

No. RK/FCA/Link road Ogli to Summa/ 5751
Himachal Pradesh Forest Department.

Dated Shimla-2, the 25/11/2023

From: DFO (Rural), Shimla

To: CCF (T), Shimla

Subject: Diversion of 0.8637 ha of Forest land in favour of Executive Engineer, Himachal Pradesh Public Works Department, Shimla Rural Division, Dhama for the construction of link road Ogli to Summa Kms. 0/0 to 1/510, falls within the jurisdiction of Shimla (Rural) Forest Division, Tehsil and District - Shimla, HP (Online Proposal No. FP/HP/ROAD/8779/2014)

Sir,

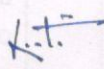
May kindly refer to the Nodal Officer-cum-Addl. Pr. CCF (FCA), O/o Pr. CCF (HoFF), HP Memo. No. HPPD-F05/186/2023-FCA dated 5th September, 2023 on the subject cited above.

2. The point wise reply with respect to the shortcomings noticed by the Nodal Officer-cum-Addl. Pr. CCF (FCA), O/o Pr. CCF (HoFF), HP vide letter referred to above is given as follows:

Sl. No.	Shortcomings	Compliance
1.	In reply to para No. 1(ii) GoI has asked to provide the detail of action taken by State govt. against officials concerned, but no comments/ clarification in this regard has been received.	In reply to para No. 1 (ii), it is submitted that no action has been taken against the officials concerned for not being able to prevent the use of Forest land for non-forestry purpose without prior approval of Govt. of India as the link road Ogli to Summa is under the list of 2183 roads constructed in violation of Forest (Conservation) Act, 1980 provided by the Himachal Pradesh Public Works Department to the Hon'ble High Court of Himachal Pradesh and the Hon'ble High Court vide order in CWP No. 5600 of 2012 has given one time relaxation for the roads which have been constructed illegally on Forest land. Copies of the Hon'ble High Court which clearly finds mention of regularization of 2183 roads already been constructed in violation of the provision of FCA, 1980 have been uploaded by the User Agency online in the Part-II under additional information details at Sl. No. 19 as " <i>reply of observation raised by DFO 29 may 2023</i> " at Page No. 2-8 in the pdf attached, please.
2.	The Penal NPV bill as asked by GoI has not been found uploaded online	In this respect, it is submitted that the Penal Net Present Value has been prepared and uploaded online on Parivesh portal in the Part-II under additional information details, please
3.	GoI has asked to provide the SMC Plan but as per the documents uploaded online Part-II, only calculation sheet by providing 0.5% of the project cost has been provided, hence, undertaking may be provided to pay the actual amount of SMC Plan.	In this respect, the User Agency has submitted undertaking to pay the entire amount on account of Soil & Moisture Conservation Plan (SMCP) and uploaded online on Parivesh portal in the Part-I under additional information details at Sl. No. 21 as " <i>Reply of Observation Raised by DFO on 17 oct 2023</i> " at Page No. 2 in the pdf attached, please.

4.	GoI has asked at para No. 14 to provide the list of trees which are required to be felled and retained but no such list has been found uploaded.	In this respect, the User Agency has submitted the list of trees to be felled and to be retained and uploaded online on Parivesh portal in the Part-I under additional information details at Sl. No. 21 as “Reply of Observation Raised by DFO on 17 oct 2023” at Page No. 3 in the pdf attached, please.
5.	The reply of para No. 16 is not in consonance of the observation of GoI.	The clarification/justification regarding Compensatory Afforestation (CA) area is as follows:- (i) The KML file and relevant maps of Compensatory Afforestation (CA) area have been uploaded online on Parivesh portal in the Part-II under appropriate column, please. (ii) The status of the proposed Compensatory Afforestation (CA) is UPF-47 Jahehar, Khatnol Block, Kadharghat Beat of Bhajji Forest Range falls under Shimla (Rural) Forest Division and is notified under IFA, 1927 and is in the possession of the Himachal Pradesh Forest Department. The copy of the Working Plan has been uploaded online on Parivesh portal under additional information details, please. (iii) The document regarding Suitability of land for Compensatory Afforestation (CA) in lieu of Forest land proposed for diversion in terms of its vicinity to the area being proposed for DA and/or contiguity with the existing Forest area has been uploaded online in the Part-II under appropriate column, please.

This is for favour of kind information and necessary action, please.


**Divisional Forest Officer (Rural),
Forest Division, Shimla**