

I/10246/2022



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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सेवा में,

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

हिमाचल प्रदेश सरकार

वन विभाग, टालैंड, शिमला।

(Email:- nodalfcahp@yahoo.com)

विषय: Diversion of 4.7 ha of forest land in favour of HPPWD, for the construction of road from Kiari to Khinna (Kms. 0/00 to 7/820), within the jurisdiction of Solan Forest Division, Distt. Solan, HP. (Online Proposal No. FP/HP/Road/28558/2017).

संदर्भ: नोडल अधिकारी-सह-अतिरिक्त प्रधान मुख्य अरण्यपाल (एफ.सी.ए.), हि0प्र0 के पत्रांक 48-3645/2017 (एफ.सी.ए.) दिनांक 19.07.2022.

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. As per the DSS Analysis the proposed DA area falls within the within Chail WLS and its Eco Sensitive Zone As per the provision of 12.4 of the Handbook of the Forest (Conservation) Act, 1980 and Forest Conservation Rules, 2003 (Guidelines and Clarification), 2019, the recommendation of the Standing Committee of National Board of Wildlife for use of forest land for non-forestry purpose is prerequisite. Hence, State Government may kindly send the recommendation of the Standing Committee of National Board of Wildlife.
3. The Administrative approval document issued by Competent Authority may be provided.
4. It has been observed in KML file that no alternative alignments have been explored. Therefore, the alternative may be explored to reduce the number of trees to be affected and forest area involved in the road. If required, KML file of all alternates explored may be revised and uploaded.
5. The beneficiary villages needs to be marked in the KML as per the information provided in Part-I, B. 2.3
6. As per the Joint inspection Report the in an area of 1.85 ha. Road has been already constructed and same patch will be used for widening of the road. Therefore, State govt. may provide KML with the detailed ERoW and PROW with distinct colour and the layout plan with Carriageway, Paved Shoulder, Earth Filling, Drain, and Protection Work duly authenticated by the concerned DFO.
7. The State Govt. showing length and width of broken area and un-broken area along with list of no. of trees proposed to be felled in these areas. Also, justify the felling of trees in broken area, if any
8. According to the Muck Dumping Plan there were two designated sites has been chosen for dumping of muck. However the dumping sites were not marked in KML file the same may be provided. Furthermore, if the Dumping site is proposed in forest land. The State Govt. may explore the possibility to shift this site to the non-forest area.
9. If dumping site is necessarily required to be proposed in forest land, the area of forest land involved in muck dumping shall be reduced. Further, separate enumeration list of trees for the dumping site may be provided.
10. The details of the Muck Disposal sites as mentioned in the Muck Disposal Pland needs to be provided under Part-I, B. 2.4 (Component wise breakup)

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11. Since diversion area falls in Chail WLS As per the direction of MoEFCC direction dated 06.01.2022. Five times of NPV required to be submitted.
12. The Reclamation Plan of Muck Disposal Sites need to be provided.
13. The detail of Component wise breakup and purpose wise breakup of proposed area showing khasra no. wise forest area and non-forest area is required to be uploaded.
14. The date of tree counting is not mentioned in the tree enumeration list. The State Govt. may submit/upload the tree enumeration list mentioning the date of tree counting and duly authenticated by the concerned DFO.
15. A brief note on the vulnerability of forest land diverted to erosion is not correctly filled in Online Portal-II. State Govt. may provide details of the mitigation measures to be adopted to arrest the accelerated soil erosion/landslide during/after execution of the project. If the area is vulnerable to erosion, then the Soil Moisture Conservation Plan (SMC), along with its cost of implementation as per MoEF&CC dated 07.06.2022, may be submitted.
16. Online Portal –II, Para-8 (i) Details of wildlife present in and around the forest land proposed for diversion has mentioned “WIZARD”. The State Govt may review and correct the same.
17. Under Part-II, Para 8 (ii), **Whether forms part of national park, wildlife sanctuary, biosphere reserve, tiger reserve, elephant corridor, wildlife migration corridor etc** it is mentioned “No” by the concerned DFO. Since the proposed DA falls in the Chail WLS, which also can be verified by the DSS report, State Govt. may provide the impacts of the project on the species as well as on their natural habitat. Additionally, the State Govt. may submit the Wildlife Management Plan along with the details cost of its implementation as per the MoEF&CC letter vide File No. FC/11/43/2021-FC dated 07.06.2022
18. In Part II, column – 14, the District profile and geographical area are incorrect. Needful may be done in this regard.

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