



भारत सरकार
GOVERNMENT OF INDIA

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय

MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE

उत्तर क्षेत्रीय कार्यालय, चंडीगढ़ / Northern Regional Office, Chandigarh



File No: 9-PBC303/2019-NRO

Dated: 10 /08/2020

To

Addl. Chief Secretary (Forests),
Government of Punjab,
Department, of Forests,
Mini Secretariat, Sector-9,
Chandigarh. (fcf@punjab.gov.in)

Sub: Diversion of 30.25 ha (instead of 31.42 ha) of forest land in favour of Special Secretary, Department of Housing and Urban Development, Punjab for development of International Standard Tourism/Theme Destination in state of Punjab on Pathankot-Dalhousie road around Ranjit Sagar Lake area, under forest division and District Pathankot, Punjab. (Online proposal FP/PB/Others/33014/2018)-regarding.

Ref: (i) State Government letter no. FCA/1980/269/2018/1368 dated 17.01.2019.
ii) Minutes of the meeting of Regional Empowered Committee dated 22.01.2020.
iii) State Government online reply received on dated 24.07.2020

Sir,

Please refer to the above cited subject and letters seeking prior approval of the Central Government for diversion of forest land for non-forestry purpose in accordance with section 2 of the Forest (Conservation) Act, 1980.

After careful examination of the proposal of the State Government and approval of the **Regional Empowered Committee**, *In-principle* approval is hereby conveyed for **diversion of 30.25 hectares** of forest land for the above mentioned project, subject to the following conditions:

- i) a. Compensatory afforestation shall be taken up by the Forest Department over 30.25 ha. Non-forest land at village Dehriwal, District Pathankot at the cost of the User Agency.
- b. Addl. Compensatory afforestation shall be taken up by the Forest Department over 5.508 ha degraded forest land at P3, Compartment No. 27 & 28, Tehsil Dhar Kalan, Pathankot at the cost of the User Agency.
- c. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.
- d. The non-forest land shall be transferred and mutated in favour of State Forest Department. The State Government shall notify it as PF/RF before Stage-II approval as per para 2.4 of FCA guidelines.
- ii) a. The State Government shall charge the Net Present Value(NPV) for the 30.25 ha forest area to be diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 30/10/2002, 01/08/2003, 28/03/2008, 24/04/2008 and 09/05/2008 in IA No. 566 in WP (C) No. 202/1995 and as per the guidelines issued

by the Ministry vide letters No. 5-1/1998-FC (Pt.II) dated 18/09/2003, as well as letter No. 5-2/2006-FC dated 03/10/2006 and 5-3/2007-FC dated 05/02/2009 in this regard.

- b. Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect.
- iii) All the funds received from user agency under the project (CA, CAT, NPV, etc.) are deposited to CAMPA funds through challan generated online on e-portal (<https://parivesh.nic.in>) in appropriate bank only. Amount deposited through other mode will not be accepted as compliance of the Stage-I clearance.
- iv) The cost of felling of trees shall be deposited by the User Agency with the State Forest Department.
- v) The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
- vi) The Divisional Forest Officer shall furnish undertaking that the approved CA site(s) will not be changed without the approval of competent authority.
- vii) The CEO, State CAMPA Authority shall furnish undertaking that the funds under State CAMPA will be released to Divisional Forest Officer as per approved CA scheme.
- viii) The User Agency shall obtain the physically monitorable conditions for the reduced area (e.g. no of STPs, etc) from SEIAA for future monitoring.
- ix) User Agency shall given an undertaking that 'No Permanent Structure' will be constructed on Kulara Island. In addition, it will finalize and submit the layout plan of the resort along with finalized architectural design before Stage-II approval.
- x) The State Government shall constitute a Monitoring Committee under the chairmanship of CCF (Hills) with representatives from Northern Regional Office of MoEF&CC; SEIAA, Punjab; Ranjit Sagar DAM Authority; to ensure water quality of the reservoir and implementation of CAT plan through out the life of the project. The committee shall also include two members of adjoining JFMCs.
- xi) The compliance report shall be uploaded on *e-portal* (<https://parivesh.nic.in/>).
- xii) Revised DEM PDF file according to revised KML shape to be submitted.
- xiii) User Agency will submit an undertaking that neither any development nor any change of land cover in area between HFL (527.91 m) and HFL+3 m (531m approx) above msl will take place and a green buffer area of 3 m shall be retained as it is.

(B) The following conditions shall also be complied with after the final approval is accorded:

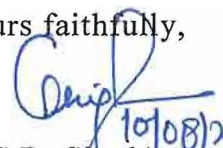
- i) Legal status of the forest land will remain unchanged;

- ii) Minimum number of trees/poles, not more than 3,180 trees and 1,350 poles will be felled in this proposal. The trees should be felled under strict supervision of the State Forest Department.
- iii) The CA will be carried out over 30.25 ha on degraded forest land respectively as per the CA scheme and the funds will be provided by the user agency. The plantation will be done within one year from the date of issue of the approval.
- iv) The ACA will be carried out over 5.508 ha on degraded forest land as per the CA scheme and the funds will be provided by the user agency. The plantation will be done within one year from the date of issue of the approval.
- v) The CEO, State CAMPA Authority shall ensure release of funds under CAMPA to the DFO for raising CA plantation as per CA scheme approved by this office.
- vi) The DFO shall ensure taking up CA plantations at approved CA sites and **shall not alter the approved sites** without obtaining the permission of the competent authority.
- vii) The forest land will not be used for any other purpose than that mentioned in the proposal;
- viii) The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department, or person without approval of the Central Government;
- ix) The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- x) No damage will be done to the adjoining forest land;
- xi) The user agency shall carry out muck disposal at pre-designated sites as per the scheme approved by the Forest Department. 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;
- xii) The User Agency shall provide firewood preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;
- xiii) User Agency shall ensure that 'No Permanent Structure' be constructed on Kulara Island as provided for in the layout plan of the resort along with finalized architectural design.
- xiv) User Agency shall ensure a green buffer area of 3 m, i.e., area falling between 527.91m (HFL) & 531m (HFL+3m) msl.

- xv) The Monitoring Committee constituted by the State Government under the chairmanship of CCF (Hills) with representatives from Northern Regional Office of MoEF&CC; SEIAA, Punjab; Ranjit Sagar DAM Authority will monitor water quality of the reservoir and implementation of CAT plan through out the life of the project. The committee shall also include two members of adjoining JFMCs.
- xvi) The User Agency shall abide by the conditions of Environmental Clearance under the Environment (Protection) Act, 1986.
- xvii) Any other condition that this Regional Office may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife;
- xviii) It will be the responsibility of the State Government/User Agency to obtain all other prior approvals/clearances under all other relevant Acts/Rules/ Court's Rulings/instructions, etc., including environmental clearance, as applicable to this proposal;

4. After receipt of the compliance report on fulfillment of the conditions under para-2, above, final approval order shall be given under Section-2 of the Forest (Conservation) Act, 1980. **The use of forest land will not be allowed till final approval is accorded.**

Yours faithfully,


(C.D. Singh)
Dy. DGF (Central)

Copy to:-

1. The ADGF (FC), Ministry of Environment, Forests, Indira Paryavaran Bhawan, Jor Bagh, Aliganj, New Delhi. (adgfc-mef@nic.in)
2. The Pr. Chief Conservator of Forests (HoFF), Department of Forests, Government of Punjab, Forest Complex Sector-68, S.A.S, Punjab. (pccfpunjab@gmail.com)
3. The Add. PCCF-cum-Nodal Officer (FCA), Department of Forests, Government of Punjab, Forest complex, Sector-68, S.A.S. Nagar, Punjab. (fcaforest@gmail.com)
4. CEO, CAMPA O/o PCCF (HoFF), Department of Forests, Government of Punjab, Forest Complex, Sector-68, S.A.S. Nagar, Punjab
5. The Divisional Forest Officer, Forest Division and District Pathankot, Punjab.
6. Special Secretary, Department of Housing and Urban Development, Punjab