

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH

MA No.113/2024

IN

Original Application No. 173/2022

In the matter of:

Sh. Ram Singh Son of Sh. Angchuka
Village and Post office- Mane
Tehsil-Spiti, District -Lahaul and Spiti
Himachal Pradesh

.....Petitioner

Versus

1. State of Himachal Pradesh through Principal Secretary (Forests), to the Government of Himachal Pradesh with headquarters at Shimla.
2. Principal Secretary Public Works Department Government of Himachal Pradesh, Shimla.

.....Respondents

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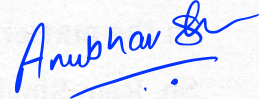
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5. Vakalatnama

23

Through

Respondents



ANUBHAV SHARMA

S-466 2nd Floor,

Greater Kailash-I

New Delhi, 110048

9736299505

adv.anubhav@outlook.com

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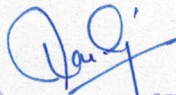
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- 2 Principal Secretary Public Works Department Government of Himachal Pradesh, Shimla.

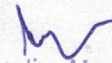
.....Respondents

ACTION TAKEN REPORT IN COMPLIANCE TO ORDER DATED 03.01.2023 AND 27.11.2024 IN ORIGINAL APPLICATION NO. 173/2022 TITLED AS RAM SINGH VERSUS STATE OF H.P. & ORS. ON BEHALF OF HIMACHAL PRADESH FOREST DEPARTMENT THROUGH CONSERVATOR OF FORESTS, WILDLIFE (SOUTH), BY WAY OF AFFIDAVIT,

I, Preeti Bhandari W/o Shri Krishan Kumar aged 38 years, presently working as Conservator of Forests Wildlife Circle (South) Shimla Himachal Pradesh do hereby solemnly affirm and declare on oath as under:-

1. That the deponent is competent to file this affidavit on behalf of Forest Department of State of HP. That at the outset and without


 Conservator of Forests,
 Wildlife (South), Shimla

ATTESTED




prejudice to the other contentions, the Respondents herein apologise to this Hon'ble Tribunal for non-submission of the action taken report in compliance to the order dated 03.01.2023 passed by this Hon'ble Tribunal. That such non-compliance was not deliberate, but occurred owing to the reasons as enumerated hereinunder. However, at the cost of repetition, Respondents herein bow down to the majesty of this Hon'ble Tribunal and apologise to this Hon'ble Tribunal for not filing the present report in time.

2. That this Hon'ble Tribunal vide Judgment/order dated 03.01.2023 was pleased to dispose of the Original Application No. 173/2022 and directed the respondents to file Action taken report within three weeks.
3. That the contents of the reply filed by the Respondents to the Original Application may be read as part and parcel of the present Affidavit and are not being repeated herein for the sake of brevity.
4. That, thereafter this Hon'ble Tribunal vide order dated 27.11.2024 in M.A. No. 113/2024 in Original Application No. 173/2022, again directed to file the action taken report within three weeks.
5. That in above reference, it is humbly brought to the kind attention of this Hon'ble Tribunal that the predecessor of the deponent as well as field officers of Wild Life Wing of forest department had written several letters and reminders to Executive Engineer, HPPWD, Kaza division, being user agency, to apply for approval of competent authority under the Forest (Conservation) Act, 1980 through the PARIVESH portal of MoEF&CC. The letters/reminders were sent by the office of Divisional Forest Officer Kaza on dated 14.09.2022, 01.10.2022, 17.10.2022, 15.03.2023, 18.04.2023, 31.08.2023 and 10.12.2024 (**Annexure I to VII**) as well as by the office of Chief Conservator of Forests, Wildlife (South) Shimla on dated 23.05.2023(**Annexure-VIII**).

6. That the Executive Engineer, HPPWD, Kaza division has applied for approval under Forest Conservation Act, 1980 in PARIVESH portal vide Proposal No. FP/HP/ROAD/514215/2024 with total proposed diversion area of 7.16 hectare on dated 11/12/2024 (**Annexure IX**). Further, vide FC/AGENDA/PSC/ 521629/2024 30th meeting of Project Screening Committee (PSC) chaired by Nodal Officer-cum-APCCF (FCA) was convened through hybrid mode on 13.12.2024. As an outcome of this meeting, the Essential Details Sought (EDS)/queries have been raised by PSC to the User Agency (HPPWD) and as of 16.12.2024 the proposal is pending with User Agency for attending to the queries raised.
7. That as far as the action plan for compensatory afforestation is concerned, it is brought to the kind attention of this Hon'ble Tribunal that proposal has been prepared vide letters/documents **Annexure X to XVII** and the 20.8 hectare land has been identified for compensatory afforestation and digitally mapped in UPF Morang of Spiti Wildlife Division, District Lahaul & Spiti and detailed compensatory afforestation scheme along with budget estimate has been prepared as per the existing provisions of Consolidated guidelines and clarifications issued under Van (Sanrakshan evam Samvardhan) Adhiniyam, 1980 and Van (Sanrakshan evam Samvardhan) Rules, 2023 and as per existing Himachal Pradesh Forest Department cost norms for Compensatory afforestation for 2024-25. However, this action plan for compensatory afforestation needs to be uploaded in the PARIVESH portal of MoEF&CC and was contingent on the User agency (HPPWD) uploading the proposal on the PARIVESH portal. Now that the proposal has been uploaded by HPPWD vide Proposal No. FP/HP/ROAD/514215/2024 on dated 11/12/2024, the detailed Compensatory afforestation scheme will be uploaded as and when the proposal comes for scrutiny and


Conservator of Forests,

ATTESTED


Executive Magistrate

recommendation of Divisional Forest Officer of Wild Life Division Spiti in the PARIVESH portal.

- 8. That it is humbly submitted that there has been no *bonfide* delay on the part of deponent as many letters/reminders have been sent to the user agency in this regard and that there has been no intention of the Deponent to not comply with the orders passed by this Hon'ble Tribunal.

In view of the above submissions, this action taken report by way of affidavit may kindly be taken on record.

[Signature]
 Deponent
 Conservator of Forests,
 Wildlife (South), Shimla-171002

Verification:-

I, the above-named deponent do hereby further declare on oath that the Contents of my above affidavit are true and correct to the best of my knowledge and belief and as per information received and derive from my field staff and official record respectively. No part of it is wrong and nothing material has been concealed there form.

Verified at Shimla on this 16th day of December 2024.

[Signature]
 DEPONENT
 Conservator of Forests,
 Wildlife (South), Shimla-171002

ATTESTED
[Signature]
 Executive Magistrate
 H.P. Sectt., Shimla

495
 Declared before me on 16th day of Dec.
 2024 on oath (Solemnly Affixation)
 by Shri Rajesh Bhardwaj Conservator of Forests
 who is personally known to the or who
 has been identified by Sh. MOHAN LAL Wildlife (South) Shimla
 who is personally known to me.

[Signature]
 Executive Magistrate
 H.P. Sectt., Shimla

No. 931
H. P. Forest Department.

Dated Kaza, the 14/09/2022

From:

Divisional Forest Officer
Spiti Wildlife Division, Kaza

To

Executive Engineer
B & R Division HPPWD, Kaza

Subject:-

Notice/NGT orders dated 8-7-2022 in the Original Application No. 173 of 2022-
Ram Singh V/s State of HP.

Sir

In this connection, it is intimated that the subject cited case was listed for hearing on 8-7-2022 in the court of Hon'ble NGT and court has sought the response regarding observation/recommendation of Joint Inspection Committee report from Principal Secretaries, Public Works Department and Forest Department, the relevant part of the orders are reproduced below (copy of court order is enclosed as Annexure-A) :-

" In view of the observations/recommendations made in the report of the Joint Committee, we consider it appropriate to seek response from Principal Secretaries, Public Works Department and Forest Department Government of Himachal Pradesh with reference to the application and observations/recommendations made in the report."

The Joint Inspection Committee had recommended in its report to prepare the proposal regarding diversion of forest land for already constructed of road from Poh-maidan to Helipad having total length 12.240 Kms under FCA 1980 (Copy of joint inspection report is enclosed as Annexure-B).

You are, therefore, requested to prepare the proposal for diversion of forest land for already constructed road from Poh-maidan to Helipad having length 12.240 Kms and submit the same to this office for further necessary action in compliance to the orders of Hon'ble NGT.

Encl:- As above

Divisional Forest Officer
Spiti Wildlife Division,
Kaza

DFO (HQ)
O/o CCF WL(S) Shimla.

Dated Kaza the 01/10/2022

From:

Divisional Forest Officer
Spiti Wildlife Division, Kaza

To:

Executive Engineer,
B & R Division HPPWD
Spiti at Kaza

Subject:

Notice / NGT orders dated 08-07-2022 in the Original
Application No. 173 of 2022 - Ram Singh Vs State of HP.

Memo:

Please refer to this office letter No. 931 dated 14-09-2022.

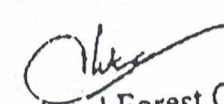
In this connection you have been requested vide above
quoted reference to submit the proposal of following roads for diversion of forest land for
already constructed road from Poh Maidan to helipad as per direction of the order of
Hon'ble National Green Tribunal dated 08-07-2022 but till date no such proposal have been
received from your office.

The detail of proposal are as under:-

S.No	Name of Road	Length (Kms)	Avg. Width (Metre)	FRA Approval	Remarks
1	Poh Maidan to Suman	1.700	4.00	Approved	
2	Soman to Nyupur	3.000	2.85	Approved	
3	Nyupur to Geecha	3.000	3.00	Approved	
4	Nipti to Takchen	1.700	5.00	Approved	
5	Geecha to Helipad	2.840	3.50	Not approved	

It is therefore once again requested to do the
needful at the earliest so that the order of the Hon'ble National Green Tribunal could be
completed.


DFO (HQ),
O/o CCF WL(S) Shimla.


Divisional Forest Officer,
Spiti Wildlife Division, Kaza o/c

No.RK./ 1/20
HP. Forest Department

Dated Kaza the 17/10/2022

Divisional Forest Officer
Spiti Wildlife Division, Kaza

Executive Engineer,
B & R Division HPPWD
Spiti at Kaza

To:

Subject:

Notice / NGT orders dated 08-07-2022 in the Original Application No. 173 of 2022 - Ram Singh Vs State of HP.

Memo:

Please refer to this office letter No. 931 dated 14-09-2022 and letter no. 1024 dated 01-10-2022.

In this connection it is stated that the NGT case is to be listed on 09-11-2022 for hearing in the Original Application No. 173 of 2022 - Ram Singh Vs State of HP. Therefore in order to pursue the case appropriately and to avoid any adverse order from the Hon'ble National Green Tribunal. You are once again requested to submit the proposal of following roads for diversion of forest land for already constructed road from Poh Maidan to helipad without fail. The detail of proposal are as under:-

S.No	Name of Road	Length (Kms)	Avg. Width (Metre)	FRA Approval	Remarks
	Poh Maidan to Suman	1.700	4.00	Approved	Annexure -B
2	Soman to Nyupur	3.000	2.85	Approved	Annexure -C
3	Nyupur to Geecha	3.000	3.00	Approved	Annexure -D
4	Nipti to Takchen	1.700	5.00	Approved	Annexure -E
5	Geecha to Helipad	2.840	3.50	Not approved	

It is therefore once again requested to do the needful at the earliest so that the order of the Hon'ble National Green Tribunal could be compiled.

Divisional Forest Officer,
Spiti Wildlife Division, Kaza

DFO (HQ),
O/o CCF WL(S) Shimla.

H. P. Forest Department.

Dated Kaza, the 15/3/23

To

The Executive Engineer
B & R Division HPPWD
Spiti at Kaza.

Subject:-

Hon'ble National Green Tribunal order dated 03.01.2023 passed in Original Application No.173 of 2023-Ram Singh V/S State of HP.

Sir

In continuation to this office letter No. 931 dated 14.09.2022 and 1025 dated 01.10.2022 on the subject cited above.

2. In this connection, it is intimated that Hon'ble National Green Tribunal vide its order dated 03.01.2023 disposed off the subject cited OA on the basis of assurance given by the respondent departments regarding taking appropriate steps for obtaining approval of competent authority under FCA, 1980. The Hon'ble NGT ordered to take appropriate steps for obtaining approval of competency under FCA, 1980, the operative part of the order are reproduced below:-

" In view of the above the application is disposed off with the directions to take appropriate steps for obtaining approval of Competent Authority under Forest Conservation Act, 1980 and Forest Right Act, 2006 as required and providing land for compensatory afforestation in lieu of forest land diverted for non- forest purpose".

But this office has been requesting since 14.09.2022 to submit the proposal of the roads involved in the subject cited OA under of FCA, 1980 but despite the lapse of 6 months nothing has been heard from your side.

You are, therefore, once again requested to submit the proposal under FCA, 1980 for seeking the approval of competent authority immediately to this office. Further delay in the matter will lead to contempt of the orders of Hon'ble NGT.

Yours faithfully

[Signature]
Divisional Forest Officer,
Spiti Wildlife Division,
Kaza.

Endst. No. 2096

Dated Kaza, the 15/3/23

Copy is forwarded to CC WL (S) Shimla for information please.

[Signature]
Divisional Forest Officer,
Spiti Wildlife Division,
Kaza.

EXECUTIVE ENGINEER
B & R DIVISION
H.P.P.W.D. KAZA

[Signature]
DFO (HQ),
O/o CCF WL(S) Shimla.

No. RK/ 5.51
HP, Forest Department

Dated Kaza the 18/04/2023

From: Divisional Forest Officer
Spiti Wildlife Division, Kaza

To: Executive Engineer,
B& R Division HPPWD
Spiti at Kaza

Subject: Hon'ble National Green Tribunal order dated 03-01-2023 passed in original Application No. 173 of 2023- Ram Singh V/S State of HP.

Memo: In continuation to this office letter No. 931 dated 14-09-2022 and letter No. 2095 dated 15-03-2023 on the subject cited above.

I am apprehensive about the modus operandi of the department concerned that after passing of more than 7 months no communication has been received in connection with Hon'ble National Green Tribunal order dated 03-01-2023 passed in original Application No. 173 of 2023- Ram Singh V/S State of HP. OA disposed on dated 03-01-2023 on the basis of assurance given by the respondents departments for obtaining approval of competent authority under FCA. 1980.

This office had requested you through repeated reminder to submit the proposal for diversion of forest land for already constructed roads involved in the subject cited OA under FCA.

It is therefore once again requested to do the needful at the earliest so that the order of the Hon'ble National Green Tribunal could be compiled accordingly.

Endst.No. 55

Dated Kaza the

Divisional Forest Officer,
Spiti Wildlife Division, Kaza
18/04/2023

Circle Rampur Bushahr District Shimla for favour of information and necessary action.

Endst.No. 56

Dated Kaza the

18/04/2023

Divisional Forest Officer,
Spiti Wildlife Division, Kaza

Copy is forwarded to CCF WL (S) Shimla for favour of information please.

Divisional Forest Officer,
Spiti Wildlife Division, Kaza

HP-54
Received
18/4/23

DFO (HQ),
O/o CCF WL(S) Shimla.

No.RK/ 576
HP. Forest Department

Dated Kaza the 31/08/2023

From: Deputy Conservator of Forest
Spiti Wildlife Division, KazaTo: Executive Engineer,
B& R Division HPPWD
Spiti at KazaSubject: Notice / NGT orders dated 08-07-2022 in the Original
Application No. 173 of 2022 - Ram Singh Vs State of HP.Memo: Please refer to this office letter No. 931 dated 14-09-2022,
letter No. 1024 dated 01-10-2022 and this office letter No. 1120 dated 17-10-2022, letter No.
2095 dated 15-03-2023 and letter No. 54 dated 18-04-2023 on the subject cited above

It is very pertinent to note that after passing of more than 11 months no communication has been received in connection with Hon'ble National Green Tribunal order dated 03-01-2023 passed in original application No. 173 of 2023 - Ram Singh Vs State of HP. OA disposed on dated 03-01-2023 on the basis of assurance given by the respondent departments for obtaining approval of competent authority under FCA 1980. But till date nothing has been heard from the respondent department. This office has been requesting since 14-09-2022 to submit the proposal of the roads involved in the subject cited OA under FCA 1980.

you are once again requested to prepare the proposal of
namely roads under FCA 1980

S.No	Name of Road	Length (Kms)	Avg. Width (Metre)	FRA Approval	Remarks
1	Poh Maidan to Suman	1.700	4.00	Approved	Annexure -B
2	Soman to Nyupur	3.000	2.85	Approved	Annexure -C
3	Nyupur to Geecha	3.000	3.00	Approved	Annexure -D
4	Nipti to Takchen	1.700	5.00	Approved	Annexure -E
5	Geecha to Helipad	2.840	3.50	Not approved	

and submit the same to this Department on the online portal
immediately so that the order of the Hon'ble NGT could be compiled accordingly

An early action is solicited please.

J. Prasad
Deputy Conservator of Forest,
Spiti Wildlife Division, Kaza

Endst.No. 577

Dated Kaza the 31/08/2023

Copy is forwarded to Superintending Engineer II th Circle
Rampur Bushahr District Shimla for favour of information and necessary action.

J. Prasad
Deputy Conservator of Forest,
Spiti Wildlife Division, Kaza

- 11 -

No. / 3076
HP Forest Department
Dated, Kaza the 10/12/2024

From:- Deputy Conservator of Forests
Spiti Wildlife Division

To:- Executive Engineer
HPPWD, Kaza

Subject:- Notice/NGT order dated 03/01/2023 in the original application no. 173 of 2022- Ram Singh Vs State of Himachal Pradesh


Sir

With reference to the subject cited above, several reminders along with telephonic message conveyed to you to fulfill the NGT order dated 03/01/2023 in the original application no. 173 of 2022- Ram Singh Vs State of Himachal Pradesh. You have not uploaded the said proposal in the Online Parivesh Portal till date.

you are once again requested to upload the online proposal in the Parivesh portal at the earliest please so that the further procedures could processed accordingly.

This is for your kind information and further necessary action please.


DFO (HQ),
O/o CCF WL(S) Shimla.


Deputy Conservator of Forests
Spiti Wildlife Division at Kaza. *o/c*



H.P. Forest Department (Wildlife Wing)
Wildlife Circle (South) Shimla
Email: ccfwlshi-hp@nic.in
Ph. 0177-2620151



No.M-1/_____

Dated Shimla-2, the_____

To:- Executive Engineer
 Spiti B&R Division,
 HP. PWD., Kaza.

Subject: **Regarding conduct the Joint Inspection for diversion of forest land for the construction of Road from Poh Maidan to Dhankhar Helipad Km 0/00 to 12/460.**

Sir,

Kindly refer to your office memo. No. PW/SD/WA/Forest Case/(Poh to Dhankhar-2022-23/4447-51 dated 15-03-2023 on the subject cited above.

2. In this regard, it is intimated the inspection of above road listed in the letter will be done by Divisional Forest Officer (Wildlife) Spiti along with senior officials of PWD, Revenue and other line department. You are requested to take appropriate date from Divisional Forest Officer (Wildlife) Spiti and conduct Joint Inspection. You are requested to submit the proposal under FCA in the online portal <https://parivesh.nic.in>. If your office requires any assistance in preparing FCA proposal, you may approach/contact the accredited consultant organizations by Quality Council of India (QCI) for the state of H.P. (copy enclosed).

The compliance may be reported at the earliest so that the direction of Hon'ble NGT may be followed and action taken report can be submitted at the earliest.

Encls: As above.

Signed by K. Thirumal
 Date: 23-05-2023 16:28:04
 Chief Conservator of Forests,
 Wildlife Circle (South) Shimla.


Endst. No. M-1/

Dated:-

Copy w.r.t. Executive Engineer Spiti B&R Division, HP. PWD., Kaza above quoted letter is forwarded to DFO (WL) Spiti for taking further necessary action. You are requested to guide user agency for make FCA proposal and give appropriate date for joint inspection of above road at the earliest.

-Sd/-

Chief Conservator of Forests
 Wildlife Circle (South) Shimla.


 DFO (HQ),
 O/o CCF WL(S) Shimla.



Form-A (Part-I): Diversion of Forest Land

Common Application Form

Project Details

1. Details of Project

1.1. Name of the Project	Construction of road from Poh Maidan to Dankhar Helipad km 0/00 to 12/460
1.2. Project Proposal For	New
1.3. Project ID (Single Window Number)	SW/225748/2024
1.4. Description of Project	Construction of road from Poh Maidan to Dankhar Helipad km 0/00 to 12/460

2. Details of the Company/Organization/User Agency making application

2.1. Legal Status of the Company/Organization/User Agency	State Government (Department/Autonomous body)
2.2. Name of the Company/ Organization/User agency	HIMACHAL PRADESH PUBLIC WORK DEPARTMENT

Registered address


2.3. Address	Engineer-in-Chief HPPWD Nirman Bhawan Nigam Vihar Shimla Engineer-in-Chief HPPWD Nirman Bhawan Nigam Vihar Shimla
2.4. Village /Town / City	Kaza
2.5. State	HIMACHAL PRADESH
2.6. District	LAHUL AND SPITI
2.7. Pin Code	172114
2.8. Landmarks	Near CH Kaza
2.9. E-mail address	ee-kul2-hp@nic.in
2.10. Landline Number	7876487785
2.11. Mobile number	7876487785

3. Details of the person making application

3.1. Name	Vireder kumar
3.2. Designation	Executive Engineer

Correspondence address

3.3. Address	HPPWD Kaza
3.4. Village /Town / City	Kaza
3.5. State	HIMACHAL PRADESH
3.6. District	LAHUL AND SPITI
3.7. Pin Code	172114
3.8. Landmarks	Same as above
3.9. E-mail address	hp-lspl@nic.in
3.10. Landline Number	222252
3.11. Mobile number	7876487785


DFO (HQ),
O/o CCE WL (S) Shimla

4.1. Upload KML kaza.kml

4.2. Whether the project/activity falling in the state/UT sharing international borders YES

4.1. Aerial Distance from the International Border/LOC/LAC in km 2

5. Shape of the Project Linear

Location Details

Toposheet No	State/UT	District	Sub District	Village	Plot/Survey/Khasra No.
I44S8	HIMACHAL PRADESH	Lahul & Spiti	Spiti	Newpur (149/5)	1
I44S4	HIMACHAL PRADESH	Lahul & Spiti	Spiti	Dhankhar (149/1)	323/1
I44S4	HIMACHAL PRADESH	Lahul & Spiti	Spiti	Dhar Gangchhumi (165)	4
I44S4	HIMACHAL PRADESH	Lahul & Spiti	Spiti	Dhar Nipti (150)	1

Remarks

N/A

6. Land Requirement (in Ha) of the project or activity

6.1. Nature of Land involved

6.2. Non-Forest Land [A] 0

6.3. Forest Land [B] 7.16

6.4. Total Land [A+B] 7.16

Project Activity Cost

6. Project/Activity Cost

6.1. Total Cost of the Project at current price level (in Lakhs) 487.18
Amount in Words : Four Hundred Eighty Seven Point Eighteen Lakh(s) Only

7. Employment likely to be generated

7.1. During construction phase

Permanent employment

Temporary employment

7.1.1. Temporary / Contractual employment (No. of Man days) [Y] 31178

7.1.2. Total [X] + [Y] 31178

7.2. During operational phase

Permanent employment


7.2.1. No. of permanent employment (No.s) [A] 15

7.2.2. Period of employment (No. of days) [B] 365

7.2.3. No. of man-days [X]=[A]*[B] 5475

Temporary employment

7.2.4. Total [X] + [Y] 5475


DFO (HQ),
O/o CCF WL(S) Shimla.

Others

No./3093
HP Forest Department
Dated, Kaza the 12/12/2024

From:- Deputy Conservator of Forests
Spiti Wildlife Division

To:- Conservator of Forests
Wildlife (S), Shimla

Subject:- **Action Taken Report for Online proposal No. FP/HP/ROAD/514215/2024**
Title:- Construction of Road from Poh Maidan to Dankhar Helipad km 0/00 to 12/460.

Madam

In this regard, it is submitted that detailed Penal CA scheme for violated area has been prepared and CA land in lieu of diverted area has been identified in UPF Morang of 20.8Ha. The details of schemes alongwith their DGPS Maps are attached for your kind information please.

This is for your kind information and further necessary action please.

Enclsd:- As above.



Deputy Conservator of Forests
Spiti Wildlife Division at Kaza
Deputy Conservator of Forests
Spiti Wildlife Division Kaza

Action Plan for Penal CA

S.No.	Area already diverted	Penal CA area Identified	Penal CA scheme amount to be paid by HPPWD (as per HPFD plantation norms 2024-25)	Species to be Planted	Executing agency
1	Poh Maidan to Soman:- 0.2525 Ha Soman to Newpur:- 0.2625 Ha Newpur to Gecha:- 0.8940 Ha Nipti to Takchan:- 0.8515 Ha Gecha to Helipad:- 0.9940 Ha	13 Ha (UPF Morang) (DGPS Map attached).	Rs 6119142/- (Detailed Penal CA scheme is attached).	Poplar and Willow	Spiti Wildlife Division (HPFD)
Total	3.2545 Ha				

Action Plan for CA

S.No.	Fresh area proposed to be diverted by HPPWD	CA area Identified	CA scheme amount to be paid by HPPWD (as per HPFD plantation norms 2024-25)	Species to be Planted	Executing agency
1	3.9040 Ha	7.8 Ha (UPF Morang) (DGPS Map is attached).	Rs 3670169/- (Detailed CA scheme is attached).	Poplar and Willow	Spiti Wildlife Division (HPFD)
Total	3.9040 Ha				


 Deputy Conservator of Forests
 Spiti Wildlife Division at Kaza
 Deputy Conservator of Forest
 Spiti Wildlife Division Kaza

CHECK LIST SERIAL NUMBER-18
SCHEME FOR COMPENSATORY AFFORESTATION.

Detail scheme for Penal Compensatory Afforestation to be carried out over 13 ha in lieu of 3.2545 ha. of forest land to be diverted in the favour of HPPWD for Construction of Road from Poh maidan to Dankhar Helipad within the jurisdiction of Spiti Wild Life Division.

1. Details of degraded forest land/non forest land:- UPF Morang 13 Ha.
 District:- **Lahaul&Spiti**
 Tehsil :- **Spiti**
 Name of Forest Division :-**Spiti Wild Life Division, at Kaza**
Range: - Kaza
 Block/Compartment/Survey No: - 143X15
2. Description of area:-
 - 1) Whether the site selected for Compensatory Afforestation is a land bank or not:- **No**
 - 2) If the CA site is other than the land bank, reasons be given:-**Land bank has not been identified previously.**
 - 3) In case of non-forest area identified for CA, then what is the distance of CA site from the adjoining forest boundary:-**Not applicable.**
 - 4) Soil type:- Silty loam to Silty Clay loam..
 - 5) Topography:-**a. Plain. b. Slope: Gentle.**
 - 6) Whether the area is bearing any root stock of vegetation: -**Yes, Hippophae Rhamnoids.**
3. **Plantation Model:-**
 Copy of the approved compensatory afforestation scheme/model showing component wise physical and financial break up is enclosed.
4. **Schedule of plantation programme:-**
 Detail of year wise break-up of requirement of funds attached.
5. **Technical details:-**
 Technical details of Compensatory Afforestation scheme are as follows:-
 - (a) General details: - An area of 13 ha will be taken up for planting under Compensatory Afforestation scheme in UPF Morang . The area will be protected by Barbed wire fencing in RCC fence posts in four strands and Poplar and Willow species will be planted. 1100 plants will be planted per hectare.
 - (b) Spacement:- 3 mtr X 3 mtr
 - (c) Species:- Salix and Poplar..
 - (d) **Plantation Method:-** Nursery grown 1½ to 2½ year old plants (in Polythene bags as well as naked root) will be planted in 30 X 30 X 30 cm and 45 X45 X 45 cm pits in the selected area. Bush cutting will be done only in the infested area. The plantation will be maintained for subsequent 10 years in which beating up of failures will be done. The plantation will be through watering.
 - (e) **Soil and Moisture Conservation Works:-** Contour trenching will be done over the entire area to conserve the available moisture during rainy season so that moisture regime in the area is improved. Minor Soil Conservation Works like gully plugging, check walls shall be done where ever required.
 - (f) **Protection (Fencing, Watch man, People's Participation etc.):-** Area will be protected from grazing by erecting barbed wire fencing at all vulnerable places around the plantation. Further watch and ward as well as fire protection will be ensured through regular department staff.
 - (g) **Proposed monitoring Mechanism:-** The plantation will be monitored as per existing monitoring mechanism in the forest department. The plantation will also be monitored by GOI representatives as per instructions. The plantation site will be approachable from motor able roads.
 - (h) **Any other information: - Nil**

Date 10/12/2024

Place:- Kaza

Javed
Deputy Conservator of Forests
Spiti Wildlife Division, Kaza

Deputy Conservator of Forest
Spiti Wildlife Division Kaza

CHECK LIST SERIAL NUMBER-18
SCHEME FOR COMPENSATORY AFFORESTATION.

Detail scheme for Penal Compensatory Afforestation to be carried out over 7.8 ha in lieu of 3.9040 ha. of forest land to be diverted in the favour of HPPWD for Construction of Road from Poh maidan to Dankhar Helipad within the jurisdiction of Spiti Wild Life Division.

1. Details of degraded forest land/non forest land:- UPF Morang 7.8 Ha.
District:- **Lahaul&Spiti**
Tehsil :- **Spiti**
Name of Forest Division :- **Spiti Wild Life Division, at Kaza**
Range: - **Kaza**
Block/Compartment/Survey No: - **143X15**
2. Description of area:-
 - 1) Whether the site selected for Compensatory Afforestation is a land bank or not:- **No**
 - 2) If the CA site is other than the land bank, reasons be given:- **Land bank has not been identified previously.**
 - 3) In case of non-forest area identified for CA, then what is the distance of CA site from the adjoining forest boundary:- **Not applicable.**
 - 4) Soil type:- **Silty loam to Silty Clay loam..**
 - 5) Topography:- **a. Plain. b. Slope: Gentle.**
 - 6) Whether the area is bearing any root stock of vegetation: - **Yes, Hippophae Rhamnoids.**
3. **Plantation Model:-**
Copy of the approved compensatory afforestation scheme/model showing component wise physical and financial break up is enclosed.
4. **Schedule of plantation programme:-**
Detail of year wise break-up of requirement of funds attached.
5. **Technical details:-**
Technical details of Compensatory Afforestation scheme are as follows:-
 - (a) General details: - An area of 7.8 ha will be taken up for planting under Compensatory Afforestation scheme in UPF Morang . The area will be protected by Barbed wire fencing in RCC fence posts in four strands and Poplar and Willow species will be planted. 1100 plants will be planted per hectare.
 - (b) Spacement:- **3 mtr X 3 mtr**
 - (c) Species:- **Salix and Poplar..**
 - (d) **Plantation Method:-** Nursery grown 1½ to 2½ year old plants (in Polythene bags as well as naked root) will be planted in 30 X 30 X 30 cm and 45 X45 X 45 cm pits in the selected area. Bush cutting will be done only in the infested area. The plantation will be maintained for subsequent 10 years in which beating up of failures will be done. The plantation will be through watering.
 - (e) **Soil and Moisture Conservation Works:-** Contour trenching will be done over the entire area to conserve the available moisture during rainy season so that moisture regime in the area is improved. Minor Soil Conservation Works like gully plugging, check walls shall be done where ever required.
 - (f) **Protection (Fencing, Watch man, People's Participation etc.):-** Area will be protected from grazing by erecting barbed wire fencing at all vulnerable places around the plantation. Further watch and ward as well as fire protection will be ensured through regular department staff.
 - (g) **Proposed monitoring Mechanism:-** The plantation will be monitored as per existing monitoring mechanism in the forest department. The plantation will also be monitored by GOI representatives as per instructions. The plantation site will be approachable from motor able roads.
 - (h) **Any other information: - Nil**

Date 10/12/2024

Place:- Kaza


Deputy Conservator of Forests
Spiti Wildlife Division, Kaza

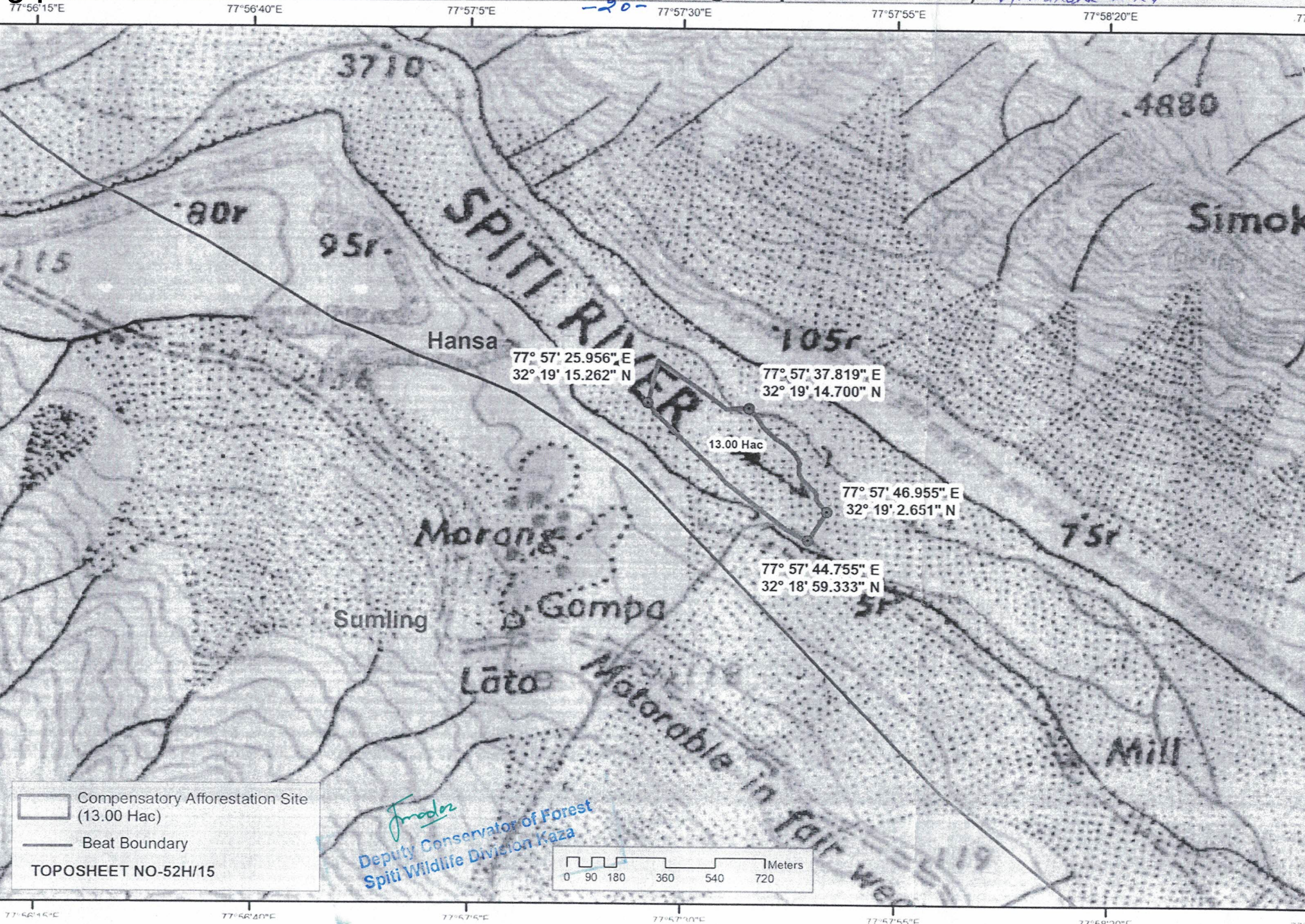
Deputy Conservator of Forest
Spiti Wildlife Division Kaza

COST OF PENAL COMPENSATORY AFFORESTATION OVER 13.0180 HACTARE IN LIEU OF DIVERSION OF 3.2545 Ha OF FOREST AREA IN FAVOUR OF HPPWD KAZA FOR CONSTRUCTION OF ROAD FROM POH MAIDAN TO DANKHAR IN SPITI WILDLIFE DIVISION AT KAZA DISTT. LAHAUL & SPITI H.P.

Norms of plantation and maintenance of old plantation for Non - Tribal for the year 2024-25 applicable vide Pr.CCF (HoFF) H.P. Shimla memo. No. Ft. State CAMPA/2010/Norms/Vol.III dated 05.07.2024

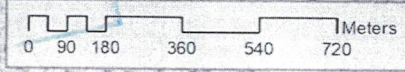
Particulars of work	Area (in Hect.)	Plantation Norm per Hect.	Plantation cost	Plants to be planted per hec.	Total no of plants to be planted	Nursery cost per plant	Total Nursery Cost	Total Plantation cost+Total nursery cost (Col. 4+8)	Year of Execution of Works	Add 10% Escalation for undertaking works in subsequent year	Total Amount (Col. 9+11)
<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>	<u>9</u>	<u>10</u>	<u>11</u>	<u>12</u>
A. Initial cost for raising compensatory afforestation over an area of 4.00 Hectare :-											
0 Year/new plantation	13.0180	124000	1614232	1100	14320	28.79	412267	2026499	2024-25	202650	2229149
soil & Moisture Coservation Work @25 % of Planting Cost											557287
Total -A											2786436
B. Maintenance Cost for raising Compensatory Afforestation :-											
1st year maintenance	13.0180	15200	197874	330	4296	28.79	123680	321554	2024-25	64311	385864
2nd year maintenance	13.0180	10200	132784	220	2864	28.79	82453	215237	2024-25	64571	279808
3rd year maintenance	13.0180	5300	68995	110	1432	28.79	41227	110222	2024-25	44089	154311
4th year maintenance	13.0180	5300	68995	110	1432	28.79	41227	110222	2024-25	55111	165333
5th year maintenance	13.0180	5300	68995	110	1432	28.79	41227	110222	2024-25	66133	176355
6th year maintenance	13.0180	5300	68995	110	1432	28.79	41227	110222	2024-25	77155	187378
7th year maintenance	13.0180	5300	68995	110	1432	28.79	41227	110222	2024-25	88178	198400
8th year maintenance	13.0180	5300	68995	110	1432	28.79	41227	110222	2024-25	99200	209422
9th year maintenance	13.0180	5300	68995	110	1432	28.79	41227	110222	2024-25	110222	220444
10th year maintenance	13.0180	5300	68995	110	1432	28.79	41227	110222	2024-25	121244	231466
Total-B											2208782
Total -A+B											4995218
Total											4995218
Add Contigencies Charges @5%											249761
Total											5244979
Add Departmental Charges of Supervision @17.5%											874163
Grand Total											6119142


 Deputy Conservator of Forests
 Spiti Wildlife Division at Kaza
 Deputy Conservator of Forests
 Spiti Wildlife Division Kaza



Compensatory Afforestation Site (13.00 Hac)
 Beat Boundary
 TOPOSHEET NO-52H/15


J. Madan
 Deputy Conservator of Forest
 Spiti Wildlife Division Kaza



COST OF COMPENSATORY AFFORESTATION OVER 7.8080 HACTARE IN LIEU OF DIVERSION OF 3.9040 Ha OF FOREST AREA IN FAVOUR OF HPPWD KAZA FOR CONSTRUCTION OF ROAD FROM POH MAIDAN TO DANKHAR IN SPITI WILDLIFE DIVISION AT KAZA DISTT. LAHAUL & SPITI H.P.

Norms of plantation and maintenance of old plantation for Non - Tribal for the year 2024-25 applicable vide Pr.CCF (HoFF) H.P. Shimla memo. No. Ft. State CAMPA/2010/Norms/Vol.III dated 05.07.2024

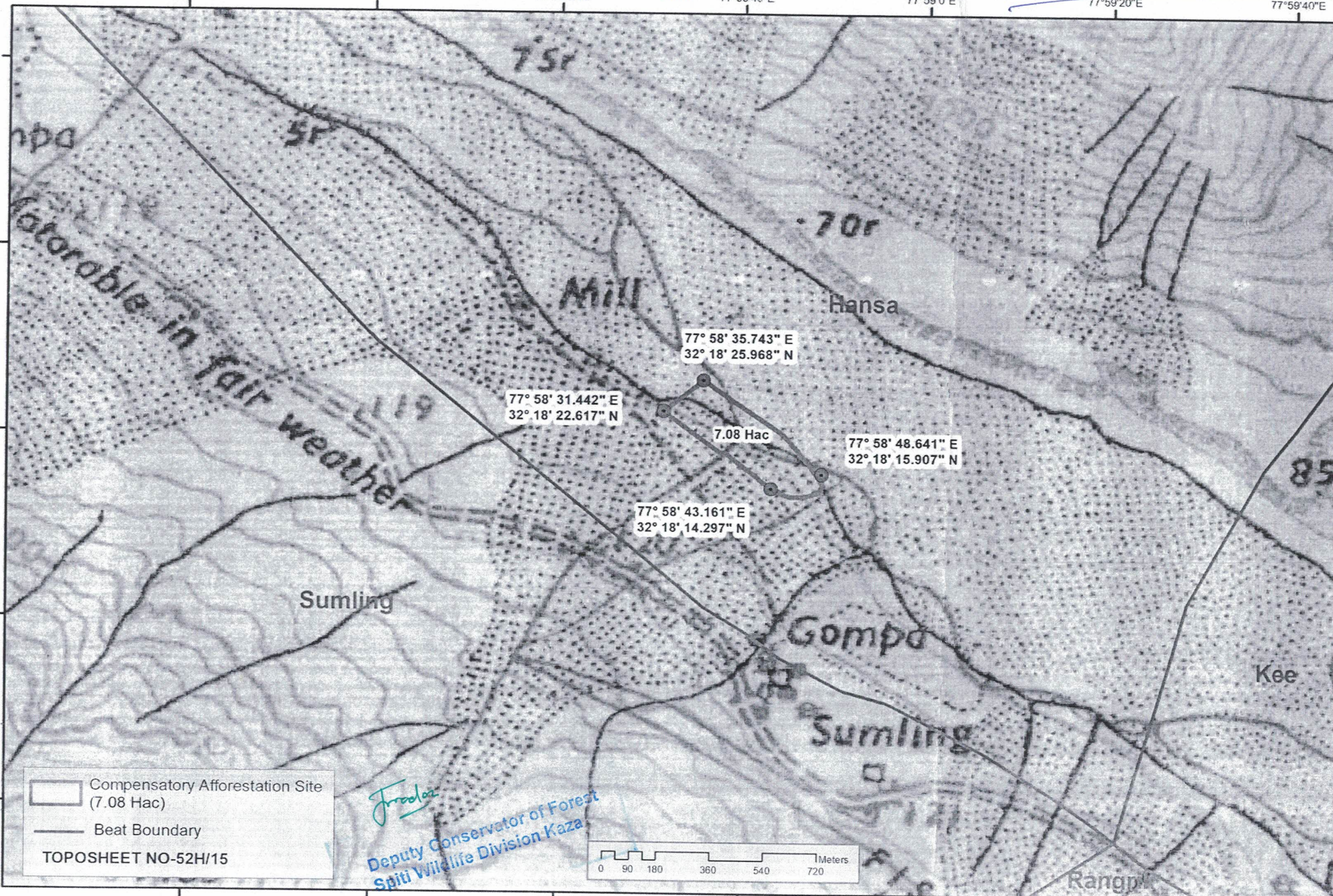
Particulars of work	Area (in Hect.)	Plantatio n Norm per Hect.	Plantation cost	Plants to be planted per hec.	Total no of plants to be planted	Nursery cost per plant	Total Nursery Cost	Total Plantation cost+Total nursery cost (Col. 4+8)	Year of Execution of Works	Add10% Escalation for undertaking works in subsequent year	Total Amount (Col. 9+11)
<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>	<u>9</u>	<u>10</u>	<u>11</u>	<u>12</u>
A. Initial cost for raising compensatory afforestation over an area of 4.00 Hectare :-											
0 Year/new plantation	7.8080	124000	968192	1100	8589	28.79	247272	1215464	2024-25	121546	1337010
soil & Moisture Coservation Work @25 % of Planting Cost											334252
Total -A											1671262
B. Maintenance Cost for raising Compensatory Afforestation :-											
1st year maintenance	7.8080	15200	118682	330	2577	28.79	74181	192863	2024-25	38573	231436
2nd year maintenance	7.8080	10200	79642	220	1718	28.79	49454	129096	2024-25	38729	167825
3rd year maintenance	7.8080	5300	41382	110	859	28.79	24727	66110	2024-25	26444	92553
4th year maintenance	7.8080	5300	41382	110	859	28.79	24727	66110	2024-25	33055	99164
5th year maintenance	7.8080	5300	41382	110	859	28.79	24727	66110	2024-25	39666	105775
6th year maintenance	7.8080	5300	41382	110	859	28.79	24727	66110	2024-25	46277	112386
7th year maintenance	7.8080	5300	41382	110	859	28.79	24727	66110	2024-25	52888	118997
8th year maintenance	7.8080	5300	41382	110	859	28.79	24727	66110	2024-25	59499	125608
9th year maintenance	7.8080	5300	41382	110	859	28.79	24727	66110	2024-25	66110	132219
10th year maintenance	7.8080	5300	41382	110	859	28.79	24727	66110	2024-25	72721	138830
Total-B											1324794
Total -A+B											2996057
Total											2996057
Add Contigencies Charges @5%											149803
Total											3145859
Add Departmental Charges of Supervision @17.5%											524310
Grand Total											3670169


 Deputy Conservator of Forests
 Spiti Wildlife Division at Kaza
 Deputy Conservator of Forest
 Spiti Wildlife Division Kaza

Compensatory Afforestation Site for C/o road from Poh Maidan to Dankhar Helip
(Kaja Wildlife Range Spiti Division) ANNEXURE XVII

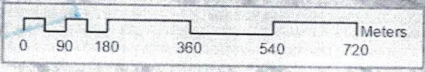
93

77°57'40"E 77°58'0"E 77°58'20"E 77°58'40"E 77°59'0"E 77°59'20"E 77°59'40"E



Compensatory Afforestation Site (7.08 Hac)
Beat Boundary
TOPOSHEET NO-52H/15

J. Prasad
Deputy Conservator of Forest
Spiti Wildlife Division Kaja



77°57'40"E 77°58'0"E 77°58'20"E 77°58'40"E 77°59'0"E 77°59'20"E 77°59'40"E

VAKALATANAMABEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH

MA No.113/2024

Original Application No. 173/2022

In the matter of:

Sh. Ram Singh Son of Sh. Angchuka
Village and Post office- Mane
Tehsil-Spiti, District -Lahaul and Spiti
Himachal Pradesh

.....Petitioner

Versus

1. State of Himachal Pradesh through Principal Secretary (Forests), to the Government of Himachal Pradesh with headquarters at Shimla.
2. Principal Secretary Public Works Department Government of Himachal Pradesh, Shimla.

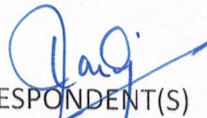
.....Respondents

I, Preeti Bhandari, IFS, Conservator of Forests Wildlife Circle (South) Shimla, on behalf of the Respondent No. 1 in above Original Application do hereby appoint and retain Mr. Anubhav Sharma, Advocate, to act and appear for me/ us in the above case and on the behalf of the Respondent No. 1 to conduct and pursue all proceedings that may be taken in respect of any proceedings in respect to above case and to file and obtain documents and to represent me/ us and to take all necessary steps on our behalf in the above matter. I agree to ratify all acts done by the aforesaid Advocate in pursuance of this Authority.


Date this the 16th Day of December, 2024.

ATTESTED


Executive Magistrate
H.P. Sectt., Shimla


RESPONDENT(S) signed
(Preeti Bhandari)
Conservator of Forests
Wildlife Circle (South) Shimla

ACCEPTED & CERTIFIED BY:


Anubhav Sharma
Advocate
HIM/90/2021
9736299505

IDENTIFIED & VERIFIED BY: