

To

The Divisional Forest Officer,
Shimla (Rural) Forest Division,
District Shimla.

Subject: - Diversion of 0.1077 ha of forest land in favour of Deputy Superintendent of Police, State Vigilance & Anti Corruption Bureau, Shimla for the construction of Police Station of State Vigilance & Anti Corruption Bureau, Distt. Shimla, within the jurisdiction of Shimla Forest Division Distt. Shimla, HP. (Online Proposal No. FP/HP/Others/143614/2020).

Reference: - Regional Office File No. FC/HPB/09/82/2022 Dated 09/08/2022.

Sir,

In reference to the subject cited above. In this connection, it is submitted that this office has attended the shortcomings noticed in above mentioned proposal. The observations have been complied as per your requirement. The Point wise reply to the observations is as under:-

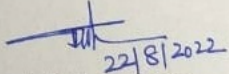
Sr. No.	Deficiencies	Compliance to the Deficiencies
1.	The proposal is a non-site specific project. Para 1.15 of FCA guidelines as well as recent direction of the MoEF & CC dated 24.01.2022 has categorically mentioned that non-site specific activities cannot be considered on forest land as a rule. For that matter, no non-site specific proposal can be entertained for considering approval under the FCA 1980. Therefore, the State Govt. may explore non-forest land for the project.	As such, no non-forest land is available in city area of Distt. HQ Shimla as all Government land over which Government has proprietary rights, has been classified as forest land vide notification no. ft(a)-1/52 dated 15th January 1952 issued by the Secretary to Chief Commissioner of the erstwhile Chief Commissioner's province.
2.	In Part-I, Details of Divisions, the name of Forest Division is written as Shimla (Shimla). The same may be clarified whether any forest division exists with this name as on date. The same may be reviewed and correct it accordingly in the appropriate columns of online portal.	In online portal part 1, B-2.1, Details of Divisions, the name of Forest Division is not editable as it was auto dropdown in Parivesh Web Portal. Shimla (Shimla) is known as Shimla (Rural) Forest Division.
3.	Hon'ble NGT, Principal Bench, New Delhi OA no. 121/2014, has passed an order on 31.08.2021 in which para 112 (II) prohibits new construction of any type "Residential, institutional and commercial to be permitted henceforth in any part of the Core and Green/Forest area as defined under the various Notifications issued under the Interim Development Plan as well, by the	There is no construction of any residential, institutional and commercial structure in this proposal. This proposal is for the construction of Police Station of State Vigilance & Anti-Corruption Bureau, Shimla, Distt. Shimla.

	State Government". Therefore comments in this regard may be provided.	
4.	As per Hon'ble NGT Order dated 31.08.2021, it has been mentioned in para 112 (XIII) that "the concerned department shall ensure that no construction activity takes place where the slope is more than 45°/35° in any case, which should be prior to cutting of the hills". Therefore, slope of the proposed site along with comments in view of Hon'ble NGT order may be provided.	The terrain of the proposed site is not that much hilly/sloppy and it is less than 45°/35°. During the time of construction, Breast Wall will be constructed first to avoid soil erosion/landslide. Mitigation measures will be taken and adhered, which should be prior to cutting of the hills.
5.	Administrative Approval of the project may be provided.	Administrative approval of the project is enclosed as well as uploaded on the web portal.
6.	The certificate of Non-Availability of Non-Forest Land provided has mentioned the area of 0.2852 ha. However, the instant proposal is for 0.1077 ha, the same may be reviewed and rectified and uploaded.	Area in Non- Availability of Non Forest Land Certificate was 0.2852 Hectare duly issued by the Deputy Commissioner, District Shimla. Further, it is intimated that during the Site Inspection with the concerned DFO (Rural) Shimla, it was decided to reduce the forest area in order to save the 56 number of trees. Now, there are only 9 trees required for felling in the proposal. Now, the proposed area for diversion will be 0.1077 hectare.
7.	The Joint inspection Report provided was conducted for an area of 0.2852 ha. However, the instant proposal is for 0.1077 ha. Therefore State Govt. may provide the Fresh Joint Inspection Report including the Land Revenue Records (Jamabandi etc.) of the proposed area duly authenticated by DFO concerned.	DFO (Rural) Shimla itself reduce the area during site inspection in order to save the 56 number of trees and now there are only 9 trees required for felling in the proposal. Now, the proposed area for diversion will be 0.1077 hectare. Also, the revised tatima of proposed land has been obtained and taken on record.
8.	The approach access road to parking from the existing road is not included in the proposal. Therefore, the clarification in terms of approach access to parking from the main road may be submitted. If approach access is required then this component is also required to be included in the proposal. Accordingly, the diversion area may be revised.	There is no need to take approach road as the proposed site is along with existing road. In this regard, NOC from HPPWD has been obtained and the same is enclosed herewith.
9.	NOC's from HPPWD, Fire dept., Jal Shakti Vibhag and HPSEB may be provided.	Now the NOC's from HPPWD, Jal Shakti Vibhag and HPSEB has been enclosed herewith and also uploaded online on the Parivesh Portal. Further, with regard to NOC from Fire dept., it has been intimated vide their office letter No. Hom(FS)(HQ)6-10/76-Inspection-XVII-3683 dated 12.08.2022, that Site Inspection Report (Pre-establishment NOC) being issued by the HP Fire Services Department at beginning of the construction work of building/project etc.

		has been discontinued vide this office letter No. HOM(FS)(HQ)6-10/76-Misc-IV-2965-3053 dated 06.07.2019. However, NOC will be issued by the department on completion of construction work of building/project etc. after adoption of Life & Fire Safety measures as per norms laid down in NBC Part-IV by the owner/occupier. The copy of same is also enclosed herewith as well as uploaded in the Parivesh Web Portal.
10	Beneficiary villages are required to be marked in the KML file.	The revised KML file showing the beneficiary villages has been uploaded on the Parivesh Portal.
11	It has been observed from the KML file that the terrain of the proposed site is hilly/sloppy. State Govt. may provide details of the mitigation measures to be adopted to arrest the accelerated soil erosion/landslide during/after execution of the project. If the area is vulnerable to erosion, then the Soil Moisture Conservation Plan (SMC), along with its cost of implementation as per MoEF & CC dated 07.06.2022, may be submitted.	The terrain of the proposed site is not that much hilly/ sloppy. During the time of construction, Breast Wall will be constructed first to avoid soil erosion/landslide.
12	The State Govt. may provide the CA scheme for 215 plants may be prepared along with other requirements.	This point pertains to your good office please.
13	The Status of Proposed CA land may be provided, whether it is a Govt. Wasteland declared as PF under HP Govt. notification, 1952 or it is notified as UPF/DPF under, IFA 1927.	This point pertains to your good office please.
14	In Part II, column - 14, the District profile and geographical area are incorrect. Needful may be done in this regard.	This point pertains to your good office please.

It is, therefore, requested that after doing the needful at your end, the proposal may kindly be forwarded to the concerned higher office at the earliest.

Encls: AA


 22/8/2022
(Kamal Kishore)HPS
 Dy. Superintendent of Police,
 SHO,PS, SV & ACB, Shimla-2.