns of para-14 are not commensurate with each other. Therefore, correct information in various columns may be provided.	The correct information has been uploaded in Para-14 of Part-II in Parivesh –I portal.				
4	In KML file the muck dumping site has been marked, However, no dumping site component has been	In reply of observation No. 4 user agency has reported that the department had identified private land (Non – Forest) at Muhal Saran – 96 bearing Khasra No. 638 of				


	mentioned in component wise break up of Part I. It may be clarified that whether the proposed muck dumping site is part of the Diversion Area (0.0869 ha) . If the area of muck dumping site has not been included in the proposed Diversion Area, the same may be included and accordingly Diversion Area may be revised.	01-14-08 Bigha for this purpose. Now it is submitted that the 40 Cum of muck will be dumped at Khasra No. 538/1 of 00-02-00 Bigha (0.0080 Hect), which is marked by name "Existing Dumping Site" in KML file. This land is part of total land involved for diversion that is 0.0869 Hectare. There is no need of any private land for this purpose and so it has not been marked in KML. Therefore, the revised muck management plan has been uploaded online and copy of the same is enclosed herewith in duplicate.
5	From the KML file of proposed diversion area it has been observed that some construction of permanent structures have been done violating the provisions of FCA, 1980.	User agency has reported that earlier Geo Coordinates of the proposed site were marked inadvertently and the KML file was showing some construction of a permanent structure in the proposed area. Now, the KML file has been corrected and uploaded in Parivesh-I portal at appropriate place. At present no structure is existing on the proposed area.
6	In Part-II, relevant documents and KML file of proposed Compensatory Afforestation (CA) area has not been provided at para 13. Therefore, all the relevant documents related to CA and KML file shall be uploaded to para 13.	KML file of proposed Compensatory Afforestation (CA) area has been uploaded in Parivesh Portal-I at para 13.

In view of the above, It is therefore, requested that necessary stage-I approval of the proposal under FCA, 1980 may kindly be obtained and conveyed to this office accordingly.

Encls:-As above.


Divisional Forest Officer,
Nachan Forest Division,
Gohar-175029.

Endst. No. _____ Dated Gohar, the _____
Copy w.r.t. his office letter No. Agr. MND.BGD.(SC)(B)1-1/2019-16 dated 03.04.2024 is forwarded to the Sub Divisional Soil Conservation Officer, Bagsaid, District Mandi, (H.P.) for information and necessary action please.


Divisional Forest Officer,
Nachan Forest Division,
Gohar-175029.