



भारतीय राष्ट्रीय राजमार्ग प्राधिकरण
(सड़क परिवहन और राजमार्ग मंत्रालय, भारत सरकार)
National Highways Authority of India
(Ministry of Road Transport and Highways, Govt. of India)



NHAI PIU – Shimla, House No. 1, Rishikesh Sadan, Shanti Kutia, Chakkar Shimla-171005, H.P.
Email: pdpiushimla@nhai.org; pdpiushimla@gmail.com | Phone: 0177-2633318

11008/3/2012/Forest/S-K/PIU-SML/2813

12th Mar., 2024

To,

Nodal Officer-cum-APCCF (FCA),
Tolland, Shimla (HP).

Sub: Diversion of Forest Land measuring 2.4589 hectare in village Kathali for four laning of Solan to Kaithlight section from R/D 127/450 to 128/250 in the state of Himachal Pradesh. (Proposal No. FP/HP/ROAD/120302/2021) reg. stage-II approval.

Ref: (i) Dy. Inspector General of Forest (C) letter dt. 22.12.2023.
(ii) MOEF & CC, Shimla letter no. FC/HPB/06/13/2022 dt. 07.07.2022.

Sir,

This is in reference to Dy. Inspector General of Forest (C) letter dt. 22.12.2023 submitting therein the following:

- "In reply S.no. 9 REPLY NOT ACCEPTED. State Govt. submitted that KML is uploaded. However, it is to say that the same not found uploaded as directed in condition 9. As such, it is requested to provide the same in CD/Pendrive to this office as the same is not editable after stage I.
- In this regard, the condition no. 09 of Stage-I approval is reproduced below:
"The KML file showing all components in forest and non-forest land in distinct colours for the complete original alignment from Parwanoo to Shoghi Section (Proposal No. FP/HP/Road4132/2013), superimposing the KML of present proposal (Proposal No. FP/HP/Road/120302/2021) shall be submitted before Stage-II (final) approval in this office".
- In respect of condition no. 9, it is to apprise that FCA proposal no. FP/HP/Road4132/2013 measuring 65.50 Ha was processed through DFO-Solan and the Stage-II approval for the said proposal was accorded on 03.12.2015 by MoEF&CC-Dehradun. It is to further apprise that no kml file was prepared during the said proposal.
- It is pertinent to mention here that alongside the subject cited FCA proposal, this office has also uploaded one more FCA proposal measuring 0.9036 in the said stretch i.e. from Solan to Kaithighat for which stage-II has also been accorded by the RO MoEF&CC Chandigarh on 27.09.2023. Proposal number is FP/HP/Road/145994/2021. In the said proposal also similar type of observation was raised by RO-MoEF&CC Shimla vide letter dated 23.11.2022 (Copy Enclosed) wherein it was mentioned that "The KML file of the extant proposal superimposing on the KML file of already approved alignment from Parwanoo to Shoghi 67.000 km. to 129.000 km with distinct colours may be provided". Since FCA proposal no. FP/HP/Road4132/2013 measuring 65.50 Ha and FCA Proposal no. FP/HP/Road/145994/2021 measuring 0.9036 Ha. pertains to DFO-Solan, therefore DFO Solan replied the following vide letter dated 30.01.2023 (Copy enclosed):



भारतीय राष्ट्रीय राजमार्ग प्राधिकरण
(सड़क परिवहन और राजमार्ग मंत्रालय, भारत सरकार)
National Highways Authority of India
(Ministry of Road Transport and Highways, Govt. of India)

NHAI PIU –Shimla, House No. 1, Rishikesh Sadan, Shanti Kutia, Chakkar Shimla-171005, H.P.
Email: pdpiushimla@nhai.org; pdpiushimla@gmail.com | Phone: 0177-2633318



"It is to inform you that no KML file was provided during already diverted FCA proposal measuring 65.50 Ha. However, kml file of the extant proposal section superimposing on the kml file of approved alignment of Prawanoo-Shoghi section i.e. from 67/000 to km. 129.000 is uploaded on e-parivesh portal.

Said reply was accepted by the RO-MOEF&CC Shimla and Stage-I approval & Stage-II approval has been accorded to this office for FCA proposal no. FP/HP/Road/145994/2021 measuring 0.9036 Ha.

5. Now, since the same condition has been raised in the subject cited proposal & no KML file was provided during already diverted FCA proposal no. FP/HP/Road4132/2013 measuring 65.50 Ha. therefore this office have re-uploaded the kml file of extant proposal section superimposing on the kml file of approved alignment i.e. from 67.000 to km. 129.000 on e-parivesh portal with the help of the Monitoring cell.

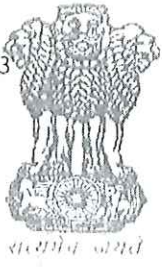
Encl: As above


(Anand Kumar)

Project Director
NHAI, PIU-Shimla

Copy for information to:

- (i) Regional Officer, NHAI RO Shimla (HP)
- (ii) Divisional Forest Officer, Shimla Forest Division (HP).
- (iii) Conservator of Forest, Forest Circle Shimla (HP).



सत्यमेव जयते



आजादी का
अमूल्य महेत्सव

भारत सरकार/GOVERNMENT OF INDIA
उप-कार्यालय, शिमला (क्षेत्रीय कार्यालय, चंडीगढ़)
Sub-Office, Shimla (Regional Office, Chandigarh)
पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय
Ministry of Environment, Forest and Climate Change
सी.जी.ओ. कॉम्प्लेक्स, शिवालिक खण्ड, लॉगवुड
CGO Complex, Shivalik Khand, Longwood
शिमला, हिमाचल प्रदेश-171001
Shimla, Himachal Pradesh - 171001



ईमेल/Email : iro.shimla-mefcc@gov.in
दूरभाष/Tel.0177-2658285,
फैक्स/Fax: 0177-2657517



दिनांक. .12.2023

सेवा में,

अतिरिक्त मुख्य सचिव (वन)
हिमाचल प्रदेश सरकार
आमसडेल बिल्डिंग, शिमला।
(e-mail: forestsecy-hp@nic.in)

विषय

Diversion of 2.4589 ha of forest land in favor of National Highway Authority of India, in Village Kathali from RD 127/450 to 128/250 for four laning of Solan-Kaithlight Section of NH-22 (Now NH-05) from Kms. 106.139 to Km 129.05, within the jurisdiction of Shimla Forest Division Distt. Shimla HP -reg.

सन्दर्भ:

नोडल अधिकारी-सह-एपीसीसीएफ (एफसीए), हिमाचल प्रदेश, शिमला-1. पत्र क्रमांक No.Ft.48- -5359/2021 (FCA) 02.12.2023.

महोदय,

उपरोक्त विषय के संबंध में मुझे यह कहने का निर्देश हुआ है कि प्रस्ताव में अभी भी निम्नलिखित कमियां पाई गई हैं। अतः राज्य सरकार निम्न बिन्दुओं पर आवश्यक सूचनाएं प्रेषित करने का कष्ट करें, ताकि आगामी कार्यवाही की जा सके:-

1. In reply S.no. **9 REPLY NOT ACCEPTED**. State Govt. submitted that KML is uploaded. However, it is to say that the same not found uploaded as directed in condition 9. As such, it is requested to provide the same in CD/Pendrive to this office as the same is not editable after stage I.

यह चाही गई सूचना पत्र जारी होने की तिथि के 90 दिनों के भीतर इस कार्यालय में प्राप्त नहीं हुई तो प्रस्ताव को निरस्त किया जा सकता है।

Signed by Raja Ram Singh

Date: 22-12-2023 09:54:02

Reason: Approved

भवदीय,

ह 0/-

(राजा राम सिंह)

उप महानिरीक्षक वन (के.)

प्रतिलिपि सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:

1. नोडल अधिकारी-सह-अतिरिक्त प्रधान मुख्य अरण्यपाल (एफ.सी.ए.), हिमाचल प्रदेश सरकार, वन विभाग, टालैंड, शिमला (E-mail: nodalfcabhp@yahoo.com).

1/9540/2022



भारत सरकार/GOVERNMENT OF INDIA

एकीकृत क्षेत्रीय कार्यालय

Integrated Regional Office

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

Ministry of Environment, Forest and Climate Change

सी.जी.ओ. कॉम्प्लेक्स, शिवालिक खण्ड, लॉगवुड

CGO Complex, Shivalik Khand, Longwood

शिमला, हिमाचल प्रदेश-171001

Shimla, Himachal Pradesh - 171001



ईमेल/Email : iro.shimla-mefcc@gov.in

दूरभाष/Tel.: 0177-2658285

0177-2652541

फैक्स/Fax: 0177-2657517

File No. FC/HPB/06/13/2022

07.2022

सेवा में,

अतिरिक्त मुख्य सचिव (वन)
हिमाचल प्रदेश सरकार
आर्म्सडेल बिल्डिंग, शिमला।
(E-mail: forestsecy-hp@mc.in)

विषय: Diversion of 2.4589 ha of forest land in favour of National Highway Authority of India, in village Kathali from RD 127/450 to 128/250 for four laning of Solan-Kaithlighat Section of NH-22 (Now NH-05) from Kms 106.139 to Km 129.05, within the jurisdiction of Shimla Forest Division Distt. Shimla HP. (Online Proposal No. FP/HP/Road/120302/2021).

सन्दर्भ: नोडल अधिकारी-सह-अतिरिक्त प्रधान मुख्य अरण्यपाल (एफ.सी.ए.), हि0प्र0 के पत्रांक एफ.टी. 48-5359/2021 (एफ.सी.ए.) दिनांक 30.06.2022

महोदया/महोदय,

उपरोक्त विषयांकित प्रकरण पर नोडल अधिकारी-सह-अतिरिक्त प्रधान मुख्य अरण्यपाल (एफ.सी.ए.), हि0प्र0 के पत्र दिनांक 04.03.2022 का अवलोकन करने का कष्ट करें जिसके द्वारा विषयांकित प्रस्ताव पर केन्द्र सरकार से वन (संरक्षण) अधिनियम, 1980 की धारा-2 के तहत स्वीकृति मांगी थी।

प्रश्नगत प्रकरण में इस कार्यालय द्वारा समय-समय पर राज्य सरकार से आवश्यक जानकारियां/दस्तावेज मंगवाये जाते रहे हैं, जिनके प्राप्त होने के उपरान्त प्रस्ताव पर Regional Empowered Committee (REC) की दिनांक 13.05.2022 को हुई बैठक में संस्तुति के उपरान्त Diversion of 2.4589 ha of forest land in favour of National Highway Authority of India, in village Kathali from RD 127/450 to 128/250 for four laning of Solan-Kaithlighat Section of NH-22 (Now NH-05) from Kms 106.139 to Km 129.05, within the jurisdiction of Shimla Forest Division Distt. Shimla HP हेतु सैद्धान्तिक स्वीकृति (Stage-I Approval) निम्नलिखित शर्तों पर प्रदान करती है:-

- वन भूमि की विधिक स्थिति अपरिवर्तित रहेगी।
- परियोजना के लिए आवश्यक गैर वन भूमि प्रयोक्ता अभिकरण को सौंपे जाने के बाद ही वन भूमि सौंपी जाएगी।
- प्रतिपूरक वनीकरण:
 - (क) प्रयोक्ता अभिकरण की लागत पर वन विभाग द्वारा 4.92 हे0 वन भूमि NDPF Chanwag, Bhajji Forest Range, Shimla Forest Division, Distt. Shimla, H.P. में प्रतिपूरक वनीकरण किया जाएगा। जहां तक व्यावहारिक हो, स्थानीय स्वदेशी प्रजातियों को लगाया जाए तथा प्रजातियों की एकल प्लांटेशन से बचा जाए।
 - (ख) वन मंडल अधिकारी द्वारा अतिरिक्त प्रमाण पत्र भी प्रस्तुत किया जाएगा कि उक्त भूमि पर पूर्व में किसी भी अन्य योजना के तहत वृक्षारोपण का कार्य नहीं किया गया है।
 - (ग) राज्य सरकार द्वारा सी.ए. क्षेत्र के सही Compartments/खसरा संख्या की जानकारी प्रस्तुत की जाएगी।
 - (घ) प्रतिपूरक वनीकरण की भूमि पर, यदि आवश्यक हो, तो प्रतिपूरक वनीकरण योजना के अनुसार प्रचलित मजदूरी दरों पर प्रतिपूरक वनीकरण की लागत एवं सर्वेक्षण, सीमांकन और स्तंभन की लागत परियोजना प्राधिकरण द्वारा अग्रिम रूप से वन विभाग के पास जमा की जाएगी। प्रतिपूरक वनीकरण 10 वर्षों तक अनुरक्षित एवं संधारित किया जाएगा। इस योजना में भविष्य में निर्धारित कार्यों के लिए प्रत्याशित लागत वृद्धि हेतु उपयुक्त प्रावधान शामिल किए जा सकते हैं।

I/9540/2022

4. शुद्ध वर्तमान मूल्य (एन.पी.वी.):
- (क) इस संबंध में भारत के माननीय सर्वोच्च न्यायालय के WP (C) संख्या: 202/1995 में IA नंबर 556 दिनांक 30.10.2002, 01.08.2003, 28.03.2008, 24.04.2008 एवं 09.05.2008 तथा मंत्रालय द्वारा पत्रांक 5-1/1998-एफ.सी. (Pt. 2) दिनांक 18.09.2003, 5-2/2006-एफ.सी. दिनांक 03.10.2006 एवं 5-3/2007-एफ.सी. दिनांक 05.02.2009 एवं 5-3/2011-FC(Vol.-I), दिनांक 06.01.2022 में जारी दिशा-निर्देशानुसार राज्य सरकार प्रयोक्ता अभिकरण से इस प्रस्ताव के तहत 2.4589 हे0 वन क्षेत्र के प्रत्यावर्तन के लिए शुद्ध वर्तमान मूल्य वसूल करेगी।
- (ख) विशेषज्ञ समिति से रिपोर्ट प्राप्त होने पर माननीय सर्वोच्च न्यायालय द्वारा प्रत्यावर्तित वन भूमि के शुद्ध वर्तमान मूल्य की अतिरिक्त राशि, यदि कोई हो, जो अंतिम रूप देने के बाद देय हो, को राज्य सरकार द्वारा प्रयोक्ता अभिकरण से वसूला जाएगा। प्रयोक्ता अभिकरण इसका एक शपथपत्र प्रस्तुत करेगा।
5. The State Government shall ensure that the KML files of the area to be diverted, the CA areas, the proposed SMC work, the proposed Catchment Area Treatment area and the WLMP area shall be uploaded on the e-Green watch portal with all requisite details before issuing working permission towards linear projects or submitting compliance report for seeking Stage-II approval, as the case may be.
6. The State Government may provide and upload FRA Certificate with all prescribed annexures including all records of consultations and meeting with Gram Sabha(s) and FRC(s) of concerned villages before Stage-II (final) approval.
7. The DFO concerned and User Agency will find out possibility during execution of work to reduce the number of trees (especially Oaks) to be affected. The compliance of the same along with list of saved (retained/unfelled) trees out of the total enumerated trees proposed for felling shall be submitted to this office.
8. The User Agency will explore the possibility of translocating ecologically important saplings of trees species especially Oaks being affected atleast on experimental basis during execution of work. The detail compliance report of same shall be submitted to this office.
9. The KML file showing all components in forest and non-forest land in distinct colours for the complete original alignment from Parwanoo to Shogi Section (Proposal No. FP/HP/Road4132/2013), superimposing the KML of present proposal (Proposal No. FP/HP/Road/120302/2021) shall be submitted before Stage-II (final) approval in this office.
10. In future, there shall be no change in approved alignment. An Undertaking to this effect shall be submitted before Stage-II (final) approval.
11. Since the proposed diversion area is a disputed land and the matter is sub-judice in Kandaghat Court, Solan. Therefore, diversion of the disputed land will be subject to the final decision of the Hon'ble Court. The decision of the Hon'ble Court may be intimated to this office as well.
12. एफ.आर.ए. की पूर्ण अनुपालना सम्बंधित जिला कलैक्टर से निर्धारित प्रमाण पत्र के माध्यम से सुनिश्चित की जाएगी।
13. माननीय उच्चतम न्यायालय, नई दिल्ली द्वारा I A No. 3840 in WP (C) No. 202/1995 में वर्तमान में एफ.सी. ए. के तहत भूमि के प्रत्यावर्तन पर रोक लगाई गई है। अतः राज्य सरकार मा. उच्चतम न्यायालय, नई दिल्ली द्वारा इस पर निर्णय लिये जाने के उपरान्त ही तदनुसार अपने स्तर पर वन भूमि के प्रत्यावर्तन हेतु जारी किए जाने वाले स्वीकृति आदेश जारी करेगी।
14. प्रयोक्ता अभिकरण, आईआरसी मानदंडों के अनुसार यथासम्भव, सड़क के दोनों किनारों पर पौधों की संख्या बढ़ाएगा।
15. संरक्षित क्षेत्रों / वन क्षेत्रों में निश्चित दूरी पर सड़क के साथ गति विनियमन साइनेज लगाए जाएंगे।
16. प्रयोक्ता अभिकरण प्रत्यावर्तित वन भूमि में पेड़ों की कटाई को न्यूनतम रखेगा जिनकी संख्या प्रस्ताव के अनुसार 177 Trees and 978 Saplings (कुल 1155 वृक्ष) से अधिक नहीं होगी एवं पेड़ राज्य वन विभाग के सख्त पर्यवेक्षण में कटेंगे। प्रयोक्ता अभिकरण द्वारा राज्य वन विभाग के पास पेड़ों की कटाई की लागत जमा की जाएगी।
17. इस अनुमोदन में प्रत्यावर्तन की अवधि को प्रयोक्ता अभिकरण के पक्ष में मिली लीज की अवधि के साथ अथवा परियोजना की पूर्ण अवधि के साथ, जो भी कम हो, लक्षित किया जाएगा।
18. आसपास के क्षेत्र के वनस्पतियों तथा जीवों को कोई नुकसान नहीं पहुँचाया जाएगा।
19. परियोजना के तहत प्रयोक्ता अभिकरण से प्राप्त धन केवल ई-पोर्टल (<https://parivesh-nic-in/>) के माध्यम से क्षतिपूरक वनीकरण कोष प्रबंधन और योजना प्राधिकरण फंड में स्थानांतरित/जमा किए जाएंगे।

I/9540/2022

20. पर्यावरण (संरक्षण) अधिनियम, 1986 के प्रावधानों के अनुसार, प्रयोक्ता अभिकरण पर्यावरणीय स्वीकृति यदि लागू हो तो प्राप्त करेगा।
21. केंद्र सरकार की पूर्वानुमति के बिना प्रस्ताव का ले-आउट प्लान नहीं बदला जाएगा।
22. वन भूमि एवं आस-पारा की भूमि पर कोई भी श्रमिक शिविर स्थापित नहीं किया जाएगा।
23. प्रयोक्ता अभिकरण द्वारा मजदूरों को राज्य वन विभाग अथवा वन विकास निगम अथवा वैकल्पिक ईंधन के किसी अन्य कानूनी स्रोत से पर्याप्त लकड़ी, विशेषतः वैकल्पिक ईंधन दिया जाएगा।
24. संबंधित वन मंडल अधिकारी के निर्देशानुसार, प्रत्यावर्तित वन भूमि की सीमा को परियोजना लागत पर आर. सी.सी. पिलर्स द्वारा सीमांकन किया जाएगा, जिस पर Forward/Backward bearings अंकित हों।
25. परियोजना कार्य के निष्पादन के लिए निर्माण सामग्री के परिवहन के लिए वन क्षेत्र के अंदर कोई अतिरिक्त या नया मार्ग नहीं बनाया जाएगा।
26. वन भूमि का उपयोग परियोजना के प्रस्ताव में विनिर्दिष्ट प्रयोजनों के अतिरिक्त अन्य किसी प्रयोजन हेतु नहीं किया जाएगा।
27. केंद्र सरकार की पूर्वानुमति के बिना प्रत्यावर्तन हेतु प्रस्तावित वन भूमि किसी भी परिस्थिति में किसी भी अन्य एजेंसियों, विभाग अथवा व्यक्ति को हस्तांतरित नहीं की जाएगी।
28. पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय द्वारा वन एवं वन्यजीवों के संरक्षण व विकास के हित में समय-समय पर निर्धारित शर्तें लागू होंगी।
29. परियोजना निर्माण से उत्सर्जित मलवे का निस्तारण प्रयोक्ता अभिकरण द्वारा केवल परियोजना स्थल पर ही किया जाएगा तथा इसके अलावा अन्यत्र मलवा नहीं फेंका जाएगा।
30. यदि कोई अन्य सम्बन्धित अधिनियम/अनुच्छेद/नियम/न्यायालय आदेश/अनुदेश आदि इस प्रस्ताव पर लागू होते हैं तो उनके अधीन जरूरी अनुमति लेना राज्य सरकार/प्रयोक्ता एजेंसी की जिम्मेवारी होगी।
31. इनमें से किसी भी शर्त का उल्लंघन वन (संरक्षण) अधिनियम, 1980 का उल्लंघन होगा एवं पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय के दिशानिर्देश फाइल संख्या 11-42/2017-FC दिनांक 29.01.2018 के अनुसार उस पर कार्रवाई होगी।
32. सम्पूर्ण अनुपालना रिपोर्ट ई-पोर्टल (<https://parivesh.nic.in/>) पर अपलोड की जाएगी।

भवदीय,

ह0/-

(सत्य प्रकाश नेगी)

क्षेत्रीय अधिकारी

प्रतिलिपि सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:

1. अपर वन महानिदेशक (एफ0सी0), पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय, इन्दिरा पर्यावरण भवन, जोरबाग रोड, अलीगंज, नई दिल्ली (E-mail: adgfc-bcrl@nic.in).
2. नोडल अधिकारी-सह-अतिरिक्त प्रधान मुख्य अरण्यपाल (एफ.सी.ए.) हिमाचल प्रदेश सरकार, वन विभाग, टालैंड, शिमला (E-mail: nodal/cabhp@yahoo.com).
3. आदेश पत्रावली।

Signed by Satya Prakash

Negi

Date: 07-07-2022 10:21:0

Reason: Approved



भारत सरकार
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
क्षेत्रीय कार्यालय,
पियर्सन रोड,
वन अनुसंधान संस्थान परिसर,
पो०ओ० न्यू फॉरेस्ट, देहरादून-248006
दूरभाष: 0135-2750809,
ईमेल/Email - moef.ddn@gmail.com

GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT,
FORESTS & CLIMATE CHANGE,
REGIONAL OFFICE,
Pearson Road, FRI Campus,
P.O. New Forest, Dehradun - 248006
Phone: 0135-2750809

फाईल सं० 08-11/2014-FC/2013

दिनांक: 13, 12. 2015

सेवा में,

अतिरिक्त मुख्य सचिव (वन),
हिमाचल प्रदेश सरकार,
आमर्सडेल विल्डिंग, शिमला।

विषय : Diversion of 65.50 ha of forest land in favour of NHAI for 4 laning of Parwanoo to Shogi Section of NH-22 from 67.00 Kms to 129.000Kms. Within the jurisdiction of Solan Forest Division, District. Solan, Himachal Pradesh.

सन्दर्भ : नोडल अधिकारी एवं अपर प्रधान मुख्य वन संरक्षक, हिमाचल प्रदेश का पत्रांक Ft.-48-2639/2013 (एफ०सी०ए०) दिनांक 13.07.2015 एवं पत्रांक Ft.-48-2639/2013 (एफ०सी०ए०) दिनांक 03.11.2015

महोदय,

कृपया उपरोक्त विषय पर नोडल अधिकारी एवं अपर प्रधान मुख्य वन संरक्षक, हिमाचल प्रदेश के पत्रांक Ft.-48-2639/2013 (एफ०सी०ए०) दिनांक 30.01.2014 का आशय ग्रहण करने का कष्ट करें, जिसके द्वारा राज्य सरकार ने विषयांकित प्रस्ताव पर वन संरक्षण अधिनियम 1980 की धारा (2) के तहत भारत सरकार की स्वीकृति मांगी थी।

प्रश्नगत प्रकरण में सहायक वन महानिरीक्षक, भारत सरकार, पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय, नई दिल्ली के पत्र संख्या 8-11/2014-एफ०सी० दिनांक-30.12.2014 द्वारा सैद्धान्तिक स्वीकृति प्रदान की गयी थी जिसमें उल्लिखित शर्तों की अनुपालना आख्या नोडल अधिकारी एवं अपर प्रधान मुख्य वन संरक्षक, हिमाचल प्रदेश के उपरोक्त संदर्भित पत्रों द्वारा प्रस्तुत की गयी है। राज्य सरकार के प्रस्ताव पर ध्यानपूर्वक विचार करने के उपरान्त मुझे यह सूचित करने का निर्देश हुआ है कि केन्द्र सरकार Diversion of 65.60 ha of forest land in favour of NHAI for 4 laning of Parwanoo to Shogi Section of NH-22 from Kms 67.00 Kms to 129.000Kms. Within the jurisdiction of Solan Forest Division, District. Solan, Himachal Pradesh हेतु विधिवत् स्वीकृति निम्नलिखित शर्तों पर प्रदान करती है:-

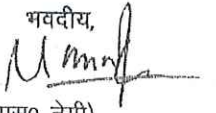
1. वन भूमि की विधिक परिस्थिति नहीं बदली जाएगी।
2. प्रतिपूर्ति पौधारोपण प्रस्ताव के अनुसार 53B/13/5E, 53F/1NW, [R-54 D-230 jangeshu C-1&2=52ha, R-37 Maltu=23ha, R-54 Karardev=25ha, D-230 jangeshu C-3=10ha & D-192 Nabhon Pratha=21ha] में प्रयोक्ता एजेंसी से प्राप्त राशि से कुल 131.00 हे० प्रत्यावर्तित भूमि के बदले प्रस्तावित स्थलों पर समतुल्य वन भूमि में पौधे लगाकर किया जाएगा। प्रतिपूर्ति पौधारोपण इस पत्र के जारी होने की तिथि से एक से दो वर्षों के अन्दर पूर्ण किया जाना चाहिए।
3. निर्माण कार्य के पूर्ण होने के पश्चात् प्रयोक्ता अभिकरण द्वारा सड़क के दोनों ओर तथा central verge पर वन विभाग की देख-रेख में strip plantation as per IRC specification तथा उसका 7 से 10 वर्षों तक रख-रखाव किया जाएगा।
4. एन.पी.वी. की दरों में अगर बढ़ोतरी होती है तो प्रयोक्ता अभिकरण बढ़ी दरों पर एन.पी.वी. देने के लिए बाध्य होगा।
5. प्रयोक्ता अभिकरण द्वारा प्रस्तावित वन क्षेत्र के आस-पास मजदूरों/स्टॉफ के लिये किसी भी प्रकार का कैंप नहीं लगाया जायेगा।

6. प्रयोक्ता अभिकरण वन विभाग की देख-रेख में प्रत्यावर्तित भूमि का RCC Pillars लगाकर सीमांकन करेगा जिन पर Forward तथा Back bearing भी अंकित किया जाएगा।
7. प्रयोक्ता अभिकरण के द्वारा निर्माण कार्य के दौरान स्थल पर कार्यरत मजदूरों एवं स्टॉफ के लिये रसोई गैस/कैरोसिन तेल की आपूर्ति की जायेगी, जिससे निकटवर्ती वनों को क्षति न पहुँचे।
8. परियोजना के निर्माण व रख-रखाव के दौरान, आस-पास के क्षेत्र की वनस्पतियों एवं जीव-जन्तुओं को किसी प्रकार की क्षति नहीं पहुँचायी जायेगी।
9. वन भूमि का प्रयोग प्रस्ताव में दर्शाये उद्देश्य के अलावा अन्य किसी उद्देश्य के लिए नहीं किया जायेगा।
10. प्रयोक्ता अभिकरण अपने व्यय पर वन विभाग के मार्गदर्शन में आवश्यक मृदा संरक्षण कार्य सम्पादित करना सुनिश्चित करेगा।
11. कम से कम वृक्षों का कटान/पातन किया जाएगा, जिनकी संख्या प्रस्ताव के अनुसार 21,581 trees, 1,604 seedling, 10,221 saplings & 5,206 pole से अधिक न हो।
12. Wherever possible and technically feasible, the User Agency shall undertake afforestation measures along the roads within the area diverted under this approval, in consultation with the State Forest Department at the project cost.
13. Overburden shall not be dumped outside the width of the road. The muck generated in the earth cuttings will be disposed of at the designated dumping sites and in no case the muck/debris will be allowed to roll down the hill slopes.
14. The User Agency will provide retaining walls, breast walls and drainage as per requirement to make the slope stable.
15. The User Agency shall not collect any toll from the vehicles carrying forest officers on duty.
16. The designing of culverts/bridges, if any, over the natural streams/rivers/canals should be done in such a manner that it does not hamper the natural course of water, does not give rise to water-logging, and also does not hamper movement of wild animals.
17. The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
18. The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government.
19. Any trees felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department.
20. The User Agency in consultation with the State Government shall create and maintain alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project. Bird's nests artificially made out of eco-friendly material shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project.

21. The User Agency shall submit the annual self compliance report in respect of the above conditions to the State Government and to this Regional Office regularly.
22. यदि कोई अन्य सम्बन्धित अधिनियम/अनुच्छेद/नियम/न्यायालय आदेश/अनुदेश आदि इस प्रस्ताव पर लागू होते हैं तो उनके अधीन जरूरी अनुमति लेना राज्य सरकार/प्रयोक्ता एजेंसी की जिम्मेवारी होगी।
23. ऐसी अन्य कोई भी शर्त जो कि भारत सरकार, क्षेत्रीय कार्यालय, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, देहरादून भविष्य में पर्यावरण, वन एवं वन्य जीवों के संरक्षण हेतु आवश्यक समझे।

उपरोक्त शर्तों में से किसी भी शर्त का कार्यान्वयन सन्तोषप्रद नहीं पाए जाने पर मंत्रालय इस स्वीकृति को स्थगित/रद्द कर सकता है। राज्य सरकार वन विभाग के माध्यम से इन शर्तों की अनुपालना सुनिश्चित करेगी।

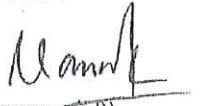
olc

भवदीय,

(एम0एस0 नेगी)
वन संरक्षक

प्रतिलिपि सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:

1. अपर वन महानिदेशक (एफ.सी.) पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, इन्दिरा पर्यावरण भवन, जोरबाग रोड, अलीगंज, नयी दिल्ली-110003
2. अपर प्रधान मुख्य वन संरक्षक (एफ.सी.ए.) एवम् नोडल अधिकारी, हिमाचल प्रदेश सरकार, वन विभाग, टालैंड, शिमला।
3. आदेश पत्रावली।

olc


(एम0एस0 नेगी)
वन संरक्षक

**FCA Proposal Number
(FP/HP/Road/145994/2021)**

Measuring 0.9036 Ha.

Relevant Communication

Registered

No.Ft. 48-5480/2021 (FCA),
Forest Department, Himachal Pradesh

From: Pr. Chief Conservator of Forests (HoFF),
Himachal Pradesh, Shimla-1.

To: The Regional Officer,
Integrated Regional Office GoI, MoEF&CC,
CGO Complex, Shivalik Khand, Longwood,
Shimla, Himachal Pradesh.

Dated Shimla-1, the

16 MAR 2023

Subject: **Diversion of 0.9036 ha. of forest land in favour of NHAI, for additional Forest land (between R/D 117+350 to RD 117+530 under village Srinagar and R/D 127 +530 to RD 117+680 under village Katoh) Four laning of Solan-Kaithlight of NH-22 (New NH-05) from Km. 129.50 under NHDP Phase-III on EPC mode pattern in the State of HP, within the jurisdiction of Solan Forest Division, Distt. Solan, H.P. (Online No.FP/HP/Road/145994/2021)**

Sir,

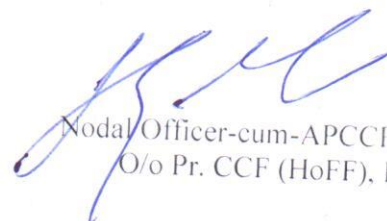
Kindly refer to your office letter No. FC/HPB/06/97/2022 dated 23.11.2022 on the subject cited proposal.

2. The pointwise reply to the observations as raised vide your above referred communication is submitted as below:-

1. The DFO Solan has submitted that the Shamlat/Forest land of village Sirinagar and Shamlat/Forest land of village Katoh has not been included in the already approved forest proposal of measuring 65.50 ha. from Km. 129.000. DFO concerned has further reported that no trees were enumerated in Shamlat/forest land of village sirinagar and Shamlat/Forest land of village Katoh in Year 2015 or before when the final approval of FCA was granted. Therefore, the land required is additional and the requirement is justified.
2. The KML file of the extant proposal superimposing area already approved alignment has been uploaded at para C in online Part-I.
3. The DFO concerned has submitted that the said land is waste land as per notification of 25.02.1952, but kism of land is 'Charaan Draktan' as per revenue records and possession of Revenue Department.
4. As per notification dated 25.02.1952 all the waste land is forest land. As per revenue record in the jamabandi is Charaand Draktan.
 - (i)The proposed land is not included in the working plan. However, the said land is forest land as per notification 1952.
 - (ii)All the waste land is forest land as per notification 1952, not managed by Forest Department and not under any forest working circle.
 - (iii)The status of proposed land in village Katoh and Srinagar has been uploaded against additional information details in online Part-I.
5. The user agency has submitted that the variation of width (5 mtrs to 58 mtrs) is only forest land width, however to width of RoW including existing

- highway width is varying from 38mts to 60 mtrs for RD 117+350 to RD 117+530 and from 37 mtrs to 44 mtrs for RD 127+530 to RD 127+680.
6. The user agency has uploaded the copy of norms for width of four laning against additional information details in online Part-I. Further user agency has submitted that order to minimize rock mass cutting in hilly area and to minimize ladslide/rockfall problem, it has been decided to direct the DPR consultant to have minimum/variable Row wherein the width required should be linked to the chainage depending upon valley/hill side expansion and on the contour of the hill, wherever hill side expansion is required as per actual site (geometrics) and traffic requirement.
 7. The user agency has uploaded the line plan of alignment of in Katoh village against additional information details in online Part-I.
 8. The user agency has submitted that the average area for village Katoh was calculated in 30 mtrs length interval from Km.127+530 to 127+680. Therefore average area of forest land is coming as approx. 2040 sqm in calculation sheet. However, the exact area that is proposed for diversion measuring 2.016 ha. in village Katoh is calculated as per Tatimas, which is uploaded against additional information details in online Part-I.
 9. The DFO concerned has submitted that the total 349 number of trees have been involved proposed diversion area. Abstract of enumeration of trees has been uploaded against additional information details in online Part-II.
 10. An undertaking of Soil and Moisture Conservation Plan has been uploaded against additional information details in online Part-I
 11. An undertaking of FRA has been uploaded against additional information details in online Part-I.
 12. The DFO concerned has submitted that the no trees were enumerated in Shamlat/forest land of village Sirinagar of Khasra No. 1167/1075/3/3, 1167/1075/2 & 1166/1075 and Shamlat/Forest land of village Katoh of Khasra No. 631/604/1, 631/604/2 in year 2015 or before when the final approval was granted alignment 67.00 Km. to 129.00 Kms.
 13. DFO concerned has submitted that in Khasra Nos. 1166/1075, no trees are present.

Yours faithfully,


Nodal Officer-cum-APCCF,(FCA)
O/o Pr. CCF (HoFF), H.P.



HP Forest Department
Solan Forest Circle
Ph:01792-292161



e-mail: forestcirclesolan@gmail.com
cf-solan@hp.gov.in

To Nodal Officer-cum- Addl. Pr.CCF (FCA)
 O/O Pr.CCF, HP, Shimla.

Subject:- Diversion of 0.9036 ha. additional Forest land (between R/D 117+350 to R/D 117+530 under village Srinager and R/D 127+530 to R/D 127+680 under village Katoh) Four lining of Solan-Kathlight of NH-22 (new NH-5) from 106.139 km 129.050 under NHDP-II on EPC mode pattern in the State of HP.

Memo

Kindly refer to your office through e parivesh dated 26.11.2022 on the subject cited above.

In this context, it is submitted that the observation raised by Govt. of India (MoEF&CC) on 23.11.2022 has been attended in respect of Solan Forest Circle, Solan as under: -

Sr. No.	OBSERVATION	REPLY
1.	The alignment of Parwanoo- Shoghi from km. 67.00 km to 129.00 km has already been approved by Govt. of India having total area diverted 65.50 ha. (Forest area =45.7 ha. And Shamlat land 19.80 ha.) as revealed from records. Now User Agency has informed that this area proposed for diverted in extant proposal was inadvertently left from the original alignment. This reply does not seem satisfactory because km. reading from RD117+350 to R/D117+530(Srinagar Village) to 127+530 to R/D 127680 (Katoh Village is already covered under the already approved original alignment from km reading 67.00 km to 129.00 km (Parwanoo-Shoghi). Therefore, requirement of the additional land is not justified satisfactorily.	As per available records of Solan Forest division as reported by DFO Solan, it has come to the notice that Shamlat/Forest land of village Sirinagar and Shamlat/Forest land of village Katoh has not been included in the already approved forest proposal of measuring 65.50 ha. from km 67.000 to km 129.000. The Range Forest Officer Kandaghat has also reported that no trees were enumerated in Shamlat/forest land of village Sirinagar and Shamlat/Forest land of village Katoh in year 2015 or before when the final approval of FCA was granted. Therefore, the land required is additional and the requirement is justified.
2.	The KML file of the extant proposal superimposing on the KML file of already approved alignment from Parwanoo to Shoghi 67.00 km to 129.00 km with distinct colors may be provided .	It is informed by DFO Solan that no KML file was provided during already diverted FCA proposal measuring 65.50 ha. The kml file of the previous proposal is also not available online in the Parivesh portal. However, kml file of the extant proposal section superimposing on the kml file of approved alignment of parwanoo-shoghi section i.e. from 67.000 to km. 129.00 is uploaded on e-parivesh portal.

FC-SOL-H001/1/2022-SALE SECTION-FOREST CIRCLE SOLAN

I/180178/2023

3.	In reply to observation No. 3, it has been submitted that proposed forest land is a Waste Land and kism of land is 'ChraandDraktan' . However, in Part-II, Sr. No. 2, Legal status is mentioned as 'Revenue Forest', There is mismatch and contradiction between the two. Therefore, the Legal status may be reviewed and rectified appropriately in Part-II Sr. No. 2 as well.	The said land Sirinagar&Katoh is waste land as per notification of 25.02.1952 but kism of land is 'Chraand Draktan' as per revenue records, which is also possession of Revenue Department which is why the term Revenue Forest has been mentioned in online portal as per Govt og HP notification of 1952.
4.	Nodal officer vide letter dated 08.08.2022 has informed that land proposed for diversion is a part of 'Charand Draktan' and falling under Ban Oak working Circle. However, in Nodal officer letter dated 16.11.2022, it ahs been mentioned that proposed land falls in category of Waste Land. Both these statement are contradictory. Therefore, following clarification may be provided:-	As per notification no. 25.02.1952 the waste land is Forest land. As per revenue record entry in the Jamabandi is CharaandDraktan, which attracts FCA 1980. This type of waste land has been notified as a forest land in the state as per notification no. 25.02.1952.
i.	Copy of working plan showing detail of proposed land in village-Katoh and Srinager duly authenticated by DFO concerned.	The proposed land is not included in the Working Plan of Solan Division sofar. However, the land is forest land in the state as per notification no. 25.02.1952.
ii.	Whether Waste Land or land not in possession with H.P. Forest Department is managed under working Circle as well?	Yes waste land is forest land as per No. Notification 25.02.1952. But it is not managed by Forest Department and is not under any forest working circle sofar.
iii.	Clear status of proposed land in village Katoh and village Srinager, whether it is Waste Land declared as "Protected Forest" under H.P. Govt. notification or under IFA 1927 and under the control of HP Forest Department may be provided.	Copy attached.
5.	Huge variation (5 meter to 58 meter) in proposed RoW is found in the proposed alignment. Therefore, same may be reviewed and justification of chainage wise width may be provided.	As reported by NHAI, the variation in width (5 meter to 58 meter) as mentioned in observation indicates only forest land width however total width of ROW including existing highway width is varying from 38 m to 60 m for RD 117+350 to R/D 117+530 & from 37 m to 44 m for RD 127+530 to R/D 127+680.
6.	The copy of norms for width of four laning issued by competent Authority may be provided. The clarificaion regarding width of RoW, whether it is acquired as per norms or not may be provided.	In this respect please find enclosed herewith the copy of NHAI circular dt. 24.10.2019. As per circular attached as Annexure-II. As per circular, ROW of about 45 m was proposed to be acquired for upgradation of Highway to 4 lane configuration. However in order to minimize rock mass cutting in hilly area and to minimize landslide/rockfall problem, it has been decided to direct the DPR Consultant to have minimum/ variable ROW wherein the width required should be linked to the chainage depending upon valley side/ hill side expansion and on the contour of the hill wherever hill side expansion is required and as per actual site (geometrics) and traffic requirement.

FC-SOL-H001/1/2022-SALE SECTION-FOREST CIRCLE SOLAN

I/180178/2023

7.	In reply to observation No. 7, Line Plan of alignment in Katoh village is provided, however, same is also required to be submitted for Srinager Village alignment.	Linear Plan of village Sirinagar is enclosed as Annexure-III.																																																																																																			
8.	Area propsoed for diversion in Katoh village is 2016 sq. meter. However, as per chainage wise dimension provided in response to obsevation No. 8, area is 2040 Sq. meter. Therefore, same may be reviewed and justification/correction in the document may be carried out.	It is apprised that the average area for village Katoh was calculated by NHAI taking 30 m length interval from km. 127+530 to km. 127+680. Therefore avg. area of forest land is coming as approx.2040 sqm in calculation sheet. However, the exact area that is proposed for diversion measuring 2.016 ha. in village Katoh is calculated as per tatimas& the copy of the same is enclosed.																																																																																																			
9.	In reply to observation No. 11, revised abstract of trees having 296 saplings and 53 trees has been uploaded. However, as per enumeration of trees, 294 trees and 55 saplings are being affected. Therefore, appropriate correction in abstract and in Part-II may be carried out.	<p>As per enumeration list there are 294 No. of trees, and 55 nos. of sapling. Total No. of trees 349.</p> <table border="1" data-bbox="837 622 1492 1220"> <thead> <tr> <th>Kh.</th> <th>Name of species</th> <th>Sapling</th> <th>V</th> <th>IV</th> <th>II I</th> <th>II A</th> <th>II B</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>1167/1073/3/3</td> <td>Deodar</td> <td>2</td> <td>10</td> <td>37</td> <td>10</td> <td>0</td> <td>0</td> <td>59</td> </tr> <tr> <td>-do-</td> <td>Chil</td> <td>13</td> <td>73</td> <td>70</td> <td>12</td> <td>1</td> <td>0</td> <td>169</td> </tr> <tr> <td>1167/1075/2</td> <td>Chil</td> <td>0</td> <td>3</td> <td>5</td> <td>4</td> <td>0</td> <td>0</td> <td>12</td> </tr> <tr> <td>631/604/1</td> <td>Tun</td> <td>2</td> <td>0</td> <td>1</td> <td>1</td> <td>0</td> <td>0</td> <td>4</td> </tr> <tr> <td>-do-</td> <td>Ban</td> <td>1</td> <td>0</td> <td>6</td> <td>3</td> <td>4</td> <td>2</td> <td>16</td> </tr> <tr> <td>-do-</td> <td>B/L</td> <td>4</td> <td>3</td> <td>1</td> <td>2</td> <td>0</td> <td>0</td> <td>10</td> </tr> <tr> <td>631/604/2</td> <td>Tun</td> <td>1</td> <td>3</td> <td>4</td> <td>0</td> <td>0</td> <td>0</td> <td>8</td> </tr> <tr> <td>-do-</td> <td>Ban</td> <td>7</td> <td>7</td> <td>7</td> <td>2</td> <td>8</td> <td>1</td> <td>32</td> </tr> <tr> <td>-do-</td> <td>B/L</td> <td>25</td> <td>4</td> <td>7</td> <td>1</td> <td>2</td> <td>0</td> <td>39</td> </tr> <tr> <td></td> <td></td> <td>55</td> <td>103</td> <td>138</td> <td>35</td> <td>15</td> <td>3</td> <td>349</td> </tr> </tbody> </table>	Kh.	Name of species	Sapling	V	IV	II I	II A	II B	Total	1167/1073/3/3	Deodar	2	10	37	10	0	0	59	-do-	Chil	13	73	70	12	1	0	169	1167/1075/2	Chil	0	3	5	4	0	0	12	631/604/1	Tun	2	0	1	1	0	0	4	-do-	Ban	1	0	6	3	4	2	16	-do-	B/L	4	3	1	2	0	0	10	631/604/2	Tun	1	3	4	0	0	0	8	-do-	Ban	7	7	7	2	8	1	32	-do-	B/L	25	4	7	1	2	0	39			55	103	138	35	15	3	349
Kh.	Name of species	Sapling	V	IV	II I	II A	II B	Total																																																																																													
1167/1073/3/3	Deodar	2	10	37	10	0	0	59																																																																																													
-do-	Chil	13	73	70	12	1	0	169																																																																																													
1167/1075/2	Chil	0	3	5	4	0	0	12																																																																																													
631/604/1	Tun	2	0	1	1	0	0	4																																																																																													
-do-	Ban	1	0	6	3	4	2	16																																																																																													
-do-	B/L	4	3	1	2	0	0	10																																																																																													
631/604/2	Tun	1	3	4	0	0	0	8																																																																																													
-do-	Ban	7	7	7	2	8	1	32																																																																																													
-do-	B/L	25	4	7	1	2	0	39																																																																																													
		55	103	138	35	15	3	349																																																																																													
10.	Since large number of trees are being affected and huge excavation for the tunnel is proposed. Therefore, as per the recent directions of MoEF& Cc vide letter dated 07 June, 2022, Soil and Moisture Consrvation Plan along with detail cost of its implementation is required to be submitted.	Undertaking Enclosed.																																																																																																			
11.	An undertaking to submit the FRA certificate along with al prescribed annexures before Stage-II (final) approval may be provided.	Undertaking Enclosed.																																																																																																			
12.	The concerned DFO may be provided clarification whether tree enumerated in the extant proposal are included in the enumeration of already approved alignment 67.00 K.M. to 129.00 K.M. or not.	It is certificated that as per Range Officer Kandaghat has reported that no trees were enumerated in Shamlat/forest land of village Sirinagar of khasra No. 1167/1075/3/3, 1167/1075/2& 1166/1075 and Shamlat/Forest land of village Katoh of khasra No. 631/604/1 631/604/2 in year 2015 or before when the final approval of FCA was granted alignment 67.00 K.M. to 129.00 K.M.																																																																																																			
13.	The enumeration of Khasra No. 1166/1075 is not provided. Therefore, same may be provided.	It is to inform you that in khasra Nos. 1166/1075, no trees are present.																																																																																																			

This is for favour of kind information and necessary action at your end please.

I/180178/2023

Encl:- As above.
(3 sets)

Conservator of Forests,
Solan Forest Circle, Solan

Copy is forwarded w.r.t. your office letter No. I/178452 dated 30.01.2023 for information please.

Sd/-

Conservator of Forests,
Solan Forest Circle, Solan

178452/2023

FD-SLN-I003(09)/3/2023-FDSLN-CAMP
H.P. Forest Department

From:- Dated Solan the
D.F.O. Solan To:- C.F. Solan/HP.

Subject:- Diversion of 0.9036 ha. additional Forest land (between R/D 117+350 to R/D 117+530 under village Srinagar and R/D 127+530 to R/D 127+680 under village Katoh) Four lining of Solan-Kathlighat of NH-22 (new NH-5) from 106.139 km 129.050 under NHDP-II on EPC mode pattern in the State of HP.

Memo

Kindly refer to your office letter No. C-SOL-H001/1/2022-Sale 168406/2022 dated 26.11.2022 on the subject cited above.

In this context, it is submitted that the observation raised by Govt. of India (MoEF&CC) on 23.11.2022 has been attended in respect of Solan Forest division as under:-

Sr. No.	OBSERVATION	REPLY
1.	The alignment of Parwanoo- Shoghi from km. 67.00 km to 129.00 km has already been approved by Govt. of India having total area diverted 65.50 ha. (Forest area =45.7 ha. And Shamlat land 19.80 ha.) as revealed from records. Now User Agency has informed that this area proposed for diverted in extant proposal was inadvertently left from the original alignment. This reply does not seem satisfactory because km. reading from RD117+350 to R/D117+530(Srinagar Village) to 127+530 to R/D 127680 (Katoh Village is already covered under the already approved original alignment from km reading 67.00 km to 129.00 km (Parwanoo-Shoghi). Therefore, requirement of the additional land is not justified satisfactorily.	As per available records of this division, it has come to the notice that Shamlat/Forest land of village Sirinagar and Shamlat/Forest land of village Katoh has not been included in the already approved forest proposal of measuring 65.50 ha. from km 67.000 to km 129.000. The Range Forest Officer Kandaghat has also reported that no trees were enumerated in Shamlat/forest land of village Sirinagar and Shamlat/Forest land of village Katoh in year 2015 or before when the final approval of FCA was granted.
2.	The KML file of the extant proposal superimposing on the KML file of already approved alignment from Parwanoo to Shoghi 67.00 km to 129.00 km with distinct colors may be provided .	It is to inform you that no KML file was provided during already diverted FCA proposal measuring 65.50 ha. However, kml file of the extant proposal section superimposing on the kml file of approved alignment of parwanoo-shoghi section i.e. from 67.000 to km. 129.00 is uploaded on eparivesh portal.
3.	In reply to observation No. 3, it has been submitted that proposed forest land is a Waste Land and kism of land is 'Chraand Draktan' . However, in Part-II, Sr. No. 2, Legal status is mentioned as 'Revenue Forest', There is mismatch and contradiction between the two. Therefore, the Legal status may be reviewed and	The said land Sirinagar & Katoh is waste land as per notification of 25.02.1952 but kism of land is 'Chraand Draktan' as per revenue records, which is also possession of Revenue Department so Revenue Forest has been mentioned of in online portal.

	as well.	
4.	Nodal officer vide letter dated 08.08.2022 has informed that land proposed for diversion is a part of 'Charand Draktan' and falling under Ban Oak working Circle. However, in Nodal officer letter dated 16.11.2022, it has been mentioned that proposed land falls in category of Waste Land. Both these statements are contradictory. Therefore, following clarification may be provided:-	As per notification no. 25.02.1952 the waste land is Forest land. As per revenue record entry in the Jamabandi is Charaand Draktan, which attracts FCA 1980.
i.	Copy of working plan showing detail of proposed land in village-Katoh and Srinager duly authenticated by DFO concerned.	The said land is non forest Govt. land But since as per revenue record, it is Charaand Draktan. Therefore, it attracts FCA 1980.
ii.	Whether Waste Land or land not in possession with H.P. Forest Department is managed under working Circle as well?	Yes waste land is forest land as per No. Notification 25.02.1952. But it is not managed by Forest Department and is not under any forest working circle.
iii.	Clear status of proposed land in village Katoh and village Srinager, whether it is Waste Land declared as "Protected Forest" under H.P. Govt. notification or under IFA 1927 and under the control of HP Forest Department may be provided.	Copy attached.
5.	Huge variation (5 meter to 58 meter) in proposed RoW is found in the proposed alignment. Therefore, same may be reviewed and justification of chainage wise width may be provided.	The variation in width (5 meter to 58 meter) as mentioned in observation indicates only forest land width however total width of ROW including existing highway width is varying from 38 m to 60 m for RD 117+350 to R/D 117+530 & from 37 m to 44 m for RD 127+530 to R/D 127+680.
6.	The copy of norms for width of four laning issued by competent Authority may be provided. The clarification regarding width of RoW, whether it is acquired as per norms or not may be provided.	In this respect please find enclosed herewith the copy of NHAI circular dt. 24.10.2019. As per circular attached as Annexure-II. As per circular, ROW of about 45 m was proposed to be acquired for upgradation of Highway to 4 lane configuration. However in order to minimize rock mass cutting in hilly area and to minimize landslide/rockfall problem, it has been decided to direct the DPR Consultant to have minimum/ variable ROW wherein the width required should be linked to the chainage depending upon valley side/ hill side expansion and on the contour of the hill wherever hill side expansion is required and as per actual site (geometrics) and traffic requirement.
7.	In reply to observation No. 7, Line Plan of alignment in Katoh village is provided, however, same is also required to be submitted for Srinager Village alignment.	Linear Plan of village Sirinagar is enclosed as Annexure-III.
8.	Area proposed for diversion in Katoh village is 2016 sq. meter. However, as per chainage wise dimension provided in response to observation No. 8, area is 2040 Sq. meter. Therefore, same may be reviewed and justification/correction in the document may be carried out.	It is apprise that the average area for village Katoh was calculated by taking 30 m length interval from km. 127+530 to km. 127+680. Therefore avg. area of forest land is coming as approx.2040 sqm in calculation sheet. However, the exact area that is proposed for diversion measuring 2.016 ha. in

		village Katoh is calculated as per tatimas& the copy of the same is enclosed.																																																																																																			
9.	In reply to observation No. 11, revised abstract of trees having 296 saplings and 53 trees has been uploaded. However, as per enumeration of trees, 294 trees and 55 saplings are being affected. Therefore, appropriate correction in abstract and in Part-II may be carried out.	As per enumeration list there are 294 No. of trees, and 55 nos. of sapling. Total No. of trees 349.																																																																																																			
		<table border="1"> <thead> <tr> <th>Kh.</th> <th>Name of species</th> <th>Saplings</th> <th>V</th> <th>IV</th> <th>II I</th> <th>II A</th> <th>II B</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>1167/1073/3/3</td> <td>Deodar</td> <td>2</td> <td>10</td> <td>37</td> <td>10</td> <td>0</td> <td>0</td> <td>59</td> </tr> <tr> <td>-do-</td> <td>Chil</td> <td>13</td> <td>73</td> <td>70</td> <td>12</td> <td>1</td> <td>0</td> <td>169</td> </tr> <tr> <td>1167/1075/2</td> <td>Chil</td> <td>0</td> <td>3</td> <td>5</td> <td>4</td> <td>0</td> <td>0</td> <td>12</td> </tr> <tr> <td>631/604/1</td> <td>Tun</td> <td>2</td> <td>0</td> <td>1</td> <td>1</td> <td>0</td> <td>0</td> <td>4</td> </tr> <tr> <td>-do-</td> <td>Ban</td> <td>1</td> <td>0</td> <td>6</td> <td>3</td> <td>4</td> <td>2</td> <td>16</td> </tr> <tr> <td>-do-</td> <td>B/L</td> <td>4</td> <td>3</td> <td>1</td> <td>2</td> <td>0</td> <td>0</td> <td>10</td> </tr> <tr> <td>631/604/2</td> <td>Tun</td> <td>1</td> <td>3</td> <td>4</td> <td>0</td> <td>0</td> <td>0</td> <td>8</td> </tr> <tr> <td>-do-</td> <td>Ban</td> <td>7</td> <td>7</td> <td>7</td> <td>2</td> <td>8</td> <td>1</td> <td>32</td> </tr> <tr> <td>-do-</td> <td>B/L</td> <td>25</td> <td>4</td> <td>7</td> <td>1</td> <td>2</td> <td>0</td> <td>39</td> </tr> <tr> <td></td> <td></td> <td>55</td> <td>103</td> <td>138</td> <td>35</td> <td>15</td> <td>3</td> <td>349</td> </tr> </tbody> </table>	Kh.	Name of species	Saplings	V	IV	II I	II A	II B	Total	1167/1073/3/3	Deodar	2	10	37	10	0	0	59	-do-	Chil	13	73	70	12	1	0	169	1167/1075/2	Chil	0	3	5	4	0	0	12	631/604/1	Tun	2	0	1	1	0	0	4	-do-	Ban	1	0	6	3	4	2	16	-do-	B/L	4	3	1	2	0	0	10	631/604/2	Tun	1	3	4	0	0	0	8	-do-	Ban	7	7	7	2	8	1	32	-do-	B/L	25	4	7	1	2	0	39			55	103	138	35	15	3	349
Kh.	Name of species	Saplings	V	IV	II I	II A	II B	Total																																																																																													
1167/1073/3/3	Deodar	2	10	37	10	0	0	59																																																																																													
-do-	Chil	13	73	70	12	1	0	169																																																																																													
1167/1075/2	Chil	0	3	5	4	0	0	12																																																																																													
631/604/1	Tun	2	0	1	1	0	0	4																																																																																													
-do-	Ban	1	0	6	3	4	2	16																																																																																													
-do-	B/L	4	3	1	2	0	0	10																																																																																													
631/604/2	Tun	1	3	4	0	0	0	8																																																																																													
-do-	Ban	7	7	7	2	8	1	32																																																																																													
-do-	B/L	25	4	7	1	2	0	39																																																																																													
		55	103	138	35	15	3	349																																																																																													
10.	Since large number of trees are being affected and huge excavation for the tunnel is proposed. Therefore, as per the recent directions of MoEF & Cc vide letter dated 07 June, 2022, Soil and Moisture Conservation Plan along with detail cost of its implementation is required to be submitted.	Undertaking Enclosed.																																																																																																			
11.	An undertaking to submit the FRA certificate along with all prescribed annexures before Stage-II (final) approval may be provided.	Undertaking Enclosed.																																																																																																			
12.	The concerned DFO may be provided clarification whether tree enumerated in the extant proposal are included in the enumeration of already approved alignment 67.00 K.M. to 129.00 K.M. or not.	It is certificated that as per Range Officer Kandaghat has reported that no trees were enumerated in Shamlat/forest land of village Sirinagar of khasra No. 1167/1075/3/3, 1167/1075/2& 1166/1075 and Shamlat/Forest land of village Katoh of khasra No. 631/604/1 631/604/2 in year 2015 or before when the final approval of FCA was granted alignment 67.00 K.M. to 129.00 K.M.																																																																																																			
13.	The enumeration of Khasra No. 1166/1075 is not provided. Therefore, same may be provided.	It is to inform you that in khasra Nos. 1166/1075, no trees are present.																																																																																																			

This is for favour of kind information and necessary action at your end please.

Signed by Shreshtha Nand

Date: 30-01-2023 13:22:38

Divisional Forest Officer,
Solan Forest Division, Solan

Encl:- As above
(3 sets)



भारत सरकार / GOVERNMENT OF INDIA
 एकीकृत क्षेत्रीय कार्यालय
 Integrated Regional Office
 पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय
 Ministry of Environment, Forest and Climate Change
 सी.जी.ओ. कॉम्प्लेक्स, शिवालिक खण्ड, लॉगवुड
 CGO Complex, Shivalik Khand, Longwood
 शिमला, हिमाचल प्रदेश-171001
 Shimla, Himachal Pradesh - 171001



ईमेल/Email : iro.shimla-mefcc@gov.in
 दूरभाष/Tel : 0177 2658285
 0177 2652541
 फैक्स/Fax : 0177 2657517

दिनांक: 23.11.2022

सेवा में,

अतिरिक्त मुख्य सचिव (वन)
 हिमाचल प्रदेश सरकार,
 आम्सडेल बिल्डिंग, शिमला।
 (E-mail:- forestsecy-hp@nic.in)

विषय: Diversion of 0.9036 ha. of forest land in favour of NHAI, for additional Forest land (between R/D 117+350 to R/D 117+530 under village Srinagar and R/D 127+530 to R/D 127+680 under village Katoh) Four laning of Solan-Kaithlight of NH-22 (New NH-05) from km 129.50 under NHDP Phase-III on EPC mode pattern in the State of HP, within the jurisdiction of Solan Forest Division, Distt. Solan, H.P. (Online Proposal No. FP/HP/Road/145994/2021).

महोदय,

उपरोक्त विषय पर संदर्भित पत्र का आशय ग्रहण करते हुए सूचित करना है प्रस्ताव में अभी भी निम्नलिखित कमियां पाई गई हैं। अतः राज्य सरकार निम्न बिंदुओं पर आवश्यक सूचनाएं प्रेषित करने का कष्ट करें, ताकि अग्रिम कार्यवाही सुनिश्चित की जा सके :-

1. The alignment of Parwanoo- Shoghi from km. 67.00 km to 129.00 km has already been approved by Govt. of India having total area diverted 65.50 ha. (Forest area = 45.70 ha. and Shamlat land 19.80 ha) as revealed from records. Now User Agency has informed that this area proposed for diversion in extant proposal was inadvertently left from the original alignment. This reply does not seem satisfactory because km reading from RD 117+350 to R/D 117+530 (Srinagar Village) to 127+530 to R/D 127+680 (Katoh Village) is already covered under the already approved original alignment from km reading 67.00 km to 129.00 km (Parwanoo-Shoghi). Therefore, requirement of the additional land is not justified satisfactorily.
2. The KML file of the extant proposal superimposing on the KML file of already approved alignment from Parwanoo to Shoghi 67.00 km to 129.00 km with distinct colors may be provided.
3. In reply to observation no. 3, it has been submitted that proposed forest land is a Waste Land and *kism* of land is 'Charaand Draktan'. However, in Part-II, Sr. no.2, Legal status is mentioned as 'Revenue Forest'. There is mismatch and contradiction between the two. Therefore, the Legal status may be reviewed and rectified appropriately in Part-II, Sr. no.2 as well.
4. Nodal officer vide letter dated 08.08.2022 has informed that land proposed for diversion is a part of 'Charaand Draktan' and falling under Ban Oak Working Circle. However, in Nodal officer letter dated 16.11.2022, it has been mentioned that proposed land falls in category of Waste Land. Both these statements are contradictory. Therefore, following clarifications may be provided:-
 - i. Copy of Working Plan showing detail of proposed land in village-Katoh and Srinagar duly authenticated by DFO concerned.
 - ii. Whether Waste Land or land not in possession with H.P. Forest Department is managed under Working Circle as well?

I/11703/2022

- iii. Clear status of proposed land in village Katoh and village Srinagar, whether it is Waste Land declared as 'Protected Forest' under H.P. Govt. notification 1952 or under IFA, 1927 and under the control of HP Forest department may be provided.
5. Huge variation (5 meter to 58 meter) in proposed RoW is found in the proposed alignment. Therefore, same may be reviewed and justification of chainage wise width may be provided.
6. The copy of norms for width of four laning issued by competent Authority may be provided. The clarification regarding width of RoW, whether it is acquired as per norms or not may be provided.
7. In reply to observation No.7, Line Plan of alignment in Katoh Village is provided, however, same is also required to be submitted for Srinagar Village alignment.
8. Area proposed for diversion in Katoh village is 2016 sq. meter. However, as per chainage wise dimension provided in response to observation no.8, area is 2040 Sq. meter. Therefore same may be reviewed and justification/correction in the document may be carried out.
9. In reply to observation No. 11, revised abstract of trees having 296 saplings and 53 trees has been uploaded. However, as per enumeration of trees, 294 trees and 55 saplings are being affected. Therefore, appropriate correction in abstract and in Part-II may be carried out.
10. Since large number of trees are being affected and huge excavation for the tunnel is proposed. Therefore, as per the recent directions of MoEF & CC vide letter dated 07 June, 2022, **Soil and Moisture Conservation Plan** along with detail cost of its implementation is required to be submitted.
11. An undertaking to submit the FRA certificate along with all prescribed annexures before Stage-II (final) approval may be provided.
12. The concerned DFO may provided clarification whether trees enumerated in the extant proposal are included in the enumeration of already approved alignment 67.00 K.M. to 129.00 K.M. or not.
13. The enumeration of Khasra No. 1166/1075 is not provided. Therefore, same may be provided.

भवदीय,

Signed by Satya Prakash
Negi

हो/-

Date: 23-11-2022 15:43 (सत्य प्रकाश नेगी)

Reason: Approved क्षेत्रीय अधिकारी

प्रतिलिपि सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:

1. अतिरिक्त मुख्य सचिव (वन), हिमाचल प्रदेश सरकार, आर्म्सडेल बिल्डिंग, शिमला (E-mail: forestsecy-hp@nic.in).
2. अपर वन महानिदेशक (एफ.सी.) पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय, इन्दिरा पर्यावरण भवन, जोरबाग रोड़, अलीगंज, नई दिल्ली - 110003 (E-mail: adgfc-mef@nic.in).
3. वन महानिरीक्षक (आर.ओ.एच.क्यू.) पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय, इन्दिरा पर्यावरण भवन, जोरबाग रोड़, अलीगंज, नई दिल्ली - 110003 (E-mail: ramesh.pandey@nic.in).
4. आदेश पत्रावली।