

# हिमाचल प्रदेश सरकार

## FOREST DEPARTMENT HIMACHAL PRADESH

No.Ft.48-4055/2020 (FCA)

- 1 -  
Placed below is a proposal for 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, Himachal Pradesh for obtaining final approval of the State Govt. under the provisions of the Forest (Conservation) Act, 1980.

- 2 -  
"In-Principle" approval was accord to this proposal vide GoHP letter No. Ft. 48-4055/2020 dated 18.06.2020 (copy enclosed as Flag-A). Compliance to the stipulations as imposed in "in-principle" approval has been reported by CCF Mandi to this office on 13.08.2020. The user agency has deposited amount of compensatory levies in the current account of Adhoc-CAMPA.

- 3 -  
It is also submitted that 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. In order dated 11.03.2019 of Hon'ble Supreme Court, the Hon'ble Court has given the following order:

1. In case of diversion where approvals have been given by the DFOs but felling of trees has not been done, no felling of trees shall take place till next date of hearing;
2. There shall be no diversion of the forest lands allotted to a Protection Working Circle in any Working Plan under FRA and FCA till next date;
3. DFOs are restrained to exercise the power under Section 3(2) of FRA, 2006 till next date. Authorities to ensure that destruction of the valuable and precious forests of Himachal Pradesh does not take place in any manner whatsoever;
4. **Let there be no diversion of forest for any non-forestry purpose processed under FCA regulations till the next date.**

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The diversion of forest land will be considered after the final decision of Hon'ble Supreme Court on diversion of forest land. Till then, no construction activities shall be taken place on the forest land proposed for diversion.

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Accordingly, draft for Stage-II approval under Forest (Conservation) Act, 1980 is placed below for signature of Addl. Chief Secretary (Forests) to GoHP Please (Flag-B). If approved, may issue the same to concern authorities please.

S(FCA)

*[Signature]*  
28/9/2020

DFO (FCA)

*[Signature]*  
28/9/2020

Addl.Pr.CCF(FCA)

*[Signature]*  
28/9/2020

Pr.CCF (HoFF) H.P

*[Signature]*  
28/09/2020

Addl.Chief Secretary (Forests)

