

No. C-28-b-1600/ FCA (Online)/Shimla/ 1210

Himachal Pradesh Forest Department

Dated, the Shimla-02 19-5-2023

From: CF Shimla

To: Nodal Officer-cum APCCF (FCA)
O/o Pr.CCF(HoFF) HP, Shimla

Subject: Diversion of 0.0442 ha of Forest Land for the c/o link road from PHC Badehri Gurshalli to village Dawath (Km 0/0 to 1/500) in favour of Executive Engineer. HPPWD Rural Division Dhami. Tehsil – Suni, District Shimla within the jurisdiction of Shimla Forest Division. HP (Online Proposal No. FP/HP/ROAD/150852/2022).

Memo:

Kindly refer to the Integrated Regional Office letter No. FC/HPB/06/111/2022 dated 06.09.2022 on the subject cited above.

2. The Point wise reply with respect to the shortcomings pointed out by the Integrated Regional Office vide letter referred to above are given as under:-

Sr.	Observation	Reply
1.	The KML shows that the alternative 1 and 2 are rejected; however Joint Inspection Report shows that alternative 2 and 3 are rejected. This may need to be reviewed and rectified.	Revised KML file has been uploaded Online by the User Agency.
2.	Part-II, Para-14 and Part-II, Sr. No. 12(i), the geographical area figure of District and Forest Division are mentioned same, State Govt. may review and rectify the same.	Necessary correction has been done online in the Part -II.
3.	In Joint Inspection Report as well as Site Inspection Report, it is mentioned that there is no violation in the proposal. However, KML file is showing that the road has already been constructed between the geo-coordinates of 310 05' 38.56" N/ 770 06' 42.92" E to 310 05' 35.61" N/770 06' 46.88" E. Therefore, this needs to be reviewed and current SIR of the DFO may also be submitted, if required. Additionally, If violation is found, then the desired information/justification/documents may also be provide on the following points: - i)The dimensions, length and width, and area of the violated and non-violated part of the proposed project. ii)The Action Taken Report against the violated as per Para 1.21 (i) and/ or (ii) of FCA Guidelines. iii)Action taken by the State Government against the official/s concerned for not being able to prevent the use of forest land for non- forestry purpose without prior approval of Govt. of India. iv)State Govt. may provide the Penal NPV calculation sheet as per revised NPV rates along-with the rate of interest @12% per annum w.e.f. date of violation to till the date of deposit. v)Submission of undertaking regarding the payment of the Penal NPV and Additional Penal NPV.	DFO Shimla has informed that, as per reply of the User Agency 4 meters path has been mentioned in the Revenue record which in-fact was a Mule road and constructed during the year 1973-74 as per the Revenue record (copy has also been uploaded online in the Part-I by the user Agency as There is no violation in the present proposed road, please.
4.	According to the proposal, 0.0442 ha area has been proposed for diversion. However, DSS analysis report shows that 0.30 ha forest area is proposed for diversion in the proposed project. This needs to be reviewed and rectified.	The total area proposed for the project is 0.4614 ha. and necessary correction has also been made by the User Agency in the proposed land/area.

5.	The Line Plan of the proposed project has not been authenticated by concerned DFO, neither the area statement of the proposed link road is provided. Therefore, State Govt. may provide/upload the revised Line Plan of the proposed link road clearly showing the forest and non- forest land, location of the proposed dumping sites along – with the dimension (Length and width) and area figures of proposed each component with a distinct colour schemes, duly authenticated by concerned DFO.	The line plan has been uploaded by the User Agency through online on the portal.
6.	According to the proposal the length and average width of the proposed link road has been taken as 1500*3/5 mt. respectively, hence the area of the proposed project will be 6000 sq.mt. and in hectare unit it should be 0.6000 ha (considering 4 mts average width of proposed link road). However, the proposal has been submitted for approval to diversion of 0.0442 ha forest land to non- forest purpose. Therefore, State Govt. may review and revise the proposal accordingly and clarify the same. Additionally, if the area of the proposed project is revised, all the provided/uploaded documents viz KML, Sol, Digital map, CA Scheme, CA land, land suitability certificate, NPV, FRA certificate, JIR, SIR etc. needs to be revised and uploaded of PARIVESH Portal accordingly.	Now the user agency has revised the project road area as well as the revised check list No. 7 Part -II and NPV bill has been uploaded online accordingly.
7.	20 numbers tress including saplings of different species are being affected in the proposal and Part-II, Para-6 mentions that the area proposed for diversion is a flat area and does not vulnerable to erosion. However, the KML shows that proposed area is semi-hilly terrain and the forest/adjoining area may be accelerated prone to soil erosion /landslide during and after the execution of the project. Therefore, State Govt. may review the proposal in the pursuance of the MoEF &CC letter dated 7.6.2022 and may submit the Soil and Moisture Conservation Plan along-with detail cost of its implementation.	The Soil and Moisture Conservation plan has been uploaded online.
8.	The detail of trees and sapling entered in Part – II, Para 4(ii) is mismatching with the enumeration list of trees. Therefore, State Govt. may review and revise the same.	There are only 20 trees out of saplings. V-5, IV-3, IIA-2 and IIB-I trees are coming in the proposed road and there is no possibility to reduce the trees.
9.	State Govt. may provide the Administrative /Technical approval letter issued by the competent authority regarding the proposed proposal.	The Administrative technical approval has been uploaded by the user agency online.
10.	The statement showing details of forest area proposed for diversion has been uploaded in Part-II, Additional Information Details, Sr. No. 2 instead of CA scheme. Therefore, State Govt. may upload the CA scheme accordingly on PARIVESH Portal at designated column. State Govt. shall ensure that all the desired information are uploaded on PARIVESH Portal at designated column of Part-I/II.	Necessary documents have been uploaded online.

This is for your kind information & further necessary action please.