

No. Ft. 48-5010/2020(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 31 DEC 2020

Subject: **Diversion of 0.7831 hectare of forest land in favour of HPPWD for the construction of Goart Chamehar Fakdolhal Kaltari road (Portion Chamehar Fakdolhal) Kms. 0/00 to 2/500) within the jurisdiction of Jogindernagar Forest Division, Distt. Mandi, Himachal Pradesh.**

Sir,

Please refer to GoHP letter of even number dated 29.10.2020 on the above mentioned subject vide which "in-principle" of the Govt. of HP was accorded for diversion of forest land for non-forestry purpose under Forest (Conservation) Act, 1980.

2. Now since amount of Compensatory levies has been deposited by the user agency, after careful consideration of the proposal, the Stage-II approval of the State Govt. is hereby conveyed for diversion of 0.7831 hectare of forest land for the above mentioned project subject to the following conditions:-

1. Legal status of the forest land will remain unchanged.
2. Compensatory Afforestation will be carried out in Survey No. 53A/13/NW/DPF Siyuri C-II, Forest Beat Chaprot, Forest Block Jogindernagar, and Forest Range Jogindernagar over degraded forest land as per proposed scheme. Plantation will be done within one year from the date of issued of this letter.
3. No tree felling is involved in this case.
4. The forest land will not be used for any purpose other than mentioned in the proposal.
5. No damage of any kind will be caused to the adjoining forest area and all the protection/preventive measures of stability of the area will be strictly adhered to.
6. Muck/Debris generated during the construction, will be properly disposed, and not rolled down along hill slope.
7. The user agency will abide any condition that may be imposed by the State Forest Department in the interest of the protection and development of the forest area.
8. It will be the responsibility of the user agency to obtain approval/clearance under all other relevant Acts/Rules/Court's Rulings/Instructions etc. as applicable to this proposal.

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

The Govt. may revoke/suspend the clearance if implementation of any of the above conditions is not satisfactory. The concerned DFO/CF & user agency will ensure fulfillment of these conditions.

Addl. Chief Secretary (Forests) to the
Govt. of Himachal Pradesh, Shimla. o/c

Endst. No. Ft.48-5010/2020(FCA)

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Copy is forwarded to the following for information and further necessary action.

1. CCF Mandi.
2. DFO Jogindernagar.
3. Executive Engineer, HPPWD Division Dharamapur, Distt. Mandi, Himachal Pradesh.

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22/12/2020