

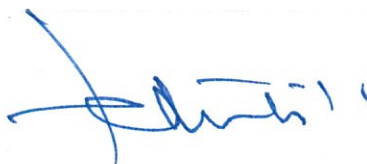
**MINUTES OF MEETING OF THE REGIONAL EMPOWERED COMMITTEE OF
INTEGRATED REGIONAL OFFICE, SHIMLA
HELD ON 13th AUGUST, 2021**

The meeting of the Regional Empowered Committee (REC) of the Integrated Regional Office, Shimla was held on 13th August, 2021 in the Meeting Room of the Integrated Regional Office, MoEF&CC, Dehradun under the Chairmanship of Shri. Pankaj Agrawal, IFS, Addl. PCCF, Integrated Regional Office, Dehradun to discuss FCA proposals pertaining to state of Himachal Pradesh.

Following official/non-official members & the special invitee attended the meeting:

S.No.	Name	Designation
01	Shri. Pankaj Agrawal, IFS, Addl. PCCF, Integrated Regional Office, Dehradun.	Chairman
02	Shri. S.P.Negi, IFS, Regional Officer, Integrated Regional Office, Shimla.	Special Invitee
03	Ms. Meera Iyer, IFS, DIGF (C), Integrated Regional Office, Dehradun.	Member
04	Shri T. C. Nautiyal, IFS, DIGF (C), Integrated Regional Office, Dehradun.	Member
05	Dr. R. S. Bisht, Retd. IFS	Non-official Member
06	Prof. S. D. Bhardwaj	Non-official Member
07	Shri R. K. Gupta, IFS	APCCF and Nodal Officer, HP Forest Department
08	Representatives of the User Agencies and State Forest Departments	

At the outset, the Chairman of the Committee welcomed all the members present for the meeting.



Following proposals seeking diversion of forest land for non-forestry purpose pertaining to the state of Himachal Pradesh were discussed in detail. The case wise decision taken by REC is as under:

Agenda Item No. 01: Diversion of 4.97 ha forest land required for disposal of Muck/Debris generated in already approved FCA case for construction of four laning of Ner Chowk Pandoh including Pandoh Bypass to Takoli section of NH-21 (Package-1 Km 190.000 to Km 221.305 (31 Km Approx.) in favor of NHAI, PIU Mandi of 59.7059 ha of forest land, within the jurisdiction of Mandi Forest Division, District Mandi, Himachal Pradesh (Online Proposal No.: FP/HP/ROAD/42794/2019)

Regional Empowered Committee discussed the proposal seeking diversion of 4.97 ha forest land required for disposal of Muck/Debris generated in already approved FCA case for construction of four laning of Ner Chowk Pandoh including Pandoh Bypass to Takoli section of NH-21 (Package-1 Km 190.000 to Km 221.305 (31 Km Approx.)). The committee noted that 23 trees are proposed to be affected in the project. It was noted that the forest land proposed for diversion is not a part of any Protected Area and no rare and endangered species of flora and fauna have been reported in the area proposed for diversion. Further, no violation of FCA has been reported by the State Government. The DFO, Mandi along with the user agency presented the proposal before the committee through video conferencing.

The committee was informed that the proposal for diversion of forest land for the construction of road has already been approved by the GoI on 07-09-2017 and the current proposal has been submitted by the user agency for 4.97 ha for accommodating the muck that is expected to be generated on this section of the road (Package-I). However, the REC noted that in the approved proposal, the user agency had estimated that the total muck (on both the patches combined) generation would be about 36.75 lakh cum and they had selected land for muck dumping that was sufficient for accommodating 51.84 lakh cum. The approval was accorded by the GoI after taking into consideration all these facts. But the user agency has now informed that in Section-I, the total muck generated is 26 lakh cum and they require additional land of 4.97 ha to accommodate that. The user agency was not able to clarify why this quantity could not be accommodated on the land selected earlier for this purpose that had the capacity of accommodating 51.84 lakh cum. Furthermore, the user agency informed that out of the generated 26 lakh cum muck, they have already dumped 16 lakh cum on private land for which no diversion is required. It was also informed that out of the balance 10 lakh cum, most of it would be accommodated on the ROW itself and additional land would be required for only 1.92 lakh cum. There were a lot of discrepancies in the information and the user agency was not able

to clarify it. Also, as per the details of the patches of land proposed for diversion, it was found that the total area comes out to be only 1.52 ha whereas the user agency has applied for 4.97 ha. The concerned DFO was also not able to clarify it.

After detailed discussion on various aspects of the proposal, the REC decided to defer the proposal and desired that the State Govt. may be submit the following documents/ information / clarifications:

- 1- State Government may review the calculation of muck being estimated in the proposal approved earlier and specify the quantity of muck generated, disposed so far and proposed to be disposed in additional area.
- 2- As per the dimensions of the proposed seven muck disposal sites given in the muck disposal plan, the area comes out to be 1.52 ha only whereas the area proposed for diversion is 4.97 ha. Therefore, State Government may review the same and proposal may be revised accordingly.

Agenda Item No. 02: Diversion of 14.4902 ha of forest land for construction of road from Uttarala to Surahi Pass (Portion Baklood to Surahi Pass) from (Km 10/00 to 33/500) in favour of Himachal Pradesh PWD within the jurisdiction of Palampur Forest Division, Distt. Kangra, Himachal Pradesh. (Online Proposal No.: FP/HP/ROAD/47951/2020)

Regional Empowered Committee discussed the proposal seeking diversion of 14.4902 ha of forest land for construction of road from Uttarala to Surahi Pass (Portion Baklood to Surahi Pass) from (Km 10/00 to 33/500). The committee noted that 1476 trees are proposed to be affected in the project. It was noted that the forest land proposed for diversion is not a part of any Protected Area and no rare and endangered species of flora and fauna have been reported in the area proposed for diversion. Further, no violation of FCA has been reported by the State Government. The DFO, Palampur joined the meeting through video conferencing and presented the project before committee by explaining the need and importance of the proposal. Further, the committee was informed that the during winter season the road will be closed for 3 months. The committee was not convinced with the purpose and benefit of the proposed alignment as neither the habitation is seen along the proposed alignment, nor the end point of the alignment is connecting to any habitation of the area. Secondly, large number of trees especially of quercus species are likely to be affected in the proposed alignment.



After detailed discussion on various aspects of the proposal, the REC decided to defer the proposal and desired that the State Govt. may be requested to submit the following documents/ information / clarifications:

- 1- State Government may justify the requirement of the proposed road and explore the alternate alignment to reduce the tree felling in the proposal.
- 2- State Government may mark the location of the habitations, enroute as well as at the end point, that are proposed to be benefited with the proposed road, on the KML file along with the village-wise population details and revenue code of the concerned village.
- 3- The State Government should also give details of estimated volume of traffic on this road in different months.
- 4- State Government may also mark the migratory route followed by local villagers of the area at the onset of winter.
- 5- State Government may review the CA scheme and revise the rate as per prevailing norms in the State.

Agenda Item No. 03: Diversion of 17.311 ha of forest land in favour of Mohinder Singh and Company Mining Project for mining of sand stone and bajri, within the jurisdiction of Paonta Forest Division, Distt. Sirmour, Himachal Pradesh (online no. FP/HP/MIN/34095/2018)

Regional Empowered Committee discussed the proposal seeking diversion of 17.311 ha of forest land for mining of sand stone and bajri. The committee noted that no tree felling is involved in the project. It is noted that the forest land proposed for diversion is located within 10 km of the Assan Conservation Reserve in the State of Uttarakhand. The proposal was earlier discussed in the REC meeting on 21-03-2021 wherein the committee decided to defer the proposal for getting details of EIA findings and for receiving comments of CWLW of Uttarakhand. The REC was apprised that the comments of CWLW has been submitted now and there is no adverse impact envisaged of the project on the concerned conservation reserve. DFO Paonta also clarified to the committee that the Eco-Sensitive Zone for the SHERJUNG National Park has been notified by the MoEF&CC, New Delhi and the area proposed in the project is outside from the boundary of notified ESZ. The committee was apprised that no violation of FCA has been reported by the State Government in this case and Environment Clearance under

the provisions of EIA 2006 has also been taken. He further explained that the Mining Department has already provided the certificate that the proposed mining conforms to the DSR and SSMG-2016 & 2020 issued by the MoEF&CC. The DFO, Paonta has also elaborated that EIA study comes out with clear recommendation as how such mining is useful in maintaining the natural flow of the river and health of adjoin forest area.

After detailed discussion on various aspects of the proposal, the committee decided to recommend the proposal to Govt. of India, MoEF & CC, New Delhi for approval subject to fulfillment of following conditions:

- 1- State Government may be requested to submit a copy of notification by which ESZ of Sherjung National Park is declared and a certificate mentioning that the area is outside the eco-sensitive zone.

Agenda Item No. 04: Diversion of 2.057 ha of forest land in favour of Nav Yogeshwar Mine for mining lease, within the jurisdiction of Paonta Forest Division, Distt. Sirmour, Himachal Pradesh (online no. FP/HP/MIN/38499/2019)

Regional Empowered Committee discussed the proposal seeking diversion of 2.057 ha of forest land for mining lease. The committee noted that no tree felling is involved in the project. It was noted that the forest land proposed for diversion is not a part of any Protected Area and no rare and endangered species of flora and fauna have been reported in the area proposed for diversion. Further, no violation of FCA has been reported by the State Government. The DFO, Paonta joined the meeting through video conferencing and gave a brief of the project.

After detailed discussion on various aspects of the proposal, the committee decided to recommend the proposal to Govt. of India, MoEF & CC, New Delhi for approval subject to fulfillment of following conditions:

- 1- State Government may be requested to review the rates of CA and submit the revised CA scheme.
- 2- State Government may submit a certificate of CWLW regarding the riverine wildlife appears to be affected in the area.



Agenda Item No. 05: Diversion of 7.8329 ha of forest land for construction of Bhadrolu to Dharlu via Kandhi Hiun Nihari Kharni Basahu road from (Km 0/00 to 13/900) in favour of Himachal Pradesh PWD within the jurisdiction of Suket Forest Division, Distt. Mandi, Himachal Pradesh. (Online Proposal No.: FP/HP/ROAD/41710/2019).

Regional Empowered Committee discussed the proposal seeking diversion of 7.8329 ha of forest land for construction of Bhadrolu to Dharlu via Kandhi Hiun Nihari Kharni Basahu road. The committee was apprised that the case was discussed in the REC meeting held on 11-05-2021, wherein the REC had decided to defer the proposal on five points and State Government has subsequently submitted reply to those points. The committee noted that 360 trees are proposed to be affected in the project. It was noted that the forest land proposed for diversion is not a part of any Protected Area and no rare and endangered species of flora and fauna have been reported in the area proposed for diversion. Further, no violation of FCA has been reported by the State Government. It is noted that the forest land proposed for diversion is located within 10 km of the nearest Protected Area notified under Wildlife (Protection) Act, 1972, and comments of CWLW have already been submitted in this regard. The DFO, Suket presented the project before committee through video conferencing.

After detailed discussion on various aspects of the proposal, the committee decided to accord in-principle approval for diversion of forest land with following additional condition:

1. State Government may revise the CA scheme provided in the proposal as per the prevailing rates in the state.

Agenda Item No. 06: Diversion of 16.36 ha forest land for construction of College of Horticulture and Centre of Excellence for Horticulture Research and Extension Thunag, Distt. Mandi in favour of Dr. Y.S.Parmar University of Horticulture and Forestry Nauli Solan within the jurisdiction of Nachan Forest Division, District Mandi, Himachal Pradesh. (Online Proposal No. FP/HP/OTHERS/38617/2019).

Regional Empowered Committee discussed the proposal seeking diversion of 16.36 ha forest land for construction of College of Horticulture and Centre of Excellence for Horticulture Research and Extension Thunag. The committee was apprised that the case was discussed earlier in the REC meeting held on 11.05.2021 wherein the case was deferred on 3 points. Subsequently the case was discussed in the REC meeting held on 11/06/2021. After discussion on the various aspects of the proposal, the committee again deferred the proposal to the next REC meeting with a request to furnish the information/ documents/ clarification on the following points:

1. State Government may amend the proposal for diversion of forest land (excluding 1.70 ha area proposed for residential purpose and further rationalising the actual requirement of area for establishing the Horticulture University).
2. State Government may submit the site suitability certificate of CA area done by the concerned DFO.
3. State Government may submit the revised CA scheme incorporating the soil moisture works in the CA scheme. In addition, efforts may be made for some soil conservation models or some other agroforestry models.
4. State Government may submit the one-hectare grid wise details of tree enumeration and justification regarding requirement of each of the proposed patches for establishing the Horticulture University.

Reply to queries raised by the REC has been furnished by the State Government vide letter dt. 05/07/2021. After examining the matter it is observed that the component wise breakup has been amended and reported that no residential houses will be constructed and the area is being used for hostels for boys, girls and faculties. It is also reported that the area cannot be minimized. As per ICAR norms it cannot be less than 16.36 ha.

The committee noted that only 113 trees out of total enumeration 3047 trees are proposed to be felled in the project. It was noted that the forest land proposed for diversion is not a part of any Protected Area and no rare and endangered species of flora and fauna have been reported in the area proposed for diversion. It is noted that the aerial distance of proposed site for the construction of the project from the Shikari Devi Wildlife Sanctuary/ Eco-Sensitive Zones is 2 Km. The comments of CWLW is submitted in this regard. Further, no violation of FCA has been reported by the State Government. The concerned DFO presented the project before committee along with the representative of the University through video conferencing. It was noted that the proposed area is in three patches out of which in two small patches which are within distance of about 6 km from the large patch comprises the components of Nursery and experimental farm. This was also apprised to the committee that here is no tree felling is proposed in these two patches. On asking of comments over the title of the project the project proponent informed to the committee that earlier it was planned to develop the College of Horticulture and as Centre of Excellence for Horticulture Research and Extension only but now the forestry component has also been added to it.

DFO Nachan also informed that no tree felling will be done on area corresponding to following two major components:

- i) Nursery and Conservation & maintenance of seed orchards of *Cedrus deodara* (3.9366 ha), and
- ii) Development of experimental farm of horticulture crops (4.45 ha).

After detailed discussion on various aspects of the proposal, the committee decided to accord in-principle approval for diversion of forest land subject to submission of following documents/ information / clarifications:



1. State Government may submit requisite letter/certificate regarding the change in the title of the project.
2. State Government may submit the layout plan showing component wise detailed activities in all three proposed patches in separate.
3. The user agency will demarcate and fence the above mentioned two components separately (3.9366 ha and 4.45 ha). The trees existing on these lands will be properly numbered and marking will be done of the trees. The forest department will prepare separate enumeration lists of trees for both these patches giving name of the species, girth, etc. for each tree. The copy of this list should be submitted to the Regional Office, Shimla and a copy each should be kept with the user agency and the DFO office as well.

Agenda Item No. 07: Diversion of 12.2477 ha forest land for construction of Bulk Water Supply of Shimla from river Sutlej, near village Shikrodi in favour of Shimla Jal Parbhandhan Nigam Limited US Club, Forest Road Shimla-171001 within the jurisdiction of Shimla Forest Division, Distt. Shimla, Himachal Pradesh (online No. FP/HP/OTHERS/43921/2020).

Regional Empowered Committee discussed the proposal seeking diversion of 12.2477 ha forest land for construction of Bulk Water Supply of Shimla from river Sutlej. The committee noted that 61 trees in Shimla urban and 1599 trees in Shimla rural areas are proposed to be affected in the project. It is noted that the forest land proposed for diversion is located within 10 km of the nearest Protected Area notified under Wildlife (Protection) Act, 1972, and comments of CWLW have not been submitted yet. Further, no violation of FCA has been reported by the State Government. The concerned User Agency gave a detailed presentation on the projects before the committee. The user agency in its presentation showed the images of the site where the pipelines is proposed to be laid and briefed about methods and techniques being used.

However, the REC was not convinced why such a large number of trees are required to be felled just for laying pipeline in that area. As per the photographs shown during the presentation, it seemed that felling may be avoided to a large extent and the pipeline may be laid from the side of the standing trees.

After detailed discussion on various aspects of the proposal, the REC decided to defer the proposal as it was not clear how many trees will actually be felled and not required to be felled during the construction of the project. REC members were not satisfied with the efforts made by the project proponent as well as the State Forest Department to minimize the felling in this

case. Therefore, a site inspection may be taken up by a committee consisting of members from IRO Dehradun and IRO Shimla and, if possible, one member of the REC. The report should be presented before the REC prior to taking decision in this case.

The meeting ended with thanks to the members and other participants.



(T.C. Nautiyal)

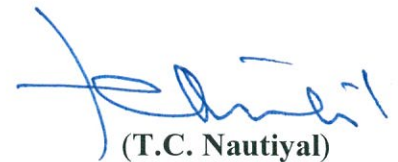
DIGF-cum-Member, REC

File. No.: RO-DDN/REC/1-2014/VOL-5/ 592

Dated: 24 August, 2021

Distribution:

1. Dr. R. S. Bisht, Retd. IFS (Member, REC), Green Street, Uttaranchal colony, Gas Godam Road, Kusum Kheda, Haldwani-263 139 (Uttarakhand)
2. Dr. S. D. Bhardwaj, (Member, REC), 33-Sai Niwas, Scientist Colony, Post Office Shanti, Tehsil & Distt. Solan- 173 212 (Himachal Pradesh). Email: shrwander@yahoo.co.in
3. Ms. Meera Iyer, IFS, DIGF (C) (Member REC), Integrated Regional Office, Dehradun.
4. Shri T. C. Nautiyal, IFS, DIGF (C) (Member REC), Integrated Regional Office, Dehradun.
5. The Addl. Chief Secretary (Forest), Govt. of Himachal Pradesh, Armsdale Building, Shimla.
6. The APCCF-cum-Nodal Officer (FCA), Forest Department, Govt. of Himachal Pradesh, Talland, Shimla, H.P. for information. He is requested to take action on the decisions taken in the REC meeting (Project wise) & ensure submission of compliance to this office for further necessary action.



(T.C. Nautiyal)

DIGF-cum-Member, REC

