

No. / 10367  
Himachal Pradesh Forest Department,

Dated Shimla/ 24/3/2023.

From: D.F.O Shimla. To: CF Shimla Circle.


Sub : Diversion of 19.1788 ha. forest land for the Construction of additional forest land require four laning of proposed Shimla Bypass from Kaithalighat to Shakral Section (Package-II) of NH-22 (Chainage from Km 146+300 to Km.156.560) (**Online Proposal No. FP/HP/ROAD/154923/2022.**)

Memo:

Please refer to GoI office letter No. FC/HPC/06/181/2022 dated 06.03.2023 on the subject cited above.

The point wise reply is given as under:-

1. Necessary documents/reply has been uploaded by the user agency through online portal.
2. Necessary correction has been done by the user agency in the KML file.
3. Necessary documents/reply has been uploaded by the user agency through online portal.
4. The legible copy of the Toposheet of diversion area has been uploaded by the user agency through online portal.
5. Necessary correction has been done by the user agency.
6. Necessary documents/reply has been uploaded by the user agency through online portal.
7. The Khasra wise enumeration list of trees has been uploaded through online portal.
8. As per the reply of the user agency.
9. The revise NPV bill has been uploaded through online portal.
10. As per the reply of the user agency.
11. The reclamation plan has been uploaded through online portal.
12. As per the reply of the user agency.
13. Necessary documents has been uploaded by the user agency.
14. Pertains to your good office.
15. Necessary SIR has been uploaded by the both DFO.
16. The user agency has submitted undertaking regarding Wildlife Management Plan uploaded through the online portal.
17. The bill of Wildlife Management Plan as well as the undertaking of the user agency has been uploaded through the online portal
18. The user agency has been done through online portal.
19. The document proof of the CA area has been uploaded through online portal.
20. The revised KML file as well as digital map and toposheet has been uploaded through online portal.
21. The revised KML file as well as digital map and toposheet has been uploaded through online portal.
22. As per the reply of the user agency.

  
Divisional Forest Officer,  
Shimla Forest Division,



# भारतीय राष्ट्रीय राजमार्ग प्राधिकरण

(सड़क परिवहन और राजमार्ग मंत्रालय, भारत सरकार)

## National Highways Authority of India

(Ministry of Road Transport and Highways, Govt. of India)

NHAI PIU - Shimla, House No. 1, Rishikesh Sadan, Shanti Kutia, Chakkar Shimla-171005, H.P.

Email: pdpiushimla@nhai.org; pdpiushimla@gmail.com | Phone: 0177-2633318



11015/3/2022/Forest/S-D/PIU-SML/ 3057

21 Mar., 2023

To,

The Divisional Forest Officer,  
Shimla Forest Division,  
Himachal Pradesh.

The Divisional Forest Officer,  
Shimla (Urban) Forest Division,  
Himachal Pradesh.

**Sub:** Diversion of 19.1788 ha of forest land in favour of NHAI for diversion of additional forest land requirement for four laning of NH-05 from Shakral Village to Dhalli Section (Shimla Bypass Package-II from Kms 146+300 to 156+560 and Shimla Connectivity from Kms 0+000 to 0+725 for Design length -10.985) in already approved FCA case of the entire Section from Kaithlight to Dhalli, within the jurisdiction of Shimla and Shimla (MC) Forest Division, Distt. Shimla, Himachal Pradesh. (Online Proposal No. FP/HP/Road/154923/2022)

**Ref:** EDS raised by Integrated Regional Office vide Letter No. FC/HPC/06/181/2022 dated 06.03.2023

Sir,

Kindly refer to the observations raised by the Integrated Regional Office, Shimla as cited under reference above for the subject forest proposal. The point-wise compliance to the observations is hereby submitted in the table below.

Sl. No	Observations of IRO	Compliance
1.	The extant proposal is submitted for diversion of additional forest land from 146.300 Km to 156.56 Km in already approved FCA case no. FP/HP/Road/9295/2015 in which 40.3 ha forest land diversion was already approved. It has been observed from analysis of KML files of already approved alignment and proposed alignment that Layout Plan of approved alignment has been changed and now a tunnel is proposed in Sanjauli area. Therefore, in view of above, State Government may clarify whether unused area of already approved alignment has been surrendered to Forest Department or not. If yes, then documentary proof of the same are required, if no, then reason thereof may be provided	In already approved FCA case no. FP/HP/Road/9295/2015 of 40.3 Ha of diversion of forest land, 35.4324 Ha of forest land is proposed to be utilized in both the Packages (Pkg 1-19.8144 Ha & Pkg 2- 15.618 ha) and only 4.8631 ha remains unused out of 15.619 ha. for PKG-II which has been handed over to the Forest Department vide UA letter no. 3032 dated 20.03.2023 attached herewith as Enclosure 1.
2.	Component "Tunnel" is proposed in the proposal and 0.1415 ha area is proposed for the Tunnel component. However, this component is not marked in KML file.	The tunnel component is marked in KML file and uploaded in the portal.



# भारतीय राष्ट्रीय राजमार्ग प्राधिकरण

(सड़क परिवहन और राजमार्ग मंत्रालय, भारत सरकार)

## National Highways Authority of India

(Ministry of Road Transport and Highways, Govt. of India)

NHAI PIU – Shimla, House No. 1, Rishikesh Sadan, Shanti Kutia, Chakkar Shimla-171005, H.P.

Email: pdpiushimla@nhai.org; pdpiushimla@gmail.com | Phone: 0177-2633318



Sl. No	Observations of IRO	Compliance
3.	<p>Since Tunnel is proposed in the project, therefore Geological Report/Studies carried for the proposed tunnel along with impacts and their mitigations measures suggested in these reports/studies may be provided along with an Undertaking for compliance of the same may also be provided.</p>	<p>The thorough geological and geotechnical investigation have been carried out for tunnels along the proposed alignment of Shimla Bypass Package-2. Total 3 twin tube tunnels have to be constructed on this stretch.</p> <p>The lab testing of the ground data/samples has been conducted and these lab test reports have been utilised for the design of support system of the tunnel locations as well as for the portal locations.</p> <p>The details are given in the form of geological report which is attached herewith at <b>Enclosure 2</b>.</p> <p>Undertaking for compliance of the measures is attached herewith as <b>Enclosure 3</b>.</p>
4.	<p>Legible copy of Toposheet of diversion area is not uploaded in PARIVESH portal.</p>	<p>Needful has been done and uploaded in the portal.</p>
5.	<p>Chainage wise, Khasra number wise, component wise, forest and non-forest area wise information of proposed project including length, width and dimensions of all components in tabulated form may be provided.</p>	<p>The component wise breakup showing the forest and non-forest area has also been revised and updated in the relevant section of the online proposal and submitted herewith as <b>Enclosure 4</b>.</p>
6.	<p>As per the information of length and width of PRow documents uploaded in additional information, of Part-I, width of additional widening along the road varies from 29.48 m to 142.0 meter. Therefore, it may be clarified with supporting documents whether this desired width is as per norms/guidelines or not. Further, a Line Plan showing chainage wise width showing proposed components may be provided.</p>	<p>According to IRC:SP:84:2019 -Manual of Specifications and Standards for Four Lining of Highways Clause 2.3 "A minimum Right of Way (RoW) of 60 m should be available for development of a 4-lane highway. The Authority would require the additional land required, if any. The land to be acquired shall be indicated in Schedule 'B' of the Concession Agreement." (IRC reference attached as <b>Enclosure 5</b>). As mentioned in the clause this is applicable for plain and rolling terrain. Further, for hilly terrain the natural topography of hills will be different for all project alignments. Therefore, it may be different for longitudinal and transversely where cut and fill could be adjusted according to geological</p>



# भारतीय राष्ट्रीय राजमार्ग प्राधिकरण

(सड़क परिवहन और राजमार्ग मंत्रालय, भारत सरकार)

## National Highways Authority of India

(Ministry of Road Transport and Highways, Govt. of India)

NHAI PIO - Shimla, House No. 1, Rishikesh Sadan, Shanti Kutia, Chakkar Shimla- 171005, H.P.

Email: pdpiushimla@nhai.org; pdpiushimla@gmail.com | Phone: 0177-2633318



Sl. No	Observations of IRO	Compliance
		condition also. Hence for hills, the PROW may not be constant throughout for some projects, which may be varying as per applicable terrain depending on the cutting height and width to maintain the slope protection measures as per the IRC Standards. Plan showing chainage-wise width is attached herewith as <b>Enclosure 6</b> .
7.	Enumeration list of trees involved in Shimla Forest Division is not uploaded. Therefore, Khasra number wise enumeration list may be uploaded.	Pertains to DFO Shimla (Rural) and DFO Shimla (Urban)
8.	Large numbers of trees (3910 trees) are proposed for felling in the proposal. Therefore, State Government may explore the possibilities to reduce the felling of trees and may provide a list of trees to be felled and retained.	The various possibilities have been explored to save the trees proposed to be felled as mentioned below. <b>a. Between Formation width and PROW</b> - It will be ensured that trees directly impinging upon the construction activity will only be felled. The trees standing on the space between the formation width and proposed right of way will be saved to the best possible extent during construction stage especially the trees of ecological importance like Deodar, Ban etc. <b>b. Tunnel</b> - Tunnel has been proposed over a length of 3.2 km which are considered as eco-friendly structures. There will be no tree felling over the tunnel area hence resulting in further savings of trees in comparison if there was no tunnel proposed.
9.	Total 3910 trees are being affected in the proposal and 10.496 hectare area is proposed for road component, 8.5413 ha area is for 10 dumping sites and 0.1415 ha area is proposed for tunnel in forest land. However, vegetation density is mentioned as 0.0825 (Open Category). Therefore, vegetation density of diversion area may be re-verified in view of enumeration and forest area involved.	Pertains to DFO Shimla (Rural) and DFO Shimla (Urban)



# भारतीय राष्ट्रीय राजमार्ग प्राधिकरण

(सड़क परिवहन और राजमार्ग मंत्रालय, भारत सरकार)

## National Highways Authority of India

(Ministry of Road Transport and Highways, Govt. of India)

NHAI PIU - Shimla, House No. 1, Rishikesh Sadan, Shanti Kutia, Chakkar Shimla-171005, H.P.  
Email: pdpiushimla@nhai.org; pdpiushimla@gmail.com | Phone: 0177-2633318



Sl. No	Observations of IRO	Compliance
10.	Non availability of non-forest land Certificate for the proposed project and Compensatory Afforestation sites is not provided.	Non availability of non-forest land Certificate was already provided vide NHAI letter no. 849 dated 08.07.2022 and also uploaded against additional information details in online Part-I as 'Compliance to Point no. 4 of the EDS raised by Nodal on 06.05.2022' Non availability of non-forest land Certificate for Compensatory Afforestation is not required for Central Government agencies or Central Public Sector Undertakings as per prevailing practices and the same procedure was followed for Package-I.
11.	Reclamation Plan of dumping sites is not uploaded.	Pertains to DFO Shimla (Rural) and DFO Shimla (Urban)
12.	Muck dumping sites are proposed in forest land. of Therefore, possibilities selecting alternate sites for muck dumping in non-forest land may be explored. Additionally muck dumping site wise enumeration list may also be provided, if dumping sites are necessarily proposed in forest land.	The said muck disposal sites are strategic in location i.e. these are the nearest available sites near the project alignment. 77% of the sites are located adjacent to the alignment. If the lead distance of the site is increased transportation of muck will damage the existing pavement due to heavy weight of plying vehicles, increase the possibility of accidents and deteriorate the air quality thus causing public inconvenience. To avoid these, muck sites are partly proposed in forest land as no such suitable area is available in and around for such purpose in the non-forest area.  Further, the project is already awarded and the contractor is on-board for construction, thus selection of alternate muck disposal sites is not feasible at this stage. <b>Muck dumping site- wise enumeration list may be provided by your good office.</b>



भारतीय राष्ट्रीय राजमार्ग प्राधिकरण  
(सड़क परिवहन और राजमार्ग मंत्रालय, भारत सरकार)  
**National Highways Authority of India**  
(Ministry of Road Transport and Highways, Govt. of India)

NHAI PIU - Shimla, House No. 1, Rishikesh Sadan, Shanti Kufia, Chakkar Shimla-171005, H.P.  
Email: pdpiushimla@nhai.org; pdpiushimla@gmail.com | Phone: 0177-2633318



Sl. No	Observations of IRO	Compliance
10.	Non availability of non-forest land Certificate for the proposed project and Compensatory Afforestation sites is not provided.	Non availability of non-forest land Certificate was already provided vide NHAI letter no. 849 dated 08.07.2022 and also uploaded against additional information details in online Part-I as 'Compliance to Point no. 4 of the EDS raised by Nodal on 06.05.2022' Non availability of non-forest land Certificate for Compensatory Afforestation is not required for Central Government agencies or Central Public Sector Undertakings as per prevailing practices and the same procedure was followed for Package-I.
11.	Reclamation Plan of dumping sites is not uploaded.	Pertains to DFO Shimla (Rural) and DFO Shimla (Urban)
12.	Muck dumping sites are proposed in forest land. of Therefore, possibilities selecting alternate sites for muck dumping in non-forest land may be explored. Additionally muck dumping site wise enumeration list may also be provided, if dumping sites are necessarily proposed in forest land.	The said muck disposal sites are strategic in location i.e. these are the nearest available sites near the project alignment. 77% of the sites are located adjacent to the alignment. If the lead distance of the site is increased transportation of muck will damage the existing pavement due to heavy weight of plying vehicles, increase the possibility of accidents and deteriorate the air quality thus causing public inconvenience. To avoid these, muck sites are partly proposed in forest land as no such suitable area is available in and around for such purpose in the non-forest area.  Further, the project is already awarded and the contractor is on-board for construction, thus selection of alternate muck disposal sites is not feasible at this stage. <b>Muck dumping site- wise enumeration list may be provided by your good office.</b>



भारतीय राष्ट्रीय राजमार्ग प्राधिकरण  
(सड़क परिवहन और राजमार्ग मंत्रालय, भारत सरकार)  
**National Highways Authority of India**  
(Ministry of Road Transport and Highways, Govt. of India)

NHAI PIU - Shimla, House No. 1, Rishikesh Sadan, Shanti Kutia, Chakkar Shimla-171005, H.P.  
Email: pdpiushimla@nhai.org; pdpiushimla@gmail.com | Phone: 0177-2633318



Sl. No	Observations of IRO	Compliance
13.	Muck Management Plan (MMP) is not authenticated by the concerned DFO. Therefore, duly authenticated MMP may be uploaded.	Duly authenticated Muck Management Plan by the concerned DFOs is uploaded in the additional information details.
14.	Since the proposal involves area more than > 5 ha, therefore Site Inspection Report from the concerned Conservator of Forests needs to be provided.	The site inspection of Conservator of Forests (CF), Shimla was conducted on 10.03.2023 at 11:00 AM. The Site Inspection Report may be uploaded by his good office.
15.	SIR of Shimla Forest Division is uploaded in both the Forest Divisions (Shimla Urban and Rural) involved. Therefore, SIR of both the Forest Divisions may be uploaded.	Pertains to DFC Shimla (Rural) and DFO Shimla (Urban)
16.	Since some part of the proposed project falls within notified ESZ of Shimla Water Catchment Wildlife Sanctuary and as per notified ESZ of Shimla Water Catchment WLS, proposed project is a regulated activity, therefore comments of Chief Wildlife Warden regarding adverse impacts of project and mitigation measures thereof may be submitted. Additionally Wildlife Management Plan along with detailed cost of its implementation as per MoEF&CC order dated 07.06.2022 and 16.01.2023 may also be submitted along with an undertaking to deposit its amount in CAMPA as prescribed in Wildlife Management Plan/lump sum amount as the case may be.	Comments of Chief Wildlife Warden regarding adverse impacts of project and mitigation measures has been sought vide NHAI letter no.2958 dated 14.03.2023 (copy enclosed as <b>Enclosure 7</b> ) and the same is in progress. Undertaking for submission of Wildlife Management Plan and to deposit its amount in CAMPA as per MoEF&CC guidelines is attached as <b>Enclosure 8</b> .
17.	The diversion area is in hilly terrain and large numbers of trees are being proposed for felling, therefore, soil erosion is inevitable. Therefore, Soil Moisture Conservation Plan (SMC), along with its cost of implementation as per MoEF&CC dated 07.06.2022 and 16.01.2023, may be provided/uploaded along with an undertaking to deposit its cost in CAMPA as prescribed in Soil Moisture Conservation Plan /lump sum amount as the case may be.	Undertaking for submission of Soil Moisture Conservation Plan (SMC) and to deposit its amount in CAMPA as per MoEF&CC guidelines is attached herewith as <b>Enclosure 9</b> .
18.	As per DSS analysis, area of proposed diversion area is 16.44 ha. However, as per proposal, proposed diversion area is 19.1788 ha. Therefore, this variation	Needful has been done and uploaded.



# भारतीय राष्ट्रीय राजमार्ग प्राधिकरण

(सड़क परिवहन और राजमार्ग मंत्रालय, भारत सरकार)

## National Highways Authority of India

(Ministry of Road Transport and Highways, Govt. of India)

NHAI PIU - Shimla, House No. 1, Rishikesh Sadan, Shanti Kutia, Chakkar Shimla-171005, H.P.

Email: pdpiushimla@nhai.org; pdpiushimla@gmail.com | Phone: 0177-2633313



Sl. No	Observations of IRO	Compliance
	in area figure may be reviewed and revised polygon with correct area figures may be uploaded.	
19.	The Status of proposed CA land whether these sites are managed by forest department and ownership of these lands vested with Forest Department or not. If yes, then documentary proof of the same may be provided.	Pertains to your good office.
20.	05 ha area of Patch 3 (DPF Narenty C19) and 04 ha area of Patch 5 (DPF Narenty C17a) are falling in Very Dense Forest Category as per DSS analysis. Therefore, these sites may be reviewed in terms of vegetation density and revised sites may be provided.	Pertains to your good office.
21.	Area of Patch no. 4 (UPF Bishamdhar 10ha) is overlapping with the area of proposal no. FP/HP/Road/22096/2016. Same may be reviewed and if required revised site may be provided.	Pertains to your good office.
22.	Hon'ble High Court of Himachal Pradesh has issued directions on dated 13.01.2023 CWPII NO 13/2021 title as Kusum Bali Vs States of HP and others which states that "We direct that there shall be no cutting of hills in the entire State of Himachal Pradesh, unless permission is obtained from the Director, who shall call for a report and "No Objection Certificate" from the Pollution Control Board, before granting such permission. Therefore, desired NOC is required to be submitted as per the directions of Hon'ble High court.	The Consent to Establish (CTE) u/s 25/26 of Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of Air (Prevention & Control of Pollution) Act, 1981 for the proposed project road from Shakral to Dhalli is in the process of being obtained from H.P State Pollution Control Board. However, an undertaking by the User Agency in this regard is hereby submitted to obtain the said NOC before Stage-II approval of the project as <b>Enclosure 10.</b>

3. In this regard, it is requested to take necessary action so that stage-I approval for diversion of forest land measuring 19.1788 hectare could be obtained at the earliest & encumbrance free land could be provided to the Contractor for starting the four laning work.

Yours sincerely,

(R.A. Khural)

GM (Tech.)-cum-Project Director  
NHAI, PIU-Shimla