

HP STATE POLLUTION CONTROL BOARD
BELOW BCS, PHASE-III, NEW SHIMLA (H.P.)

No. PCB-OA No. 61/2021-

3443

Dated: 3.7.2021

From: Member Secretary

To

✓ The Registrar General
Hon'ble National Green Tribunal
Faridkot House, Copernicus Marg, New Delhi-110001

Subject: Compliance/Joint Inspection report in OA No. 61/2021 titled as Abhishek Katara Vs. State of Himachal Pradesh & Ors, pending before the Hon'ble NGT.

Sir,

Kindly refer to order dated 10.03.2021 passed by Hon'ble National Green Tribunal in the aforementioned matter wherein following directions have been passed:-

".....2. In view of the above, before proceeding further, we consider it necessary to require a factual and action taken report from a four member joint Committee comprising the Secretary, Urban Development, H.P., PCCF (HoFF), H.P., Municipal Commissioner, Shimla and the State PCB. The State PCB will be the nodal agency for compliance and coordination. The report may be furnished within two months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF"

In this connection, it is submitted that in compliance to aforesaid order, the Joint Committee convened a meeting under the Chairmanship of Principal Secretary, Urban Development, Government of Himachal Pradesh on 07.06.2021. (Copy of minutes of meeting is annexed as **Annexure R-1**), In accordance to the decision taken therein, a detailed inspection was jointly conducted on 10.06.2021. Detailed joint inspection report has been received which is annexed as **Annexure R-2**.

The copy of Joint Inspection Committee Report (annexed at **Annexure R-2**) may kindly be placed on record please.

(Encl: as above)

Yours faithfully,



(Apoorv Devgan, IAS)
Member Secretary
HPSPCB, Shimla

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Proceeding of the Joint Committee meeting in compliance to the order dated 10.03.2021 passed by the Hon'ble National Green Tribunal in O.A no. 61 of 2021 held under the Chairmanship of Principal Secretary (Urban Development) to the Government of Himachal Pradesh on dated 07.06.2021 held in the Office Chamber, HP Secretariat at 3.00 P.M.

In pursuance to the order dated 10.03.2021 passed by the Hon'ble National Green Tribunal in O.A.no. 61 of 2021 titled as "Abhishek Katara versus State of Himachal Pradesh and others", a meeting of Joint Committee was convened under the Chairmanship of Sh. Rajneesh (IAS), Principal Secretary (Urban Development) to the Government of Himachal Pradesh

The meeting was attended by the following officers/ officials:-

1. Dr. Nipun Jindal (IAS), Member Secretary, HP State Pollution Control Board, Shimla-9.
2. Shri Ashish Kohli (IAS), Commissioner, Municipal Corporation, Shimla-1.
3. Shri Rajesh Sharma, (IFS), Chief Conservator of Forests (Finance), Shimla-1.
4. Shri Kamal Kant Saroch (IAS), Director, Town & Country Planning, Himachal Pradesh, Shimla-9.
5. Shri Karam Chand Nanta, State Town Planner, Town & Country Planning Department, Shimla-9, H.P.
6. Shri Davinder Mista, Architect Planner, Municipal Corporation, Shimla, H.P.
7. Smt. Prem Lata Negi, Town & Country Planner, (Shimla Division. District Shimla, H.P.
8. Shri Lalit Thakur, Environmental Engineer, HP State Pollution Control Board, Shimla-9.
9. Shri Deepak Dogra, Jr. Environmental Engineer, HP State Pollution Control Board, Shimla-9.
10. Shri Mayank Manta- Additional District Attorney cum Law Officer, Town & Country Planning Department, Shimla-9, H.P

As per the order dated 10.03.2021, the Hon'ble Tribunal has directed that, *"In view of the above, before proceeding further, we consider it necessary to require a factual and action taken report from a four member joint Committee comprising the Secretary, Urban Development, H.P., PCCF (HoFF), H.P., Municipal Commissioner, Shimla and the State PCB. The State PCB will be the nodal agency for compliance and coordination."*

During the course of meeting it was apprised by the Commissioner, Municipal Corporation, Shimla that the present approval of the construction in question has been placed before the 16th meeting of Implementation Committee held on 06.03.2020 & 17th meeting dated 12.05.2020 and thereafter before Supervisory Committee as agenda item in its 8th meeting held on 09.06.2020 the case was approved being a public utility project as per the order of Ld. NGT in its judgment dated 16.11.2017 in O.A.no. 121 of 2014 titled as 'Yogendra Mohan Sengupta versus UOI & Ors.', whereby it was decided as under:-

"3. Case of proposed retail outlet for Sh.Kunal Rai Sethia M/s Indian Oil Corporation Ltd. said to be comprised on Kh. No.426/1 at Mohal Kasumpti Junga NH 05 at Km.10.880 (RHS) (Shimla Bye-Pass) Tehsil & District Shimla (H.P).

Initially the matter was placed before the Implementation Committee in the 16th Meeting. The plans for aforesaid construction have been submitted on land bearing Khasra No.426/1, measuring 789.79 Sqm at Mohal Kasumpti, Shimla. The site is on the valley side of Shimla, Dhalli Bye-pass falls within jurisdiction of Municipal Corporation, Shimla. At the road level Petrol Pump is proposed to be set up having canopy, sale office and electrical room and below the road 5 level framed RCC structure comprising columns and cross beams having height 16.25 M over 2.00M plinth is proposed to be constructed. This 5 level framed RCC Structure below the road involves relaxation with reference to order dated 16.11.2017 passed by the Hon'ble National Green Tribunal, which limits the construction of 2+ attic floors in Non-Core Area of Shimla Planning Area. The change of land use is also involved from Residential Use as specified in IDP, Shimla to proposed Petrol Pump and the powers to grant permission for Change of Land use are vested with the Director, Town & Country Planning Department as per Notification dated 28.06.2016.

The case was placed before the Implementation Committee for deciding if the relaxation from 2+ Attic floors to 5 level framed RCC Structure comprising columns and cross beams is to be recommended or not. Keeping in view the nature of the proposed activity as public utility i.e. Petrol Pump, the Implementation Committee had left the decision to the Supervisory Committee.

This case was discussed by the Supervisory Committee and it was decided that since the proposed project is Public Utility, the desired relaxation may be granted in public interest subject to the following conditions:-

- i. The applicant has to submit the Geological Report of the site to Municipal Corporation, Shimla.*
- ii. The applicant has to submit the Slope Analysis Report of the site to the Municipal Corporation, Shimla.*
- iii. The applicant will keep the framed structure non-habitable.*
- iv. The Municipal Corporation, Shimla will ensure that the necessary codal formalities are completed before issuing final permission."*

The Approval of building plan was then sanctioned by the Municipal Corporation Shimla in favour of private respondents on 26.08.2020 for construction/commission of retail outlet of petrol pump.

The Joint Committee decided that in accordance with the directions of the Hon'ble National Green Tribunal, a factual and action taken report be submitted by the Inspection & Action Committee by conducting a site visit to ascertain factual position on the allegations made by the Applicant before the Hon'ble National Green Tribunal along with action taken, if any; The composition of Inspection and Action Committee shall be:-

1. Commissioner, Municipal Corporation, Shimla- Chairperson,
2. Member Secretary, HP State Pollution Control Board- Member,
3. Chief Conservator of forests- Member, and
4. Director, Town & Country Planning, Himachal Pradesh- Member.

It was decided that the aforesaid Committee shall carry out a joint inspection at the site under reference and ascertain following aspects:-

1. Whether the construction done by the private respondents is as per the Supervisory Committee approval in terms of number of Storeys and building Height, and
2. Removal of trees in a planned manner as alleged by the Applicant.

The Committee was directed to submit its factual and action taken report on or before 16th June, 2021 after complying with the directions so passed by the Ld. National Green Tribunal in true letter and spirit so that the same can be placed before the Ld. Tribunal accordingly and before the next date of hearing.

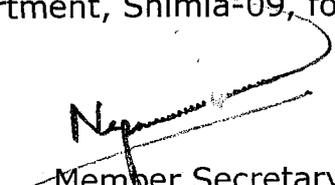
The meeting ended with a vote of thanks to and from the Chair.

Sd/-
Principal Secretary
(Urban Development)
to the Government of Himachal Pradesh

No. *PCB/ROSP/Cont case @ Shimla - 343-45* Dated: *9/6/2021*

Copy forwarded to:-

1. The Commissioner, Municipal Corporation, Himachal Pradesh, Shimla-02, for information and necessary action, please.
2. Principal Chief Conservator of Forests, Shimla-1, for information and necessary action, please.
3. Director, Town and Country Planning Department, Shimla-09, for information and necessary action, please.


Member Secretary,
HP State Pollution Control Board, Shimla-9

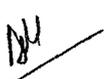
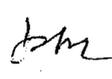
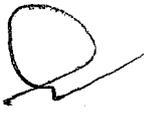
JOINT SITE INSPECTION REPORT

SUBMITTED BY

THE JOINT INSPECTION COMMITTEE CONSTITUTED IN OA NO.61/2021-ABHISHEK KATARA VS STATE OF H.P. & ORS.

[PROPOSED RETAIL OUTLET FOR SH. KUNAL RAI SETHIA M/S INDIAN OIL CORPORATION LTD. SAID TO BE COMPRISED ON KH., NO. 426/1 AT MOHAL KASUMPTI JUNGA NH-05 AT KM 10.880 (RHS) (SHIMLA BYE-PASS) TEHSIL & DISTRICT-SHIMLA (HP)].

10th JUNE, 2021

			
Sh. Ashish Kohli, Commissioner MC Shimla (Member)	Sh. Nipun Jindal Member Secretary, PCB(Member)	Sh. Kamal Kant Saroch, IAS (Co-opted Member)	Sh. SD Sharma CCF, Shimla (Member)

1. INTRODUCTION

The Hon'ble National Green Tribunal in OA No. 61/2021-Abhishek Kataravs State of H.P. & Ors, vide orders dated 10.03.2021 had directed to constitute a joint Committee comprising of Secretary, Urban Development, H.P., PCCF (HoFF), H.P., Municipal Commissioner, Shimla and the State PCB to verify the allegations made in the application. The State PCB has been further directed to be the nodal agency for compliance and coordination. The case in question is the approved and under construction Retail outlet of Sh. KunalRaiSethia M/s Indian Oil Corporation Ltd. onKh. No. 426/1 at mohalKasumptiJungaNH-05 at km 10.880 (Rhs) (Shimla bye-pass) Tehsil & District-Shimla, H.P., located within the jurisdiction of MC Shimla under Shimla Planning Area.

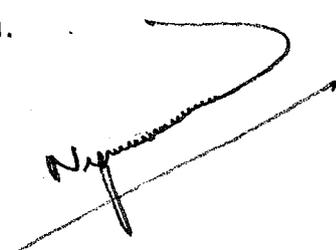
2. CONSTITUTION OF JOINT INSPECTION COMMITTEE

In order to comply with the directions entailed in the order dated 10.03.2021 passed by the Hon'ble National Green Tribunal in O.A no. 61 of 2021 titled as "AbhishekKatara versus State of Himachal Pradesh and others", a meeting was convened under the Chairmanship of sh. Rajneesh (IAS), Principal Secretary (Town & Country Planning /Urban Development) to the Government of Himachal Pradesh on 07.10.2021.

It was decided during the said meeting that for the purpose of carrying out the site inspection and to verify the approvals accorded by the Supervisory Committee as per the directions of Ld. NGT, a joint inspection Committee be constituted comprising of:-

1. Member Secretary, HP State Pollution Control Board,
2. Commissioner, Municipal Corporation, Shimla, and
3. Chief Conservator of Forests, Shimla

The aforesaid Committee is headed by the Commissioner, Municipal Corporation, Shimla and the Director, Town & Country Planning Department is a co-opted Member of the Committee to provide assistance during the site inspection.



3. SCOPE OF WORK OF THE JOINT SITE INSPECTION COMMITTEE

It was decided in the Joint Committee meeting that the aforesaid Inspection and Action Committee shall carry out a joint inspection at the site under reference and ascertain following aspects:-

1. Whether the construction done by the private respondents is as per the Supervisory Committee approval in terms of number of Storeys and building Height, and
2. Removal of trees in a planned manner as alleged by the Applicant.

4. PROJECT DETAILS

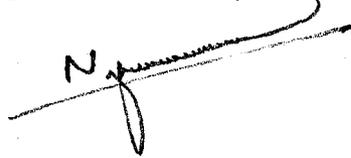
a) Approval Chronology

The applicant of Sh. Kunal Rai Sethia had submitted his case to MC Shimla on 19.10.2019 for grant of approval for a Petrol Pump retail outlet of M/s Indian Oil Corporation Ltd. On Kh. No. 426/1 at mohalKasumptiJungaNH-05 at km 10.880 (Rhs) (Shimla bye-pass) Tehsil & District-Shimla, H.P., located within the jurisdiction of MC Shimla under Shimla Planning Area.

After detailed technical examination the case was placed in the 53rd meeting of HPAC Meeting held on 13.12.2019. Subsequently the case was forwarded to Chairman Implementation Committee-cum-Director, TCP for further consideration in compliance to the Hon'ble National Green Tribunal Order date 16.11.17, as the case involved relaxation in height of R.C.C. framed structure to reach the road level as well as Change of Land Use from Residential to Petrol Pump.

As there are no specific regulations for Petrol Pump in IDP Shimla or the H.P. TCP Rules, 2014, the case was submitted by the applicant as per standard layout plan approved by the Indian Oil Corporation and other supporting documents/NOC as applicable were also submitted.

Further, the instant case for construction of petrol pump falling in Non-Core area of Shimla Planning Area was placed before the



16th and 17th meetings of Implementation Committee held on 06.03.2020 and 12.05.2020 respectively, and was recommended to the Supervisory Committee for further consideration. Thereafter, the case was placed before the Supervisory Committee in its 8th meeting held on 09.06.2020, whereby the case was approved with certain conditions, being a public utility project as per the directions imparted by the Ld. NGT in its judgment dated 16.11.2017 in O.A. No. 121 of 2014 titled as 'Yogendra Mohan Sengupta versus UoI & Ors.' The relevant extracts of proceedings of the 8th meeting of Supervisory Committee, pertaining to the instant case are as follows.

"3. Case of proposed retail outlet for Sh. Kunal Rai Sethia M/s Indian Oil Corporation Ltd. said to be comprised on Kh. No.426/1 at Mohal Kasumpti Junga NH 05 at Km.10.880 (RHS) (Shimla Bye-Pass) Tehsil & District Shimla (H.P).

Initially the matter was placed before the Implementation Committee in the 16th Meeting. The plans for aforesaid construction have been submitted on land bearing Khasra No.426/1, measuring 789.79 Sqm at Mohal Kasumpti, Shimla. The site is on the valley side of Shimla, Dhalli Bye-pass false within jurisdiction of Municipal Corporation, Shimla. At the road level Petrol Pump is proposed to be set up having canopy, sale office and electrical room and below the road 5 level framed RCC structure comprising columns and cross beams having height 16.25 M over 2.00M plinth is proposed to be constructed. This 5 level framed RCC Structure below the road involves relaxation with reference to order dated 16.11.2017 passed by the Hon'ble National Green Tribunal, which limits the construction of 2+ attic floors in Non-Core Area of Shimla Planning Area. The change of land use is also involved from Residential Use as specified in IDP, Shimla to proposed Petrol Pump and the powers to grant permission for Change of Land use are vested with the Director, Town & Country Planning Department as per Notification dated 28.06.2016.

The case was placed before the Implementation Committee for deciding if the relaxation from 2+ Attic floors to 5 level framed RCC Structure comprising columns and cross beams is to be recommended or not. Keeping in view the nature of the proposed activity as public utility i.e. Petrol Pump, the Implementation Committee had left the decision to the Supervisory Committee.

This case was discussed by the Supervisory Committee and it was decided that since the proposed project is Public Utility, the desired relaxation may be granted in public interest subject to the following conditions:-

- i. **The applicant has to submit the Geological Report of the site to Municipal Corporation, Shimla.**

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- ii. **The applicant has to submit the Slope Analysis Report of the site to the Municipal Corporation, Shimla.**
- iii. **The applicant will keep the framed structure non-habitable.**
- iv. **The Municipal Corporation, Shimla will ensure that the necessary codal formalities are completed before issuing final permission."**

After due compliance of all the conditions imposed by the Supervisory Committee as cited above, the approval of building plan was given by the Municipal Corporation, Shimla in favor of the applicant on 26.08.2020 for construction/commission of retail outlet of petrol pump.

b) Joint Inspection Details

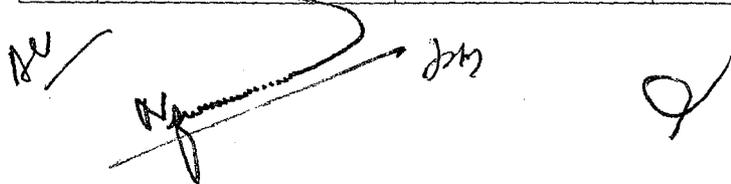
The joint inspection Committee along with the supporting staff visited the Petrol Pump site on 10.06.2021 at 11:00 A.M. for carrying out detailed inspection and measurements of the actual construction carried out at site, as per scope of work defined in the meeting dated 07.06.2021 held under the Chairmanship of Pr. Secretary, UD & TCP to the Govt. of Himachal Pradesh. The Committee members visited the Site situated at the valley side and thereafter measurements of the existing R.C.C framed structure constructed till date were carried out jointly by the technical field staff of MC Shimla, Divisional Town Planning Office Shimla, Forest Department team in the presence of all Committee Members.

c) Project Checklist- Comparative statement.

As per scope of work and the mandate of the aforesaid Committee, the detailed comparative statement of sanction/approved structure vis-à-vis the actual construction carried out at site, especially w.r.t to the Numbers of Storeys as per approvals conveyed by MC, Shimla, the overall height of building constructed and removal of trees in a planned manner as alleged in the application, are given in the checklist as under.

Sr. No.	Particulars	As approved dated 26.08.2021	Actual Construction at site	Remarks
1	No. of storeys	Proposed Retail Outlet	5 Level R.C.C. columns and	

Sr. No.	Particulars	As approved dated 26.08.2021	Actual Construction at site	Remarks
		(Petrol pump) at Road Level+5 Level R.C.C Framed Structure (Non habitable) below Road Level with provision for keeping oil storage tanks on one level immediately below road level.	beam framed structure partially constructed (non habitable) below the road level with partly completed one R.C.C slab at road level and another just below the road level for keeping oil storage tanks.	
2	Plinth height i.e. Retaining Wall Height Below non habitable RCC Framed Structure on valley side.	Plinth height i.e. 2.00 mtrs. Retaining wall over natural slope of land.	Plinth R/W of Height Varying from 3.50mtr to 6.0 metres maximum over natural slope of land.	Additional P.C.C/R.C.C. Retaining wall of 4.0 mtrs. Height is under construction at site as a protection measure to make the whole structure stable and earth quake resistant.
3	Height of Frame Structure	16.25 mtrs	15.90 mtrs	0.35 mtrs less than approved.
4	Height of Sales Office/Electrical Room/Canopy	Sales Office & Electrical Rooms= 4.50 Canopy= 7.00 (Non-habitable)	Yet to be constructed.	
5	Geological Report	Submitted to MC Shimla as per Condition imposed by Supervisory Committee	-	
6	Rain Water Harvesting /Drainage Provisions	Proposed	Yet to be constructed.	



Sr. No.	Particulars	As approved dated 26.08.2021	Actual Construction at site	Remarks
7	Slope Analysis Report	Submitted to MC Shimla as per Condition imposed by Supervisory Committee	-	-
8	Structural Stability Certificate	Submitted	-	-
9	Forest NOC regarding distance from forest/trees.	Submitted. Minimum 2.0 Mtrs distance from the line of building construction is proposed in the site plan.	No tree has been removed at site. Only one tree is at 1.88 mtrs. Rest all four trees are at >2.0 mtrs distance from the line of building construction.	Details are shown in attached plan.

d) Details of Inspection as per Scope of Work.

The point wise observations and findings by the joint inspection Committee, as per the detailed checklist at Sr. no. (c) above and the scope of work and the mandate of the aforesaid Committee are elaborated as follow.

1. Numbers of Storeys as per approvals conveyed by MC, Shimla.

The inspection committee perused the case file and the approval/sanction letter and the maps of the instant case vis-à-vis the construction carried out at site. As per the measurement of construction carried out at site, it is observed that the applicant has constructed R.C.C framed structure at 5 levels below road with total height of 15.90 mtrs against approved height of 16.25 mtrs, i.e. 0.35 mtrs less.

Approved plinth height was 2.00mtrs but on the spot plinth height is varying from 3.50mtrs to 6.00mtrs.

Reasons for the variation in plinth height on the spot from the sanctioned plinth height as per the version of the applicant is stated as under:-

Handwritten signatures and initials:
 [Signature] [Initials] [Initials]

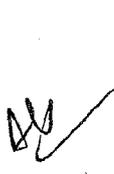
"That is further most respectfully submitted that prior to the approval of the map as directed by the Hon`ble Supervisory Committee a Geological report had been submitted that the perusal of the same would go to reveal that as opined vy the Ld Geologist that according to him there existed 2.25mtrs of over burden of loose strata and foundations were supposed to be laid 1.5mtrs in situ rocks. That during excavation at the site the firm strata was achieved at a depth of 8-9 mtrs below the natural soil level and the structure was raised from the firm strata".

However, the committee also observed that in addition to the constructed five levels below road level at site P.C.C./R.C.C. retaining wall of height varying from 1.50mtrs to 4.0mtrs is under construction as a protection measure to make the whole structure stable and earthquake resistant. The retaining wall was not proposed in the approved plans, but is within the plot boundary.

2. Overall height of building constructed.

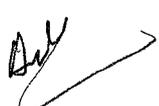
- a) The overall height of 5 level non-habitable R.C.C framed structure is 15.90 meters against the approved height of 16.25 meters, i.e. 0.35 meters less.
- b) Retaining wall of 2.0 meters height has been approved in the maps, however the height of R.C.C Columns and R.C.C beams frame work between natural slope of the land and fifth level from road level is varying from 3.50 to 6.0 mtrs instead of approved 2.0 mtrs and another adjoining P.C.C. retaining wall of height varying from 1.50 mtrs to 4.0 mtrs is under construction at site for making the whole structure stable and earthquake resistant.
- c) As per approved plans, the top level Petrol Pump dispensing stations, sales office & electrical room is of 4.5 meters height and Canopy are yet to constructed at site.

3. Removal of trees in a planned manner as alleged in the application.

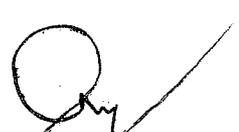


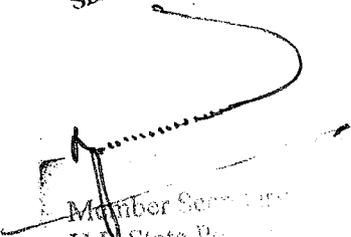
As far as removal of trees in a planned manner as alleged in the application are concerned, the forest team present at site independently ascertained the same and also measured the distance of trees from the built framed structure.

From the comparison the NOC granted by the Forest Department vide Letter dated 05.07.2019 and the supporting report including the site plan clearly showing the location of only one tree within the plot boundary and four trees outside the plot boundary. As per the site inspection **it was ascertained by the Committee that all five trees as per forest NOC dated 05.07.2019 are existing at site, therefore no tree has been removed from the site as alleged.** Further, the minimum distance of 2.0 meters from the all the trees, except one located on the right side on lower valley side has been maintained. The one tree is located at a distance of 1.88 mtrs from the structure. (Report from forest Department enclosed).

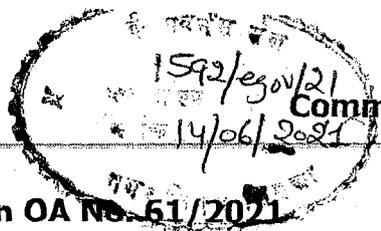

Commissioner
Municipal Corporation
Shimla


Director,
Town & Country Planning Deptt.
Himachal Pradesh, Shimla-171009


Chief Conservator of Forests,
Shimla Forest Circle, Shimla


Member Secretary
H.P. State P.O.
Shimla-171009

Commissioner
Vindit
14/06/2021



Commissioner

Visit of joint site inspection committee on 10.06.21 in OA No. 61/2021

From : shimlaforestcircle@gmail.com

Mon, Jun 14, 2021 05:34 PM

Subject : Visit of joint site inspection committee on 10.06.21 in
OA No. 61/2021

3 attachments

To : Commissioner <mcsml-hp@nic.in>

Please find attached herewith the report regarding visit of joint site inspection committee on 10.06.21 in OA No. 61/2021 titled as Abhishek Katara Vs State of HP and Ors on Kh. No. 4261/1 Mauza Kasumpti Junga (Shimla Bye Pass road).
With Regards.

joint inspection.pdf
408 KB

2019 FSI CLASSIFICATION (1).jpg
468 KB

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JC	
ND(S&P&L)	
AGM(V&D)	
CHO	
VPHO	
BE(R&E)	
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AO	
GM AP	
Commissioner	

2005 fsi classification.jpg
486 KB

14/06/21

Sh. Kapil Gupta
Jr. Ex.

Shimla
15/6/2021

Visit of joint site inspection committee on 10.06.2021 in OA No. 61/2021 titled as Abhishek Katara Vs State of HP and Ors on Khasra No. 426/1 Mauza Kasumpati Junga (Shimla Bye Pass road).

The report regarding status of trees in Kh. No. 426/1 Mauza Kasumpati Junga is furnished as under:-

As per record, DFO Shimla (Urban) issued NOC for proposed retail outlet (Kh. No. 426/1 Mauza Kasumpati Junga) vide its letter no. CC/2019-545 dated 05.07.2019 which mentions that five trees are standing along the periphery of the plot, one tree inside the plot boundary and remaining four outside by strictly following the periphery norms of Municipal Corporation, Shimla.

On the day of inspection (10.06.2021), the construction work has taken place in the plot and the distance of trees from the outer boundaries of the constructed area is not same as was reported at the time of issuing NOC, the reason being earlier measurements taken from plot boundary. The status of trees at the time of issuing NOC and on the date of inspection is given as under:-

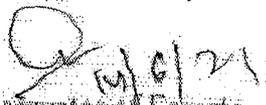
Sr. No.	Species	Dia Class	Distance of tree from the periphery of plot at the time of NOC issuing (in meter)	Distance of tree from the periphery of the constructed area as on 10.06.2021 (in meter)
1	Deodar	III	2.7	1.88
2	Deodar	III	2.4	4.00
3	Deodar	III	3.7	4.20
4	B/L (<i>Prunus</i>)	V	2	2.70
5	B/L (<i>Prunus</i>)	V	2	2.70

One more Deodar tree IB is standing along the periphery of the constructed area which was at a distance of 1.9 meter not included/ counted being away from the boundary of the plot.

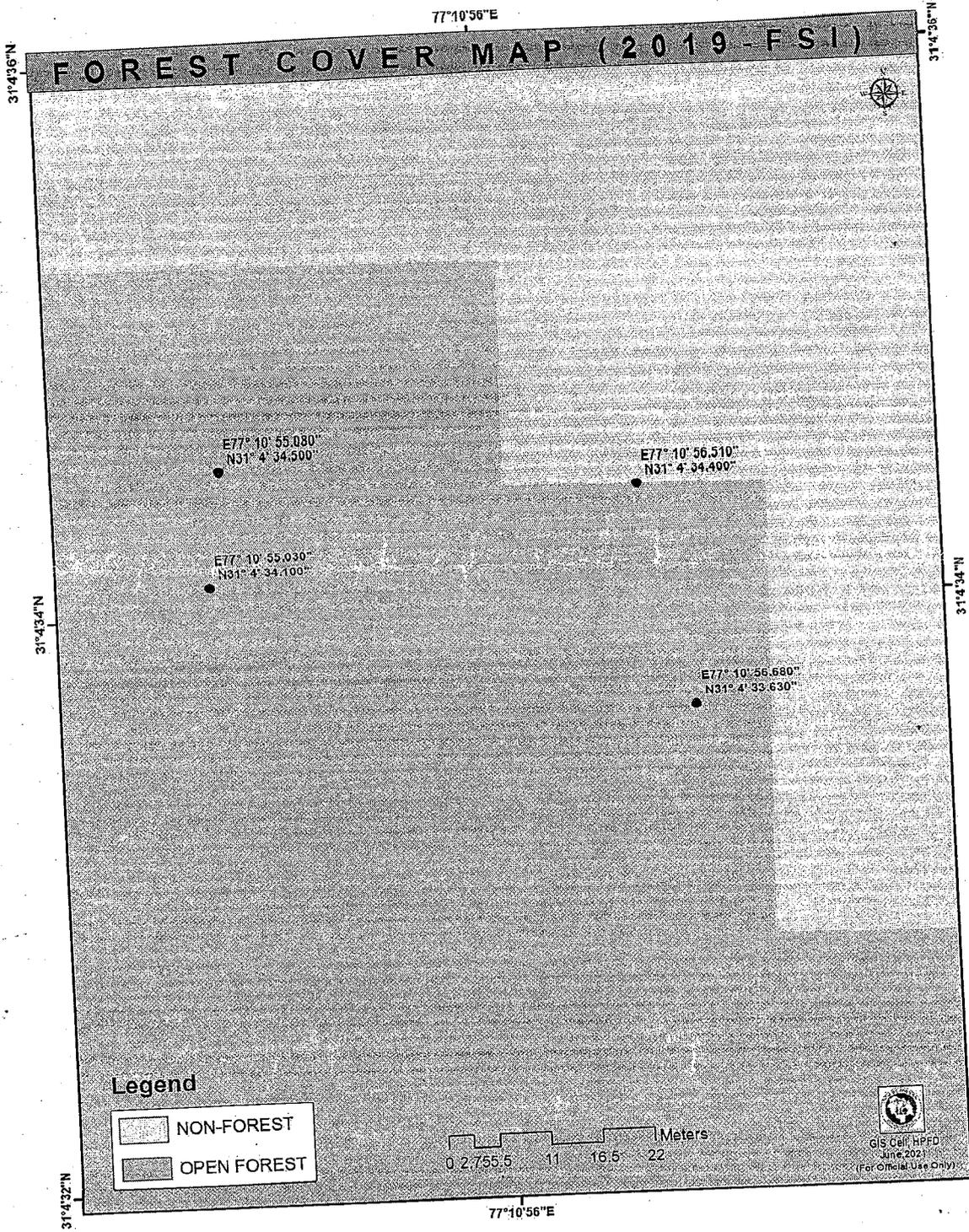
All the six trees are standing there is no damage of any kind to any tree and all the trees are not to be felled keeping in view of MC norms. Along the road side, there is one tree Deodar (IB) in the acquired width of road close to the boundary of the constructed area which needs to be protected.

As regards allegations about removal of trees in a planned manner, the geographical location of the plot is analyzed through the GIS of the department based on processed data of Forest Survey of India, Dehradun for Forest

Density. As per analyzes the status of land during 2005 was non forest/ open fores.
during 2019 as open forest. As there is no change in the status of land during 2005 a
2019, the allegation of removal of trees in a planned manner is not correct. Copies of
Forest cover map 2005& 2019 are attached.


Chief Conservator of Forests,
Shimla Forest Circle, Shimla.

FOREST COVER MAP (2019 - FSI)



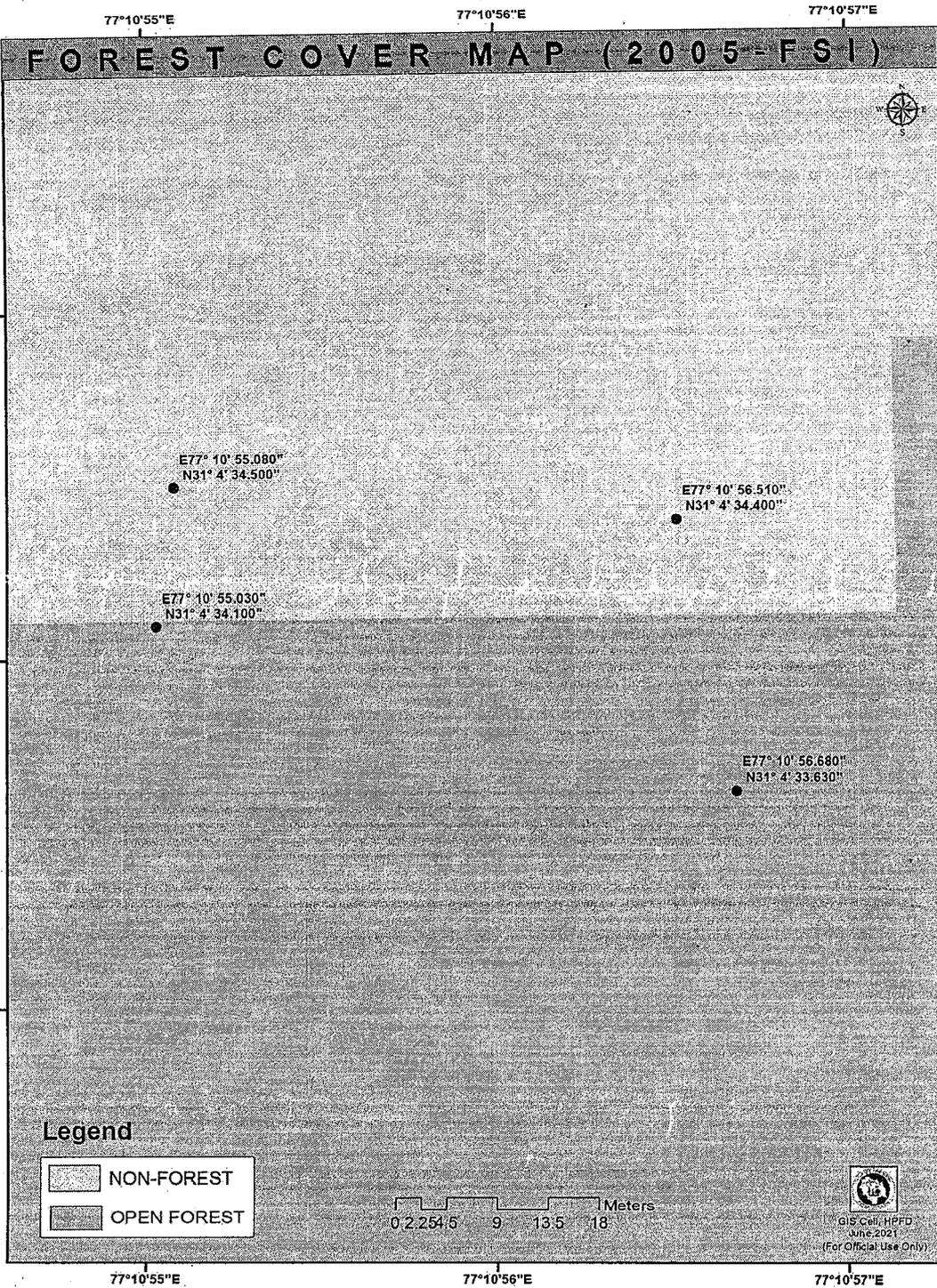
Legend

- NON-FOREST
- OPEN FOREST

0 2 7.55 11 16.5 22 Meters



GIS Cell HPFD
June 2021
(For Official Use Only)



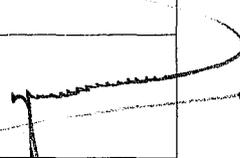
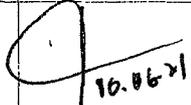
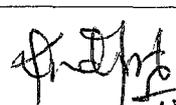
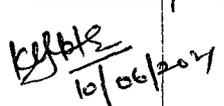
Joint Site Inspection by the Committee constituted in OA No. 61/2021-
Abhishek Katara Vs State of H.P. & Ors.

[Proposed retail outlet for Sh. Kunal Rai Sethia M/s Indian Oil Corporation Ltd. said TP BE comprised on Kh., No. 426/1 at Mohal Kasumpti Junga NH-05 at Km 10.880 (RHS) (Shimla Bye-pass) Tehsil & District-Shimla (HP)].

Attendance Sheet

Dated: 10.06.21

Time: 11.00 AM

Sr. No.	Name	Designation	Department	Signature
	Dr. Nigam Jindal	MS, PCB	PCB	
	Ashish Kohli	Commissioner	M.C. Shimla	
	Kamal Saroch	Director TCP	TCP	
	K.C. Nanta	TCP (M)/STP	TCP Deptt. T.P.	 10.06.21.
	Prem Nataro Chauhan	TCP SHIMLA	TCP Deptt	
	AR. DAVINDER MISTA	ARCHITECT PLANNER	M.C. SHIMLA	 10/06/2021.
	Kapil Kumar Gupta	Junior Engineer AP Branch	M.C. Shimla	 10/06/2021
	Mayank Manta	Law officer	TCP	