

I/10502/2022



सत्यमेव जयते

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,

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

विषय: Diversion of 3.64 ha. of forest land in favour of HPPWD for the construction of Link road to village Dangardi, within the jurisdiction of Dalhousie Forest Division, Distt. Chamba, H.P. (Online Proposal No. FP/HP/Road/43801/2020).

संदर्भ: नोडल अधिकारी-सह-अतिरिक्त प्रधान मुख्य अरण्यपाल (एफ.सी.ए.), हि0प्र0 के पत्रांक 48-4091/2020 (एफ.सी.ए.) दिनांक 30.07.2022 (Online Uploaded on 04.08.2022).

महोदय,

उपरोक्त संदर्भित पत्र द्वारा प्रस्तुत प्रतिउत्तर का ध्यानापूर्वक अवलोकन करने के पश्चात प्रस्ताव में अभी भी निम्नलिखित कमियां पाई गई हैं:-

1. The revised KML file and Layout Plan showing proposed alignment, violated alignment, and alignment in forest and non-forest land in distinct colours may be submitted.
2. In reply to point no. 1, it has been submitted that one sub-village of Dangradi village i.e- Padreta falls at 05/675 km and agriculture lands of the villagers of Dangradi falls beyond Dangradi Village. Therefore, road has been proposed upto chainage 05/675km. In Google Image neither habitation not agricultural field are seen beyond N32 25 01.55 E77 55 24.71. Therefore, State Government may review the alignment beyond above mentioned Geo-Coordinates and revised FCA proposal upto above mentioned Geo-Coordinates may be submitted.
3. In reply to observations no. 3, it has been submitted that records of consultations and meeting with Gram Sabha and Forest Rights Committee are enclosed. However, no records of consultations and meeting with Gram Sabha and FRC are found enclosed, only formation of FRC in Gram Sabha are enclosed. Therefore, all records of consultations and meeting with Gram Sabha and Forest Rights Committee of concerned villages may be submitted.
4. In reply to observations no.4, it has been submitted that Bridge component has now been mentioned in purpose wise breakup. However, as desired Purpose wise and Khasra no. wise document showing Bridge and all other components is not furnished. Therefore, same may be provided.
5. In reply to observations no.10, a list of trees standing in dumping sites is not provided, however it has been submitted that "there is no felling over the forest land selected for dumping". Therefore, a separate list of trees standing in muck dumping sites may be provided to this office.
6. Since this is a case of violation and Joint Inspection Report revealed that Road was constructed by the HPPWD in 2005 under violation. 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.
 - iii. The column/table in part-II, Para-11 may also be filled up.
7. The calculation of Penal NPV is found incorrect. Therefore, same may be reviewed and revised may be submitted.
8. The reply submitted in response to the observation no. 16 is not found satisfactory. Therefore, this may be clarified whether State Government obtain approval from Hon'ble Supreme Court for diversion in Protection Working Circle in view of restriction in diversion of forest land allotted to a Protection Working Circle as per WP No. 202/1995, IA No. 3840 dated 11.03.2019.

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9. In reply to observations no. 17, the administrative approval copy is not furnished, however a copy of budget sanctioned for "C/o M/able Bridge on Chakki Khad to connecting village Dungri via Kalapath Nurpur Lahru T/Hatti road" has been furnished. Therefore, copy of administrative approval accorded for the construction of link road to village Dangardi (0/000 to 05/675 may be provided.
10. As per the KML file, the diversion area is slightly steep and prone to erosion. Therefore, State Govt. may provide details of the mitigation measures to be adopted to arrest the accelerated soil erosion/land slide during/after execution of project. Additionally, the State Govt. may submit Soil and Moisture Conservation Plan along with detail cost of its implementation as per MoEF & CC vide letter No. FC/11/48/2021-FC dated 07.06.2022.

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.

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,

हो/-

(सत्य प्रकाश नेगी)

क्षेत्रीय अधिकारी

प्रतिलिपि सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-

1. नोडल अधिकारी-सह-अतिरिक्त प्रधान मुख्य अरण्यपाल (एफ.सी.ए.), हिमाचल प्रदेश सरकार, वन विभाग, टालैंड, शिमला (E-mail: nodalcahp@yahoo.com).
2. वन मण्डल अधिकारी, डलहौजी वन मण्डल, जिला-चम्बा, हिमाचल प्रदेश (E-mail: dfodal-hp@nic.in).