

I/11123/2022



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, लॉंगवुड
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

Dated: .10.2022

सेवा में,

अतिरिक्त मुख्य सचिव (वन)
हिमाचल प्रदेश सरकार,
आर्म्सडेल बिल्डिंग, शिमला।

(Email:- forestsecy-hp@nic.in)

विषय: Diversion of 11.7936ha of forest land in favour of NHAI, for four laning of proposed Shimla bypass from Kaithlight to Shakral Section (Package-I) of NH-22 (Change from Kms 128.835 to Kms 146.300), within the jurisdiction of Shimla Forest Division, Distt. Shimla Himachal Pradesh. (Online Proposal No. FP/HP/Road/151117/2022).

संदर्भ: नोडल अधिकारी-सह-अतिरिक्त प्रधान मुख्य अरण्यपाल (एफ.सी.ए.), हि0प्र0 के पत्रांक 48-5632 / 2022 (एफ.सी.ए.) दिनांक 28.09.2022.

महोदय,

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

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.
2. Administrative Approval of the project from the competent authority needs to be provided.
3. The following clarification/justification in respect to the **KML** of the instant proposal may be provided: -
 - (i) It is observed that the proposed alignment is passing through the established structures like buildings etc. However, as per the information provided under column 'F' of Part-I mentions "No". State Govt may clarify the same.
 - (ii) It is observed the that there is a prodigious variation in the proposed RoW of the Road, therefore State Govt may clarify whether the proposed RoW has been planned to meet the provision of IRC codes for the Hill State. If Yes, details thereof.
 - (iii) **Since the proposal is for additional forest land in already approved case of the entire section from Kaithlight to Dhalli, therefore State Govt may provide the details of the already approved case with proposal number and approval letter of the Govt of India. Also, KML of the alignment of the already approved case may be superimposed on the proposed alignment of**

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the extant proposal in distinct colours, and the same may be uploaded under appropriate column of online portal.

- (iv) As per the KML, one of the dumping site which is marked as P-73 is not as per the selection criteria of Dumping Site as proposed in the Muck Dumping Plan submitted. Since Muck Disposal in the hills is serious issue and such casual approach could not be considered. Therefore, State Govt may prepare Muck Dumping Plan based on actual ground situations duly authenticated by concerned DFO.
- (v) As per the DSS analysis, the proposed DA is 11.7936 ha however, the calculated area is 11.35 ha. Therefore, the State Govt. may review the difference in proposed DA area and calculated area.
- (vi) As per the KML and DSS, the proposed DA area falls under the ESZ of the Chail WLS and Shimla Catchment WLS. The aerial distance details are as below: -

Name of protected Area	Aerial Distance from Protected Area			Aerial distance from ESZ		Status of ESZ and its extent
	As per DFO (WL)	As per DS S	As per Latest Boundaries provided by HPFD	As per DFO (WL)	As Latest Boundaries provided by HPFD	
Shimla Water Catchment WLS	3.69 km	0.78 km	3.54 km	2.79 km	2.42 km	ESZ finally notified. Extent varies from 0.08 kilometre to 1.455 kilometres.
Chail WLS	Not Provided	0.57 km	2.21 km	Not Provided	1.40 km	ESZ finally notified. Extent varies from 0.5 kilometres to 3.26 kilometres.

As shown above, there are variations in the aerial distances, and DA area falls within the ESZ of Chail WLS. Therefore, State Government may review the aerial distances from both the PAs, and provide the exact aerial distance of DA from boundary of Chails WLS and its notified ESZ as well. Accordingly, comments of CWLW may also be provided.

4. Since the proposed diversion area is adjacent to Shimla Catchment WLS and Chail WLS as well as amidst dense forests, there is possibility of presence of important wildlife. Therefore, State Govt. may provide the impacts of the project on the species as well as on their natural habitat. Additionally, the State Govt. may submit the Wildlife Management Plan along with the details cost of its implementation as per the MoEF&CC letter vide File No. FC/11/43/2021-FC dated 07.06.2022.

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5. The diversion area is in hilly terrain and large numbers of trees will be affected; hence soil erosion is inevitable. Therefore, The Soil Moisture Conservation Plan (SMC), along with its cost of implementation as per MoEF&CC dated 07.06.2022, may be provided/uploaded.
6. Since the proposed alignment is very close proximity (< 300 m) to Kalka-Shimla Railway Line which is a Heritage Line, therefor, State Govt may provide the Copy NoC from concerned authority and uploaded under the appropriate column.
7. All the dumping sites are proposed on forest land. The State Government may explore non-forest land for the same. If a dumping site is necessarily required to be proposed in forest land, the area of forest land with having minimum forest cover may be explored and muck dumping shall be reduced. Further, a separate enumeration list of trees for the dumping site may be provided.
8. A document showing capacity of approved muck dumping sites, muck dumped, balance capacity and amount of muck to be dumped in tabulated form which is duly authenticated by DFO concerned may be provided. Further, an undertaking may be provided that no additional forest land will be requested for muck dumping in future.
9. The Joint Inspection Report of the Instant Proposal may be provided.
10. Since the proposal involves area more than > 5 ha, therefore Sight Inspection Report from the concerned Conservator of Forests needs to be provided.
11. The Layout Plan has been provided. However, Plan must include a legend and the proper dimensions of each component, such as Carriageway, Paved Shoulder, Earth Filling, Drain, and Protection Work, as well as area-wise calculations. Furthermore, the forest land and non-forest land involved in the proposal must be represented in the layout plan with distinct colours and need to be duly authenticated by the concerned DFO may be provided.
12. Complete enumeration list of trees including the compartment no and along with date of tree enumeration which is duly authenticated by the concerned DFO, needs to be provided.
13. The proposed diversion area falls in the jurisdiction of Shimla Forest Division. However, the Reclamation Plan of the dumping site is prepared by Theog Forest Division. Clarification about the same may be provided.
14. The NPV Calculation Sheet need to be itemized for their corresponding forest area, vegetation density and applicable NPV rates.
15. The private land (Non-Forest) is also included in the proposal. Therefore, consent of the private landowners by way of sale/Gift Deed/ NOC or any other form is also required to be uploaded.
16. Large numbers of ecological important trees (total 2373) especially of *Quercus spp* (1556) are getting affected. *Quercus* (Ban Oak) is an ecologically important local species for groundwater recharge as well as important fodder tree for the local communities. Therefore, the possibility of reducing the number of total number of trees may for feeling especially Ban Oak and *Ficus sp.* may be explored, and revised enumeration list may be provided.
17. **In the Site Inspection Report of concerned DFO, it is clearly mentioned that dumping site is located at the foothills of the catchment area of 03 small streams which may impact the water ecology of the area and recommended for scientific**

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reclamation plan. Therefore, conserving such natural springs and perennial sources of water needs to be properly considered. Therefore, concerned Conservator of Forests may comment on the impact of such water sources by the proposed project in his Site Inspection Report, and measure for conserving the same.

18. (i) Examination of KML provided for the CA site shows that out of 24.68 ha, the 8 ha area is under the Moderately Dense Forest Category, which leaves only 16.68 ha for restocking. Further, the proposed area for CA Patch-2 UPF Sheroli overlaps CA area of FP/HP/ROAD/146729/2021. Therefore, State Govt. may look for additional/alternate CA sites and may review and submit documentation regarding the suitability of land for CA in lieu of forest land proposed for diversion in terms of its vicinity to the area being proposed for DA and/or contiguity with the existing forest area and also ensure the manageability as per the latest Guidelines of MoEF & CC vide letter No. 11-423/2011-FC dated 13.07.2022.

(ii) A fresh CA scheme needs to be provided as per Para 2.8 (iii) of the Handbook OF FCA, 1980 and FC Rules, 2003 (Guidelines and Clarifications), MoEF&CC, 2019

(iii) The Status of Proposed CA land may be provided, whether it is a Govt. Wasteland is declared as PF under HP Govt. notification, 1952, or it is notified as UPF/DPF under IFA 1927

19. Recommendation Columns of the Conservator of Forests, Nodal Officer and State Secretary have not mentioned the proposal number. The same may be provided and uploaded.

यदि चाही गई सूचना पत्र जारी होने की तिथि के 60 दिनों के भीतर (अधिकतम 90 दिन) इस कार्यालय में प्राप्त नहीं हुई तो प्रस्ताव को निरस्त किया जा सकता है।

भवदीय,

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(सत्य प्रकाश नेगी)

क्षेत्रीय अधिकारी

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: nodalfcahp@yahoo.com).
2. वन मण्डल अधिकारी, शिमला वन मण्डल, जिला— शिमला हिमाचल प्रदेश (E-mail: dfoshi-hp@nic.in).