

Himachal Pradesh
Public Works Department
NO. PW/BLP(1) WA/ Forest Case/ 2025-
To

16133-34 Dated :- 20-01-2025

✓ The Divisional Forest Officer,
Bilaspur Forest Division,
District Bilaspur H.P.

Subject :-

Diversion of 1.8945 ha of forest land in favour of HPPWD for the construction of link road from Sihra to Kahvi (Kms. 0/00 to 3/330), within the jurisdiction of Bilaspur Forest Division, Distt. Bilaspur, Himachal Pradesh. (Online Proposal No. FP/HP/Road/31585/2018).

Sir,


This is with reference to the EDS raised by the IRO, GOI vide File No. FC/HPB/06/102/2022 Dated 14.09.2022 on the subject cited above. In this context the detailed reply is as under:-

Sr. No.	Observation	Reply
1	The 1.8945 ha forest and 0.2175 ha non-forest area has been proposed for the construction of the proposed road but the KML file does not differentiate the proposed area between the forest and non-forest land. Therefore, State Govt. may review and revise the same and may upload the revised KML file of the proposed project which clearly showing the forest and non-forest land in distinct colour scheme.	The revised KML file of the proposed project clearly showing the forest and non-forest land in distinct colour scheme has been uploaded against Column No. C in online Part-I.
2	0.321 ha of non-forest land has included in the proposed project. Therefore, State Govt. may provide the Sale deed/Gift deed/Affidavit made by the private land owner/s in the favour of User Agency.	Gift deed of the private land acquired has been uploaded against additional information detail in online Part-I
3	A large number of (38 trees of different species) trees are being affected in the proposal and 0.2175 ha forest land has also been proposed for dumping site/s on forest land. Therefore, State Govt. may propose the dumping site/s on non-forest land, so that the number of trees to be affected could be reduced.	This is submitted that this department has made every possible efforts to explore possibility of non-forest area/private land for muck dumping. But in the hilly State like Himachal Pradesh the people have generally very less land holdings & are solely dependant on land for earning their livelihood, so they are not willing in donating their land for road construction purpose. The area selected for muck dumping is precisely as per the area requirement for disposal of muck which will be produced during the construction of road. The quantity of muck which will be generated has been evaluated from actual measurement taken at site and a complete muck

		management plan has already been attached with the proposal folders and uploaded against additional information detail in online Part-I.
4	Part-I, para-B-2.4, 0.2175 ha area has been mentioned for dumping site. However, as per revenue record 1152 sq.mt. area for dumping site is proposed. This may need to be reviewed and revised. Further, how many number of dumping sites are proposed, is not clear neither dimension (length/breadth) of dumping site has been mentioned. Therefore, State Govt. may mark the exact number of dumping site/s with their dimension and area detail in Layout Plan as well as in Part-I, Para B-2.4, duly authenticated by DFO.	Part-I, Para B-2.4, 0.2175 ha area has been mentioned for dumping site and as per Revenue Record, 1152 sq karam area proposed for dumping site. The correct area for muck dumping site is 1152 sq. Karam as per revenue record which is equal to 0.2175 Ha. The layout Plan has been uploaded online in Part-I against additional information detail.
5	The Layout Plan of the proposed road is not authenticated by DFO. The same may be authenticated by concerned DFO.	The Layout Plan of the proposed road duly authenticated by DFO has been uploaded against additional information detail in online Part-I
6	The KML as well as recommendation by concerned DFO clearly shows that the area proposed for diversion is completely under violation. However, Penal NPV has been calculated on 1.0481 ha and Joint Inspection Report of Sr. No. 4, 8 and 13 as well as on the Note on Violation of the concerned DFO has also mentioned the different violated area figures of the proposed road. Therefore, State Govt. may review and revise the same and may provide the exact dimension of length, breadth and area figure of violated and non violated part of the proposed road and may also review and revise the Penal NPV calculation sheet accordingly	It is submitted that the broken forest area is correct as per the joint inspection report conducted by the committee. However, due to typing error one RD at page was not mentioned. The RDs however were correctly mentioned at page no. 26 for forest diversion proposal as uploaded on MoEF portal. The calculation and actual broken forest area was correctly mentioned in the report of committee constituted for violation of forest Act, 1980. Therefore, since the broken forest area is 1.8945 Ha. The RD which was not depicted in the report is hereby attached with this letter and uploaded on the portal against additional information detail in online Part-I.
7	State Govt. may clearly mention whether proposed CA is Wasteland declared as PF under 1952 notification or PF under the control of Forest Department as per IFA, 1927.	Pertains to DFO Office
8	38 trees of different species are being affected in the proposal and in Part-II, Para-6, it is mentioned that the proposed area is not vulnerable to soil erosion as the soil strata is rocky. However, the KML shows that the proposed area is the semi-hilly terrain and the forest/adjoining area may be prone to accelerated soil	Undertaking to pay the cost of Soil & Moisture Conservation Plan as per the guidelines of MoEF&CC has been uploaded against additional information detail in online Part-I

	erosion/landslides during or after the execution of the project. Therefore, State Govt. may review the proposal in the pursuance of the MoEF&CC letter dated 7.6.2022 and may submit the Soil and Moisture Conservation Plan (SMCP) along-with detail cost of its implementation	
9	<p>The violation has been found in the proposal and in the Note of Violation submitted by the DFO, it is mentioned that the proposal involved violation of Forest (Conservation) Act, 1980 by unknown people of the Gram Panchyat Sihra about 25 year back and damage on account of breaking land amounting to Rs. 31,44,330/- has been occurred. Therefore, State Govt. may provide the justification/clarification/documents on the following points:-</p> <ol style="list-style-type: none"> The exact dimensions, length and width, and area of the violated and non-violated part of the proposed project. The Action Taken Report against the violator/s as per Para 1.21 (i) and/ or (ii) of FCA Guidelines. Action taken by the State Government against the official/s concerned for not being able to prevent the use of forest land for non-forestry purpose without prior approval of Govt. of India 	The road having length of approximately 590 mtr with 3 mtr width has been constructed long time ago by the local Gram Panchayat and Residents. Further, there is no record of already constructed road with this department.
10	1.8945 ha area has been proposed for diversion , however DSS analysis is calculated 0.94 ha for the same. The KML file in this regard may needs to be reviewed and revised.	The revised KML file has been uploaded against Column No. C in online Part-I
11	The DSS analysis report shows that the DA involved having a rare forest type. Therefore, comments of the concerned DFO may be provided.	Pertains to DFO Office
12	As per the aerial distance report submitted by the concerned DFO, it is mentioned that proposed project is located 27 km away from Shri Naina Devi Ji Conservation Reserve. However, DSS analysis report is showing that the proposed project is located within 10 km of PAs of Govind Sagar Reservoir, Bandli and Majathal WLS having an aerial distance of 0.49 km, 9.52 km and 9.60 km respectively. Therefore, State Govt. may provide the exact aerial distance/s of proposed project from the nearby PAs/ESZ of Govind Sagar Reservoir, Bandli and Majathal WLS/s instead of Shri Naina Devi Ji Conservation Reserve.	It is submitted that the Govind Sagar Reserve have been de-notified by GoHP vide Notification No. FFE-B-F(6)-11/2005-II/Govind Sagar dated 07.06.2013 besides this, aerial distance of proposed DA area is 24.63 from Bandli WLS and 24.68 from Majathal WLS as analysis on Google Earth.

	Further, if the proposed project falls within the boundary of the PAs/ESZ the comment of the CWLW may also be provided, as the case may be.	
13	The concerned DFO also submit an undertaking that no plantation has been raised on the proposed CA land under any scheme.	Pertains to DFO Office


Executive Engineer,
Bilaspur Division No.-I
HPPWD Bilaspur.

1. Copy to the Assistant Engineer Bilaspur Sub-Division No.II, HP.PWD., Bilaspur for information and necessary action. He is directed to pursue the above case in Divisional Forest Office Bilaspur immediately .

RIK
 12/11

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 22/01/2023

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Executive Engineer,
Bilaspur Division No.-I
HPPWD Bilaspur.

Detail of Violated Forest Area

Sr. No.	Observation	Already Uploaded	Revised	Remarks
1	Length of the road for which forest land has already been broken/constructed is mentioned 0/0 to 1/125.	Page No. 62/63 RD not mentioned inadvertently and it is typing mistake	Revised note RD 0/0 to 1/125 and 1/660 to 3/330 with average width 6.00 mtr at sr. no. 4	RD inadvertently /due to typing error not mentioned at page No. 26 in the proposal folder.
2.	Area	1.8945 Ha.	1.8945 Ha.	No change, as broken forest area remain the same in the proposal for diversion.
3.	Length	2.795 Km	2.795 Km	No change, as the total broken length remain the same

Executive Engineer,
Bilaspur Division No.-I,
HPPWD Bilaspur