

Dated Chopal, the 19/07/2024

From: - DFO Chopal.

To: - CCF (T) Shimla.

Subject: -

Diversion of 2.4303 ha of forest land in favour of HPPWD for the construction of Bamta Kainchi to Mamuvi Pujarli (Shangroli) via Jagrah Kms. 0/0 to 5/355, within the jurisdiction of Chopal Forest Division Distt. Shimla (FP/HP/Road/154462/2022).

Sir,

Kindly refer to Nodal Officer-cum APCCF (FCA) O/o Pr. CCF, HP, Shimla office letter No. FC/HPB/129/2023 dated 29.12.2023 endst to this office as well as to you and others on the subject cited above.

In this context it is submitted that the shortcomings pertaining to this Division are attended as directed vide the above referred letter. The point wise reply is detailed as under:-

Sr.	Observations.	Reply.
1.	In Part-1, A -3 (xvii), the name mentioned in the authorization letter does not match the details of the person making the application	Er. Naresh Sharma, the than Engineer- in-Chief HPPWD being competent authority has authorized all Executive Engineers in HPPWD Divisions (but not authorized by name for matching the details of the person making the application) to make application on behalf of the User Agency for seeking prior approval of Central Government under Section-2 of the FCA-1980 for diversion of fresh forest case.
2.	It was submitted by the State Govt. the instant proposal was listed in 2183 road proposals constructed in violation of FCA, 1980. As such, the following documents need to be uploaded to the online portal to avoid any perplexing situations:- i. Copies of the Orders of the Hon'ble High Court of H.P. which finds mention of regularization of 2183 roads that have already been constructed in violation of the provisions of FCA, 1980. ii. Complete legible list of 2183 roads provided by HPPWD to Hon'ble HighCourt of Himachal Pradesh constructed in violation of FCA, 1980 highlighting the Sl. No. and the name of the road of the extant proposal.	i. List of roads in Orders of the Hon'ble High Court of H.P. which finds mention of regularization of 62 roads of Chopal Division out of total 2183 roads that have already been constructed in violation of the provisions of FCA, 1980 has been uploaded on the portal by user agency. ii. Complete legible list of 62 roads of Chopal Division out of total 2183 roads provided by

	<p>iii. The state Govt. needs to provide the Row of the broken part.</p>	<p>HPPWD to Hon'ble High Court of Himachal Pradesh constructed in violation of FCA, 1980 highlighting the Sl. No. 451 and the name of the road is Bamta to Mamuvi (Shangroli) via Jagrah Road.</p> <p>iii. iii. The Row detail of the broken part has been uploaded on the portal by user agency..</p>
3.	<p>Following clarification regarding the KML file may be provided:-</p> <p>i. A fresh KML of the proposed alignment needs to be uploaded in polygon form to evaluate the area proposed for diversion.</p> <p>ii. ii. The non-forest and forest land involved in the proposed road may be shown in the KML file with distinct colour.</p> <p>iii. iii. Upon the examination of the KML uploaded it is observed that when all the beneficiary villages are well connected the purpose of proposing a new alignment excluding the violated part needs to be justified by the State Govt.</p>	<p>i. Revised KML file in polygon form has been uploaded on the portal by user agency.</p> <p>ii. ii. The non-forest and forest land involved in the proposed road has been shown in the KML file with distinct colour.</p> <p>iii. iii. There does not exist any HPPWD road and no village is well connected by road facility in the area as the path showing on the KML file is a mule path constructed by the local people to meet out their daily transportation needs. Further, the proposed road alignment is in the grade of 1:15 as per the specification of HPPWD road alignment. Moreover, the said area is large producer of Horticultural and Agricultural produces for which a proper road is essentially required to meet out the transportation requirement of the local people for their livelihood. The alignment selected cannot be escaped to provide the road facility to the inhabitants.</p>
4.	<p>As per the JIR, it is submitted that 1125 meters (i.e., 0.1125 ha) of road is under violation. However, as per the information uploaded under part II by the concerned DFO, it is mentioned that 0.4034 ha is in violation. State Govt. needs to review the discrepancies submitted and provide a factual report of the violations.</p>	<p>As per the JIR, it is submitted that 1125 meters road constructed under violation is 0.5797 ha (i.e. 0.4034 ha in forest land and 0.1763 ha in non- forest land donated by the private land owners) instead of 0.1125 ha. Therefore the information uploaded under part II by the concerned DFO is 0.4034 ha which is forest land in violation. Hence the report provided is a factual report of the violations.</p>
5.	<p>A statement showing Forest Land proposed for diversion on along Khasra no/Compartment no duly authenticated by the concerned DFO</p>	<p>Uploaded new by the user agency.</p>

	needs to be uploaded.	
6.	Administrative approval from the competent authority for the proposed stretch excluding the broken part along with approved DPR needs to be uploaded.	The budget provision for preparation of DPR/Administrative Approval can be obtained from the competent authority after Stage-I approval. The copy of administrative approval and approved DPR will be provided before Stage-II approval.
7.	A digital copy of the layout Plan in an appropriate scale which must include a legend and the proper dimensions of each component duly authenticated by the concerned DFO needs to be uploaded	Digital Copy of Layout Plan has been uploaded now by user agency.
	The instant proposal is for a diversion of 2.4303 ha. However, the FRA certificate submitted is for 2.8337 ha. The state Govt. needs to review and justify the same	Corrected FRA copy for the diversion of 2.4303 ha will be provided before Stage-II approval.
	State Govt. needs to submit the IRC norms on which road has been proposed 5 to 7 meters.	Necessary certificate for construction of proposed road 5 to 7 meters.
	In the instant proposal is 2.4303 ha, However, the Muck Management Plan is submitted for 0.5620 ha. As such, A complete Muck Management Plan along with Engineering Measures and Biological Measures for the effective management of muck generated duly authenticated by the concerned DFO needs to be uploaded	Complete muck management plan for diversion of 2.4303 ha attached
	According to Google Earth's latest image data dated 11/2022 it seems that approx. 3.36 (ha.) is available for the new plantation/target plantation out of 4.86 (ha.). Vacant space evaluated excluding mature/medium-sized trees visible through the latest Google Earth Image. Need more vacant area to fulfill the target plantation of 4.86 (ha.) i.e., 1.5 (ha.)	The new CA area has been uploaded by the DCF.
	The recommendation of DFO uploaded column 16 needs to be uploaded afresh with incorporating details of violations.	Uploaded new by the DCF.

action at your end please.

This is for favour of kind information and taking further necessary


Deputy Conservator of Forest
Chopal Forest Division, Chopal