

No. Ft. 48-4055/2020(FCA),  
Forest Department, Himachal Pradesh.

From: Addl. Chief Secretary (Forests) to the  
Govt. of Himachal Pradesh, Shimla.

To: Principal Chief Conservator of Forests (HoFF)  
Himachal Pradesh, Shimla.

Dated Shimla-1, the

8 JUN 2020

Subject: Diversion of 0.2502 hectare of forest land in favour of Director of Health Services, Health and Family Welfare Directorate SDA Complex Kasumpti, Shimla-9 for the construction of 100 BED CIVIL HOSPITAL AT SANDHOL, DISTT. MANDI, H.P., within the jurisdiction of Jogindernagar Forest Division, Distt. Mandi, Himachal Pradesh

Sir,

I am directed to refer to the subject cited proposal received on single file from you, seeking prior approval of the Government of H.P. for diversion of forest land for non-forestry purpose under Forest (Conservation) Act, 1980.

2 After careful consideration of the proposal, the State Govt. has decided to accord, "in-principle" approval of the above mentioned proposal subject to the compliance of the following conditions:

1. The cost of planting of 100 Nos. plants will be realized from the user agency alongwith 10 years maintenance charges as per proposed compensatory plantation.
2. Net Present Value (NPV) of the forest land being diverted for non-forestry purpose may be realized from the user agency as per Hon'ble Supreme Court of India's order dated 30.01.2002, 09.05.2008 and Ministry's directions issued vide letter Nos. 5-3/2007-FC dated 05.02.2009.
3. The concerned DFO/UA shall get deposited the cost of plantation ( excluding 17.5 % Departmental Charges, NPV and all other compensatory levies "online" with Ad-hoc body of Compensatory Afforestation Fund Management and Planning Authority (CAMPA) only through e-challan.
4. Minimum number of trees will be felled as are unavoidable but in any case not exceeding 9 (Nine) as proposed.
5. The use of forest land will not be allowed till final approval is accorded.
6. The muck generated in the earth cuttings will be disposed off at the designated dumping sites and in no case the muck/debris will be allowed to roll down the hill slope.
7. Hon'ble Supreme Court in Civil Writ No. 202/1995 in T.N. Godavarman Thirumulkpad Vs. Union of India & Others in its judgment dated 11.03.2019 has imposed ban on diversion of forest land. The diversion of forest land will be made after the decision of Hon'ble Supreme Court.

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