

No. RK/FCA/NHAI/4663
HP Forest Department
Kunihar Forest Division

Dated Kunihar the/ 17-1-25

From: DFO Kunihar

To: CF Bilaspur

Subject: Diversion of 33.8599 Ha. Forest land for Rehabilitation and Upgrading of Existing Road to 4 Lane with Paved Shoulder from Kolaka village to Nauni Chowk (Kolaka to Dareota Village-Pkg IIA, Dareota to Daseharan Village-Pkg IIB & Daseharan Village to Nauni Chowk-Pkg IIC) of NH 205 [Design Chainage – Km 28+800 to Km 58+450, Design Length – 29.65 Km] in the State of Himachal Pradesh (**Online Proposal No. FP/HP/Road/156128/2022**) - Reg. **Submission of Compliance of observations raised by IRO - Shimla**

Ref: EDS raised by IRO vide Letter No. FC/HPC/06/16/2024 dated 04-11-2024

Sir,

With reference to the above, we are pleased to submit herewith point wise compliance to observations raised by IRO-Shimla on the captioned project.

S.No.	Essential Detail Sought	Reply
1	In reference of the observation No. 1, REPLY IS NOT ACCEPTED, admin. approval was sought from State Govt. In reference, to this State Govt. submitted that, the proposal involved in three packages (IIA, IIB, IIC) however, admin. approval is provided for only package IIC and it is also submitted that admin. approval of IIA & IIB is under process. Since Admin approval is important document which is required prior to Stage-I approval. Therefore, State Govt. is required to upload the complete administrative approval of the proposal approved by competent authority.	<p>In reply to this EDS the user agency has submitted that administrative approval and financial sanction for Package-IIA and Package-IIB has been taken up with Ministry of Road Transport & Highways, Govt. of India for placing before the Standing Finance Committee and is in advance stage.</p> <p>Further, Land Acquisition Committee has already approved alignment and Land Acquisition Plan for Package-II (i.e. Pkg- IIA+IIB+IIC) and subsequently, about 90% Land has already been acquired (3D & 3G Notification) on the approved alignment and compensation paid to the affected persons. It is also clarified that there is no possibility of change in the alignment in future and be treated as finalized and frozen. An undertaking to this effect has been uploaded by the user agency in additional information column of Part-1 as annexure-1 in response to the reply of the letter under reference.</p>

<p>2</p>	<p>In reference of the observation No. 2, REPLY IS NOT ACCEPTED,</p> <p>In DGPS map GPS coordinates uploaded in UTM instead of degree-Min-Sec (DMS). Same is required to be rectified and be unloaded in the designated column of the PARIVESH.</p>	<p>Necessary corrections against this observation have been done and stands uploaded on the designated column of the PARIVESH portal.</p>
<p>3</p>	<p>In the proposal only 3.3131 ha forest area and 14.9522 ha Non-forest is involved in the proposal (As per the B-2.4). However as per the details submitted all the 17.3469 ha is belongs to Govt land. Therefore, State Govt. shall clarify the contradiction statement between the facts submitted and mentioned in B-2.4, part-I</p>	<p>In response to this EDS, the UA has submitted that the EDS clubs 3.3131 ha of forest land to be diverted for Muck Dumping Sites and 14.9522 ha of Non-forest land for Muck Dumping Sites of Kunihar Division. The cumulative total for both Divisions comprises an area of 18.2653 ha for Muck Dumping Sites, and does not match with the 17.3469 ha as mentioned in the EDS. However, the area mentioned in the EDS i.e., 17.3469 is the Total Forest area requiring diversion w.r.t. Bilaspur Forest Division.</p> <p>The User agency has clarified the forest, non-forest land wise statement involved in the diversion proposal which is as under:</p> <p><u>Kunihar Division</u></p> <p>Forest land for Road & Tunnel: 16.5130 ha</p> <p>Forest land for MDS: 0</p> <p>Non-Forest land for MDS: 14.9522 ha</p> <p>-----</p> <p>Total Forest land: 16.5130 ha</p> <p>Non forest land: 65.0704 ha</p> <p>-----</p> <p>Total Land Requirement: 81.5834 ha</p> <p><u>Bilaspur Division</u></p> <p>Forest land for Road & Tunnel: 14.0338 ha</p> <p>Forest land for MDS: 3.3131 ha</p>

		<p>Non-Forest land for MDS: 0</p> <p>-----</p> <p>Total Forest land: 17.3469 ha</p> <p>Non forest land: 26.7734 ha (Pvt. Land)</p> <p>-----</p> <p>Total Land Requirement: 44.1203 ha</p> <p>In this regard component wise detailed area statement is enclosed as Annexure 3</p>
4	<p>Details of Displacement has been updated; however, R & R plan is not in downloadable form. Same is required to be in legible format.</p>	<p>In response to this EDS the UA has submitted that R&R plan is enclosed as Annexure 4.</p>
5	<p>In reference of the observation No. 4, REPLY IS NOT ACCEPTED, State Govt has submitted the details of IRC norms however calculation sheet (S. No-3, add. Information) is not in downloadable form. Therefore, State Govt shall upload the calculation sheet (details of length and width) for RoW (as mentioned 45 m), duly authenticated by DFO concerned.</p>	<p>In reply to this EDS, the User Agency has submitted that necessary corrections have been made; compliance of which have been uploaded in Parivesh Portal as Annexure 5 in required format.</p>
6	<p>In reference of the observation No. 8, REPLY IS NOT ACCEPTED, Geologist Report prepared was sought from State Govt., however same is not found uploaded. Therefore, State Govt. shall upload the Geologist Report prepared by some professional institutions on the PARIVESH portal.</p>	<p>In reply to this observation the User agency has submitted that the required Geologist Report have been prepared by Center for Advanced Study in Geology, Punjab University, Chandigarh and the same is uploaded on Parivesh Portal as Annexure 6.</p>
7	<p>In reference of the observation No. 10, REPLY IS NOT ACCEPTED, Since Muck Dumping sites-12/13/14, is in</p>	<p>Pertains to Divisional Forest Officer, Bilaspur</p>

	<p>forest land (3.3131 ha) which is proposed in Green area having dense vegetation/trees. Therefore, State Govt. may explore to shift the dumping sites to Non-forest land. Also, State Govt. may provide the list of trees standing in the proposed dumping sites, if any and submit an undertaking with effect that No green standing Tree shall be felled in the dumping sites duly authenticated by DFO concerned.</p>	
<p>8</p>	<p>In reference of the observation No. 15, REPLY IS NOT ACCEPTED, State Govt has submitted the undertaking mentioned that regarding the translocation of sapling from PRow will be done by the UA prior to commencement of work, however details of trees to be felled and retained has not been provided. Also, detail mentioned at point 14 is not relevant to this query. Therefore, State Govt shall provide the details of trees to be felled and retained in the PRow and muck dumping sites, duly authenticated by DFO concerned.</p>	<p>In reply to this EDS it is submitted that the width of Proposed Right of Way for the project is finalized according to the IRC Guidelines, which is kept minimum and as per the construction width. Thus, only those trees which are required to be Felled have been enumerated.</p> <p>Further, it is also submitted that as per EPC (Engineering, Procurement, and Construction) and HAM (Hybrid Amenities Mode) contract norms, the contractor is granted certain flexibility to modify road design to suit site condition on prior approval of NHAI and hence has the fair scope to retain some trees through minor modification in road geometry. In response to which UA/NHAI hereby undertakes to issue such directive to the contractor to save trees wherever feasible and the same will be duly informed to the concerned DFO.</p> <p>Detailed list of trees required to be felled in the PRow & Dumping sites stands uploaded in Portal; for which the undertaking for translocation of Saplings was issued by the undersigned</p>

<p>In reference of the observation No. 18, REPLY IS NOT ACCEPTED: -</p> <p>As per the DSS analysis, out of 25 ha in C-II Malyawar (Bilaspur Forest Division) 24 is under Moderate dense Forest (MDF) and Out of 11 ha in UPF Ganglo (Bilaspur Forest Division) 10 ha is under Moderate dense Forest (MDF) Category. Therefore, State Govt may identify the new proposed CA area with vegetation density below 40%, if required. Also, upload the revised KML, DGPS/SOI toposheet, land suitability certificate, duly authenticated by DFO concerned.</p>	<p>CA areas C-II Malyawar and UPF Ganglo falls in Bilaspur Forest Division; However, necessary correction for Kml file of DPF Baila and UPF Tipra has been done & stand uploaded on designated columns in Parivesh Portal.</p> <p>Further, the DGPS maps & KML files has been ratified accordingly.</p>
<p>As per the DSS analysis, the CA site Named UPF Tipra/DPF Baila is overlapping to each other. Therefore, State Govt shall upload the correct KML polygon pertaining to the relevant proposed CA area. Also, upload the correct DGPS and toposheet as per the KML polygon, duly authenticated by DFO concerned.</p>	<p>Necessary corrections has been made and the same stands uploaded on part -II of the Parivesh portal</p>
<p>I. State Govt shall upload the relevant DGPS map as per the KML of the CA site named UPF Kanlah, duly authenticated by DFO concerned.</p>	<p>DGPS map of the CA site named UPF Kanlah duly authenticated by the undersigned is uploaded against the designated columns in part-II.</p>
<p>State Govt Shall provide the certificate of non-availability of NFL from Chief Secretary for proposing DFL under special provision Para 2.2 (iv) of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and Van (Sanrakshan Evam Samvardhan) Rules, 2023, MoEF&CC.</p>	<p>In response this reply, UA has submitted that the requisite certificate of non-availability of NFL has already been uploaded on the portal. Copy of the same is enclosed as Annexure 9.</p>
<p>As per the DSS analysis, the KML of Kunihar Forest Division is passing through the Darlaghat conservation reserve, therefore State Govt. shall</p>	<p>Darlaghat Wildlife Sanctuary comprising of an area of 6 sq km was de-notified and converted into Darlaghat Conservation Reserve vide Govt. of HP</p>

provide the exact aerial distance from Darlaghat WLS and necessary comments regarding the impacts of proposed road on Wild life from CWLW. Also, the State Govt. may submit Wild life Management Plan as per para-1.22 (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, if applicable.

notification No. FFE-B-F(6)11/2005-II dated 7th June, 2013; excluding an area of 5.33 sq km area comprising of 11 villages namely Buila, Banan, Susai, Pather, Kiyari, Changer, Sekhar, Simoo, Dareota, Damlana and Surajpur

At present the total area of the Darlaghat Conservation Reserve is 0.67 sq km and the aerial distance from the nearest point of proposal under consideration is 1.36 km as verified from the Survey of India Toposheet on a scale of 1:15000; and also, as per the kml file of conservation reserve boundaries delineated vide the notification *ibid*. The Notification of Govt. of HP regarding Darlaghat conservation Reserve; No. FFE-B-F (6)11/2005-II dated 7th June, 2013 & aerial distance verification as dovetailed above are uploaded for the ready reference.

It is further, submitted that the ESZ of Darlaghat Conservation Reserve is yet not notified & even if, assuming the ESZ of this PA as 1 Km being not notified; the Wildlife Management Plan must not be a prerequisite requirement as per the para-1.22 (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.

However, the User agency has agreed upon to deposit the detailed cost of Wildlife Management Plan post stage – 1 approval; if applicable.


Divisional Forest Officer,
Kunihar Forest Division.