



भारत सरकार/GOVERNMENT OF INDIA
 क्षेत्रीय कार्यालय, चंडीगढ़, उप-कार्यालय, शिमला/
 Sub-Office, Shimla of Regional Office, Chandigarh
 पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय
 Ministry of Environment, Forest and Climate Change
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Date: 08.2023

सेवा में,

अतिरिक्त मुख्य सचिव (वन)
 हिमाचल प्रदेश सरकार
 आर्म्सडेल बिल्डिंग, शिमला।
 (E-mail: forestsecy-hp@nic.in)

विषय% Diversion of 3.3438 ha of forest land in favour of HPPWD for the construction of link road Bassi to Ghawandal km. 0/0 to 6/0 within the jurisdiction of Bilaspur Forest Division, Dist. Bilaspur, H.P.-reg.

सन्दर्भ: ऑनलाइन प्रस्ताव संख्या FP/HP/ROAD/39140/2019, दिनांक 31.05.2023.

महोदय,

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

1. Administrative Approval and Approved DPR of the project from the competent authority needs to be provided.
2. It has been observed from the KML file that no alternative alignments have been explored. Therefore State Govt. ensures that the user agency will explore the alignments with the least possible distance between the villages to be benefitted and submit the same
3. It has been observed from the KML that all three beneficiary villages are well connected by the existing road. Therefore proposing this new alignment needs justification.
4. Under column B 2.4 online part-I the total forest area to be diverted is mentioned as 3.3428 ha. **However, the instant proposal is of 3.3438 ha. The same may be reviewed and rectified.**
5. As per the DSS the proposed DA area falls within the **Naina Devi WLS and its ESZ**. Therefore, State Government may review the aerial distances from the PA, and provide the exact aerial distance of DA from boundary of **Naina Devi WLS and its ESZ**. Accordingly, comments of CWLW may also be provided.
6. The Layout Plan has been provided. However, it does not match the KML provided. Therefore, a digital copy of the layout Plan in an appropriate scale which must include a legend and the proper dimensions of each component, such as Carriageway, Paved Shoulder, Earth Filling, Drain, and Protection Work, as well as area-wise calculations and Forest/Non-Forest area in different colors duly authenticated by the concerned DFO's needs, be uploaded.
7. Under column K (a) of Part-I online, an FRA certificate has been provided which states that **4.6759 ha** of Forest Land is being diverted for the instant proposal. However, the instnat proposal is for **3.3438 ha**. Therefore State Govt. may clarify the same discrepancies.
8. A fresh KML of the instant proposal needs to be provided in the polygon form of the diversion area as the proposed area for diversion is **3.3438 ha** while the calculated area is **1.90 ha** along the **Forest/Non-Forest area and Violated and Un-Violated part** in a distinct color.
9. A clear and legible copy of the enumeration list along with The date of tree counting and duly authenticated by the concerned DFO need to be uploaded.
10. The Muck Disposal plan needs to be duly authenticated by the concerned DFO.

11. A brief note on the vulnerability of forest land diverted to erosion is not correctly filled in Online Portal

Part-II

12. As per the details provided under column 11 of Online Portal Part-II and The Site Inspection Report from the concerned DFO revealed that a violation has been carried out.

Therefore, in view of the above, the 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 be 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 purposes without prior approval of Govt. of India

iii. A fresh Joint Inspection Report needs to be uploaded.

13. The DSS of the CA, site reveals that the complete area proposed for CA falls under the MDF category.

Therefore, as per para 2.4 (vii) of the Handbook of FCA, 1980 and FC Rules, 2003 (Guidelines and Clarifications), MoEF&CC, 2019, State Govt. may look for alternate CA sites

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 after discussion in REC. Therefore, the State Government is requested to submit the reply to this office at the earliest

भवदीय,

Sd/-

(डॉ. गोबिंद सागर भारद्वाज)
उप वन महानिदेशक(केंद्रीय)

प्रतिलिपि सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषितः

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