No.Ft. 48-5133/2020 (FCA) H.P. Forest Department.

From

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

To

The Deputy Inspector General Forest, Sub Office, Govt. of India, Ministry of Environment, Forest & Climate Change, CGO Complex, Shivalik Khand, Longwood, Shimla, Himachal Pradesh-171001. Dated Shimla-1, the

Subject:

Diversion of 7.565 ha of forest land in favour of HPPWD for the Construction of link road from Sainwala, Boghria, Jhameria, Charuwala, Katola Km. 0/0 to 11/500. kms in jurisdiction of Nahan Forest Division Distt. Sirmour. H.P.

Sir,

Kindly refer to your office letter No. File No. FC/HPC/06/175/2022 dated 29.11.2022 on the subject cited above.

- 2. The point wise reply to the observations as raised your above referred communication is submitted as below:-
 - 1. CF Nahan has intimated that there exist various partially Kacha pedestrian path and C.C. paths to approach the villages Bogheria, Charu wala up to Katola which have been constructed by the concerned Panchayat in past in forest and non-forest land. The grades of this road (path) are very up steep and widths are quite narrow in the existing pedestrian path. As such this road is not suitable for plying of traffic as this road does not follow the guidelines as laid by the IRC/HPPWD specification. Only Cars and jeeps can utilize this road at their own risk. The proposed alignment is on the downstream side of the existing take off point of old Kacha road. Only partial width of the old kacha road has been taken in the alignment of the proposed road where the proposed alignment is overlapping the old kacha mule path. Since, PWD is not going to utilized this entire stretch of old kacha path due to its up steep gradient, neither any violation has been carried out by the PWD, as such there is no need of action taken against the violators as per Para 1.21(i) and or (ii) of FCA guidelines.

As per the IRC/HPPWD specifications minimum 5/7 metres width for the road are required for plying of Buses and others vehicles. Hence, 6.00 meter average width has been taken in the proposal, so that the road could be passed by the road fitness committee.

- **2.** CF Nahan has been intimated that there are no violations carried out by the user agency. At present, the existing katcha path has been constructed by the inhabitations in past and same has been improved time to time by the villagers for plying of two wheelers only at their own risk, as shown in the Kml file.
- 3. CF Nahan has been intimated that the take-off point of the proposed road is at Village Sainwala and this road will finally terminate at Village Katola which shows the connected habitations. Village Sainwala and Katola located on the existing road Sainwala Burma Papri Kaulwala Bhood Road. The rest of the villages i.e. Bhogeria, Jhameria, Charuwala, and Jamanwala are not connected with the road facilities. Only existing mule katcha path leads to the proposed habitations at present.
- **4.** CF Nahan has submitted that the revised Brief Note on the project has been uploaded in additional information at Sr. No. 17 of Part-I by user agency. In this connection, User Agency has been intimated that the proposed road alignment is passing through private land but due to the land kisam /status as "Jungle-Jhari" mentioned in the Revenue Records which attracts the FCA, 1980. Hence the area was considered into the Forest

- Land as per the "The Forest (Conservation) Amendment Act, 2023". The Revenue record of the land has been uploaded on PARIVESH portal in additional information against Sr. No. No. 31.
- 5. CF Nahan has been intimated that interlocutory application has been filed in the Hon'ble Supreme Court of India on behalf of State Govt. to modification the order dated 11.03.2019 and for allowing the State Govt. to divert the forest land under the Forest (Conservation) Act, 1980. The application has been allowed by the Hon'be Supreme Court of India on 08.02.2023. Copy of the same has been uploaded on Parivesh portal in additional information against Sr. No. 36 of Part-I.

Further it is intimated by the User Agency that the alternative alignment and possibilities to reduce the number of trees was carried out during the site visit by the PWD Department with the officials of forest department. The emphasize on alternatives route was done during the visit. The length of alignment of No. 2 is 12.300 kms and its gradient is very steep at few places. It involves 8.045 ha of forest area and 705 trees, as compared to alignment No. 1. Hence alignment No. 2 is rejected. Therefore, the existing proposed road is to be finalized for connecting the unconnected habitations which is unavoidable and shortest which covering lesser felling of trees as well as forest land.

- **6.** CF Nahan has intimated that the number of trees has been reduce and same has been corrected in the web portal at serial No 4(ii) part-2 & enumeration list with dumping site trees same has been uploaded in additional information against Sr. No. 10 and 11 of Part-II by user agency.
- 7. CF Nahan has been intimated that the provisions for accelerated soil erosion during and after construction have been taken in the detailed project report (DPR). The Breast Walls as well as Retaining Walls in Cement Concrete and boulder apron have been proposed at various RDs in the proposed road to protect the hilly terrain and soil erosion along the road alignment. An undertaking has been placed in the proposal folder regarding SMCP as per the recent guidelines of MoEF&CC letter No. 7thJune, 2022. Supporting documents has been uploaded named as "SMCP Undertaking" in additional information at Sr. No. 22 of Part-I by user agency.
- **8.** CF Nahan has submitted that the Separate enumeration list of trees standing at dumping sites has been uploaded in additional information against Sr. No. 10 & 11 of Part –II by DFO Nahan.
- **9.** CF Nahan has submitted that the density of vegetation has been corrected in web portal of Part –II by DFO Nahan.
- **10.** CF Nahan has intimated that the proposed road alignment is passing through the private land but due to the land kism/status as "Jungle-Jhari" mentioned in the Revenue Records which attracts the FCA, 1980.Hence the area was considered into the Forest Land as per the "The Forest (Conservation) Amendment Act, 2023". The Revenue record of the land has been uploaded on PARIVESH portal in additional information against Sr. No. No 31.
- **11.** CF Nahan has submitted that the KML file has been revised & as well as DGP Map & Topo sheet and same has been uploaded on web portal in appropriate column by DFO Nahan.
- **12.** CF Nahan has intimated CA site is fit for plantation and necessary correction has been done and land suitability certificate has been uploaded on Parivesh portal against at Sr. No. 13(v) of Part-II.
- **13.** CF Nahan has submitted that the copy of CH file is uploaded in additional information against serial no. 12 of Part –II by DFO Nahan.
- **14.** CF Nahan has submitted that the NPV has been uploaded in web portal in additional information against serial no. 7 of Part –II.
- **15.** CF Nahan has submitted that the revised Muck Management plan uploaded in additional information against Sr. No. 20 of Part-I.

- **16.** CF Nahan has been intimated that there exists shamlat land and private land in the proposed road alignment. 3 Nos dumping sites have been proposed in the non-forest land i.e. Shamlat/ Private land, but due to the land kism /status as "Jungle-Jhari" which attracts the FCA, 1980. Hence, there is no escape to use the forest land (jungle-Jhari) for the dumping site.
- **17.** CF Nahan has submitted that an undertaking to submit the FRA certificates along with all annexure of FRC and Gram Sabha before Stage-II has been uploaded in additional information against Sr. No. 16 of Part-I.
- **18.** CF Nahan has been intimated that there is a proposal for construction of 27.60 meter span bridge on the proposed alignment at RD 8/616. The width of the proposed road will be 6 meters, covering 0.01656 hectare which has been included in online component wise breakup.
- **19.** CF Nahan has submitted that the Administrative Approval of the project has been uploaded on PARIVESH portal in additional information against Sr. No. 32 of PartI by the User Agency.
- **20.** CF Nahan has submitted that the Site Inspection Report has been uploaded in Privesh Portal.
- **21.** CF Nahan has submitted that the Cost Benefit Analysis has been uploaded in the appropriate column of Part -I by User Agency
- **22.** CF Nahan has submitted that the Chain-age wise length and width of the road has been prepared including mentioning the dumping sites and uploaded named as "Area Details" and uploaded in Parivesh Portal in additional information against Sr. No. 8 of Part-I .

Yours faithfully,

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