



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

सेवा में,

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

(E-mail:- forestsecy-hp@nic.in)

विषय: Diversion of 6.2255 ha of forest land in favour of Sh. Tepender Singh Saini, Village Shubhkhera, Tehsil Paonta Sahib, Distt. Sirmour, H.P., for the extraction of Sand, Stone and Bajri from Yamuna River bed area, within the jurisdiction of Paonta Sahib Forest Division, District Sirmour, Himachal Pradesh. (Online Proposal No. FP/HP/Min/30477/2017)

सन्दर्भ : नोडल अधिकारी -सह-अतिरिक्त प्रधान मुख्य अरण्यपाल (एफ. सी.ए.), हि.प्र. के पत्रांक Ft. 48-3694/2017 (FCA) dated 3.6.2022.

महोदय,

उपरोक्त विषयांकित के सन्दर्भ में आपको सूचित करना है कि प्रस्तावित प्रस्ताव अनुमोदन हेतु मंत्रालय को भेजा गया था। मंत्रालय द्वारा प्रस्ताव का विस्तृत अवलोकन करने पर राज्य सरकार से निम्नलिखित बिन्दुओं पर सूचनाएं चाही गई हैं। अतः राज्य सरकार चाही गई सूचनाएं प्रेषित करने का कष्ट करें, ताकि प्रस्ताव पर आगामी कार्यवाही सुनिश्चित की जा सके :-

1. Compensatory Afforestation has been proposed over degraded forest land, double in extent to the forest land being diverted in Reserve Forest Danda, Paonta Sahib. The proposed CA scheme envisages hiring of a petrol vehicle for protection which may not be in conformity with the guidelines of NA (CAMPA). Therefore, State Govt. may review and revise the CA Scheme accordingly.
2. The proposed project seems to be located within 10 km of radius from the Assan Conservation Reserve in the State of Uttarakhand. Therefore, State Govt. may provide the exact aerial distance from the boundary of Assan Conservation Reserve. If the proposed project is within the 10 km of radius of PA, comments of the CWLW may also be provided.
3. The boundary of the Colonel Sher Jung National Park has been re-notified. Therefore, State Govt. may provide the exact aerial distance of the proposed project from the boundary of the PA and its notified ESZ.
4. Further, the proposed project is located 10 km in radius of Kalesar WLS of Haryana State. Therefore, State Govt. may provide the exact aerial distance from the boundary of Kalesar WLS and its notified ESZ. If the proposed project is within the 10 km of radius of PA/ ESZ, comments of the CWLW may also be provided.
5. There are various PAs located surrounding the proposed project. Therefore, State Government may provide the exact aerial distances of the proposed project area from the boundary of

I/11264/2022

different PAs and their finally notified ESZ in the light of the recent Orders dated 03.06.2022 of Hon'ble Supreme Court may be provided.

6. There are various PAs surrounding the proposed project. Therefore, State Govt. may also review the proposal in pursuance of the Ministry letter dated 07.06.2022 and may submit the Wildlife Management Plan along-with detail cost of its implementation in to the account of CAMPA is required to be submitted along-with Stage-I compliance. However, in case where is not possible for the State Govt. to submit the compliance due to the delay in preparation of such plan , a lump sum amount of 2% of the project cost shall be realized from the User Agency and submitted along-with the Stage-I compliance. The deficit amount, as per said plan, if any, from the money already realized to the tune of 2% of the project cost shall be deposited in CAMPA account prior to actual working on the forest area. An undertaking to this effect may also be submitted, if applicable.
7. The Letter of Intent has been expired. Therefore, the same may reviewed and latest Letter of Intent may be provided.
8. Environment clearance to the project has been granted by the SEEIA on 22.11.2018. Grant of Environment Clearance by SEAC without ensuring prior approval under the Forest (Conservation) Act, 1980 is in contravention to the order of Hon'ble Supreme Court dated 6.07.2011 which provided that project requiring environment and forest clearance should obtain approval under the FC Act first to avoid *fait accompli* situations. Therefore, State Govt. may provide the clarification/justification regarding the same.
9. Undertaking has been submitted to dump the muck generated at the marked dumping sites. While as per the Mining Plan and purpose wise breaking of forest land required for the project, no such areas have been indicated in the proposal. Therefore, efficacy and rationale of submitting undertaking for an activity which is not a part of the project, clarification may be submitted by the State Govt. in this regard.
10. State Govt. may provide the details of component proposed in the proposal viz. mining, safety zone/green belt area, infrastructure are, etc.
11. State Govt. may provide the a copy of the DSR report prepared for the District along-with the details of provisions with regards to level of ecologically sustainable mining material which can be harvested from the river bed as per estimates provided in the DSR report prepared as per guidelines issued by the MoEF&CC for the same.
12. The Staté Govt. has not uploaded correct KML file of Mine lease (ML) boundary on PARIVESH because KML file of ML boundary is found shifted from the forest area applied for diversion. Therefore, the same may be reviewed and revise accordingly.
13. The purpose wise/ component wise breakup detail has not been mentioned of the forest applied for diversion on PARIVESH Portal. The same be provided.
14. In DSS analysis out of 13 ha, 3 ha VDF and 10 ha MDF has been found of land proposed for CA. Therefore, State Govt. may review and revise the same and proposed 13 ha degraded forest land having a canopy density less than 40% along-with land suitability certificate in this regard.

I/11264/2022

Further, revised KML, location map, Sol, Digital map may also be provided/uploaded on PARIVESH Portal.

State Govt. will ensure that all the desired information/documents are uploaded at designated column of Part-I/II on PARIVESH Portal

राज्य सरकार से उक्त विन्दुओं पर संतोषजनक उत्तर प्राप्त होने के उपरान्त ही प्रस्ताव को आगामी कार्यवाही हेतु मंत्रालय को अग्रेषित किया जाएगा। अतः राज्य सरकार चाही गई सूचनाएं पत्र जारी होने की तिथि के 60 दिनों के भीतर (अधिकतम 90 दिन) इस कार्यालय में प्रेषित करना सुनिश्चित करें। परन्तु यदि चाही गई सूचनाएं निर्धारित अवधि के भीतर इस कार्यालय में प्राप्त नहीं हुई तो प्रस्ताव को निरस्त किया जा सकता है।

Signed by Satya Prakash

Negi

Date: 28-10-2022 17:14

Reason: Approved

भवदीय,

ह०/-

(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 मंडल अधिकारी, वन मंडल, पौंटा साहिब, जिला सिरमौर, हिमाचल प्रदेश।
(E-mail: dfo-pao-hp@nic.in).