

**Government of Punjab**  
**Department of Forests & Wildlife Preservation**  
**Forest Complex, Sector-68,**  
**S.A.S. Nagar, Punjab.**  
(FCA Branch)

No. -FCA/1980/108/2018/PB-180/

Dated: 9.8.2018

FP/PB/Others/32642/2018

To

Divisional Forest Officer,  
Patiala.

**Subject: Diversion of 0.81 hectares of forest land for permission of laying 200 to 400 MM dia sewerage pipe line in Sirhind city and surrounding area on various forest strips in Sirhind Range Distt. Fatehgarh Sahib under Forest Division Patiala, Punjab.**

Ref: Your letter No. 1263 dated 02.05.2017 and No. 4718 dated 25.6.2018.

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1. After careful examination of the proposal under General Approvals issued by Govt. of India vide letter No. F.No. 11-9/98-FC dated 13.02.2014, **"In-principle" approval** is hereby conveyed for diversion of **0.81 ha** of forest land for the above mentioned project **with directions for strict compliance of the orders of the Hon'ble National Green Tribunal in O.A. 161 & O.A. 162 of 2016 dated 19.5.2016 titled Amandeep Aggarwal and others Vs. State of Punjab and Peacock Environment & Wildlife & Others Vs. State of Punjab & Others subject to the following conditions:**

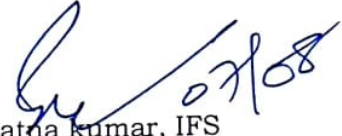
- i) Cost of compensatory Afforestation as per forest area's CA scheme may be realized from the user agency.
- ii) Penal compensatory afforestation scheme over ten times of broken forest area with 7-10 years maintenance of plantations may be prepared and amount for the same may be realized from the user agency. Penal C.A Scheme and Site Suitability Certificate may also be submitted.
- iii) Net Present Value (NPV) of the forest land being diverted for non-forestry purpose may be realized from the user agency, as per Ministry's directions issued vide letters No. 5-3/2007-FC dated 5<sup>th</sup> February, 2009 and Hon'ble Supreme Court of India's Order dated 30<sup>th</sup> October 2002, 28<sup>th</sup> March, 2008, 24<sup>th</sup> April, 2008 and 9<sup>th</sup> May 2008.
- iv) The user agency shall deposit payment of NPV of the forest land and all other CA levies only on MoEF & CC web portal <http://:forestsclearance.nic.in> or <http://:efclearance.nic.in>.
- v) **In-principle Approval is given with condition that case for final approval will be entertained only after the compliance of the orders of the Hon'ble National Green Tribunal in O.A. 161 & O.A. 162 of 2016 dated 19.5.2016 titled Amandeep Aggarwal and others Vs. State of Punjab and Peacock Environment & Wildlife & Others Vs. State of Punjab & Others.**

2. The following conditions shall also be complied with after according final approval:

- i) Legal status of the diverted forest land shall remain unchanged;
- ii) No tree/ pole/plants will be affected in this case.
- iii) The forest land shall not be used for any purpose other than that specified in the proposal and shall under no circumstances, be transferred to anyone without prior approval of the Central/State Government.
- iv) The User Agency shall ensure, no damage is caused to the wildlife available in the area during or after execution of this project.
- v) The boundary of the diverted forest land shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, forward and back bearing and distance from pillar to pillar.
- vi) The User Agency shall provide firewood preferably alternate fuels to the laborers and the staff working at the site so as to avoid any damage and pressure on the nearby forest area.
- vii) The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.
- viii) As recommended by the Geologist and Task Force, the required soil conservation measures should be taken up by the user agency for which fund should be provided as per the current rate of works.
- ix) Muck disposal should be taken up as per the scheme approved by the Forest Department.
- x) No labour camp shall be established on the forest land.
- xi) The User agency shall submit the annual self-compliance' report in respect of the above conditions to the State Government.
- xii) The user agency in consultation with the State Government shall create and maintain alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project. Bird's nests artificially made out of eco-friendly material shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project.
- xiii) Any other condition that the Forest Department, Punjab may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife.
- xiv) The user agency shall pay the additional amount of NPV as and when increased on the orders of the Hon'ble Supreme Court of India.
- xv) The User Agency and concerned Divisional Forest Officer shall ensure compliance to the provisions of all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project; and



3. After receipt of the compliance report on fulfillment of the conditions under para-2 above, the proposal shall be considered for the final approval under Section-2 of the Forest (Conservation) Act, 1980. **The use of forest land will not be allowed till final approval is accorded and environmental clearance, if any applicable, is obtained.**

  
D.V. Ratna Kumar, IFS  
Nodal Officer (FCA),  
Chief Conservator of Forests,  
Punjab.

Copy to:-

1. The IGF (FC), Ministry of Environment, Forests and Climate Change, Paryavaran Bhawan, Jorbagh, New Delhi.
2. Addl. Principal Chief Conservator of Forests (Central), Government of India Ministry of Environment, Forests and Climate Change, Northern Regional Office, Bays No. 24-25, Dakshin Marg Sector-31-A, Chandigarh-160030.
3. Conservator of Forests, South circle/Patiala w.r.t. DFO Patiala's letter No. 1263 dated 02.05.2018 and No. 4718 dated 03.7.2018.
4. Executive Engineer Pb. W/S & Sew. Division No. 2 Patiala.

Diversion of 0.81 ha. of forest land for permission for laying 200 to 400 MM dia Sewerage Pipe line in Sirhind City and surrounding area on various forest strips in Sirhind Range Distt. Fatehgarh Sahib under Forest Division Patiala, Punjab.


PART-V

(To be filled in by the Secretary in charge of Forests Department or by any other authorized officer of the State Government not below the rank of an Under Secretary)

18. Recommendation of the State Government:

(Adverse comments made by any officer or authority in Part-II or Part-III or Part-IV above should be specifically commented upon)

Recommended with 10 times Panel  
c.n

  
07/08/18  
Signature  
Nodal Officer (FCA)  
& Chief Conservator of Forests,  
Punjab, S.A.S. Nagar.  
(Official Seal)

Date 07.08.2018

Place SAS Nagar

**Diversion of 0.81 ha. of forest land for permission for laying 200 to 400 MM dia Sewerage Pipe line in Sirhind City and surrounding area on various forest strips in Sirhind Range Distt. Fatehgarh Sahib under Forest Division Patiala, Punjab.**

**PART IV**

**(To be filled in by the Nodal Officer or Principal Chief Conservator of Forests or Head of Forest Department)**

17. Recommendation of the State Government:

Detailed opinion and specific recommendations of State Forest Department for acceptance or otherwise of the proposal with remarks.

(While giving opinion, the adverse comments made by concerned Conservator of Forests or Deputy Conservator of Forests Should be categorically reviewed and critically commented upon).

*Recommended with 10 times Pend*

*C.A.*



**Nodal Officer (FCA)  
& Chief Conservator of Forests,  
Punjab, Sirhind Range, Fatehgarh Sahib.**

Date 7.8.18

Place SAS Nagar