

No.FCA/ 6443 /  
H.P. Forest Department.

Dated D/Shala, the/ 02-01-23 /

From: D.F.O. Dharamshala.

To: C.C.F. (T) Dharamshala.

Subject: Diversion of 2.9696 Ha. of forest land in favour of Municipal Corporation Dharamshala, District Kangra for the construction of Solid Waste Management Plant in Up Mohal Dharamshala, within the jurisdiction of Dharamshala Forest Division, Distt. Kangra, H.P.

Memo :

Kindly refer to the EDS raised by Regional Officer, Integrated Regional Office, MoEF&CC, CGO Complex, Shivalik Khand, Longwood, Shimla 171001 vide Letter No. 8B/H.P./09/90/2021/F.C./408 dated 25.07.2022 on the subject cited above.

2. The point wise reply to the observations furnish as under :-
  - i. As submitted by the User Agency, that as per Register of Municipal Work, site for dumping of solid waste is being used by the then Municipal Council, Dharamshala since April, 1996, when funds were provided for the development of dumping site under NORAD Project for up-gradation of garbage handling system in the Urban Local Bodies. The copies of the Register of Municipal Works has been uploaded with the reply against Additional Information Detail in Online Part – I.
  - ii. As per record presented by the User Agency, the Dumping Site is being used by the then Municipal Council since April, 1996. The User Agency is in possession of 1.5717 Ha. area since April 1996.
    - a) The Forest Department on various occasions have stopped the Corporation from dumping the Solid Waste, but as there is no other place available with Municipal Corporation, the area is opened after intervention of District Administration. The Forest Department has detained the Municipal vehicles on various occasions but as the chaos rises, the area has to be re-opened. Further as per the directions of the Hon'ble NGT Court, the Municipal Corporation of Dharamshala has applied for land diversion case. So no action has been taken against the violators.
    - b) No action has been taken against the concerned officials at the time of dumping of soiled waste.
    - c) The calculation sheet of Penal NPV for 1.5717 ha. of forest land being used without prior approval of Central Govt. under FCA, 1980, as per para 1.21 of FCA guidelines has been uploaded against Additional Information Part II Online and same is enclosed herewith as Annexure-II.
  - iii. As submitted by the User Agency, NOC from the H.P. State Pollution Control Board has been uploaded against Additional Information Detail in Online Part I and same is enclosed herewith as Annexure III.

It is therefore, requested that the necessary approval for the diversion of 2.9696 ha of forest land for the construction of above mentioned project may kindly be obtained from the Govt. of India under Forest (Conservation) Act, 1980 and conveyed to this office.

Encl: as above

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Divisional Forest Officer,  
Dharamshala Forest Division,  
Dharamshala.