

I/8189/2022



भारत सरकार/GOVERNMENT OF INDIA
एकीकृत क्षेत्रीय कार्यालय
Integrated Regional Office
पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय
Ministry of Environment, Forest and Climate Change
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File No.: FC/HPB/06/21/2022

Dated: 04.2022

सेवा में,

नोडल अधिकारी-सह-अतिरिक्त प्रधान मुख्य अरण्यपाल (एफ.सी.ए.)

हिमाचल प्रदेश सरकार

वन विभाग, टालैंड, शिमला।

(Email:- nodalcahp@yahoo.com)

विषय: Diversion of 0.6345 ha of forest land in favour of HPPWD for the construction of link road to village Dhundni Mata in Tehsil & Distt. Kangra, within the jurisdiction of Dharamshala Forest Divisions, Distt. Kangra, Himachal Pradesh (Online Proposal No. FP/HP/Road/144478/2021).

संदर्भ: नोडल अधिकारी-सह-अतिरिक्त प्रधान मुख्य अरण्यपाल (एफ.सी.ए.), हि0प्र0 के पत्रांक 48-5426/2021 (एफ.सी.ए.) दिनांक 09.03.2022.

महोदय,

उपरोक्त विषय पर संदर्भित पत्र का आशय ग्रहण करते हुए सूचित करना है कि प्रस्ताव में निम्नलिखित कमियां पाई गयी है। अतः राज्य सरकार निम्न बिन्दुओं पर आवश्यक सूचनाएं प्रेषित करने का कष्ट करें, ताकि अग्रिम कार्यवाही सुनिश्चित की जा सके:-

1. The Site Inspection Report and the Joint Inspection Report revealed that violation has been carried out. Therefore, in view of above, following clarification/justification may be provided:-
 - i. The Action Taken Report against the violators as per Para 1.21 (i) and/ or (ii) of FCA Guidelines may submitted/ uploaded in the portal.
 - ii. Action taken by the State Government 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.
2. The clarification/documents regarding the following may also be provided:
 - i. Complete legible list of 2183 roads provided by HPPWD to Hon'ble High Court of Himachal Pradesh constructed in violation of FCA, 1980 highlighting the Sl. No. and name of the road of the extant proposal.
 - ii. Copies of the Orders of the Hon'ble High Court of H.P. which clearly finds mention of regularization of 2183 roads which have already been constructed in violation of the provisions of FCA, 1980.
3. FRA Certificate along with all prescribed annexures including records of all consultations and meetings with Gram Sabha(s) and FRC(s) of all the concerned villages needs to be submitted.
4. The revised NPV/Penal NPV calculations sheet/bills as per revised NPV rates by MoEF & CC dated 06.01.2022 may be provided.
5. Project approval document issued by Competent Authority may be uploaded.
6. The State Government submitted that the aerial distance from Pong Dam Lake Bird Sanctuary is about 11.3 km and from Dhauladhar WLS is 70 kms. However, draft notification of the ESZ of Pong Dam Lake Bird Sanctuary has already notified by Central Government. Therefore, exact aerial distance of the proposed site from nearest PA and its draft notified ESZ may be submitted along with comments of CWLW, if required.
7. In component wise breakup and in length and width detail of proposed road, a component "Turning Point" has been mentioned. The same may be clarified and justified in detail.

I/8189/2022

8. Most of the documents in the proposal are not authenticated by DFO concerned. This may be ensured that all the documents are authenticated by DFO concerned.
9. It has been mentioned in the Undertaking for payment of cost of CA, that entire amount will be paid at the time of undertaking of plantation activities. However, the payment of CA is required to be deposited before final (Stage-II) approval. Therefore, same may be reviewed and revised be submitted to this office.

As per the latest direction of the Ministry of Environment, Forest and Climate Change, Government of India vide File No. FC-7/43/2020-FC dated 22.03.2022, the proposals for use of forest land for non-forest purposes which includes violation of Forest (Conservation) Act, 1980 as specified in Para-1.21 (i) and (ii) will be examined at the level of Ministry. Therefore, the State Government is requested to submit the reply to this office at the earliest.

यदि चाही गई सूचना पत्र जारी होने की तिथि के 60 दिनों के भीतर (अधिकतम 90 दिन) इस कार्यालय में प्राप्त नहीं हुई तो प्रस्ताव को निरस्त किया जा सकता है।

भवदीय,

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(सत्य प्रकाश नेगी)

क्षेत्रीय अधिकारी