

Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan
Aliganj, Jor bagh Road
New Delhi – 1100 03

Dated: **As per e-Signature**

To,

The Principal Secretary (Forests),
Department of Environment and Forests,
Government of Himachal Pradesh.
Shimla.

Subject: Proposal for seeking prior approval of the Central Government under section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 in favour of Education Department, Himachal Pradesh for non-forestry use of 2.26 ha of forest land for the construction of Kendriya Vidyalaya, Ghumarwin, within the jurisdiction of Bilaspur Forest Division, District Bilaspur, Himachal Pradesh (Online Proposal No. FP/HP/SCH/19350/2016)-regarding.

Sir/Madam,

I am directed to refer to Government of Himachal Pradesh's letter No Ft.48-3484/2016 (FCA) dated 25.11.2021 on the above mentioned subject, seeking prior approval of Central Government under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and to say that the said proposal has been examined by the Advisory Committee (AC) constituted by the Central Government under Section- 3 of the aforesaid Act.

2. After careful consideration of the proposal of the Government of Himachal Pradesh and on the basis of the recommendations of the Advisory Committee (AC), the Central Government hereby agrees to accord **Stage-I / In-principle** approval under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for non-forestry use of 2.26 ha of forest land in favour of Education Department, Himachal Pradesh for the construction of Kendriya Vidyalaya, Ghumarwin, within the jurisdiction of Bilaspur Forest Division, District Bilaspur, Himachal Pradesh, subject to the following conditions:-

- i. Legal status of the diverted forest land shall remain unchanged;
- ii. The Compensatory afforestation over degraded forest land, double in extent to the forest land being diverted (**4.52 ha. Degraded forest land in DPF C-27 Kalri, Tehsil-Shree Naina Devi Ji, Division/ District Bilaspur**) shall be raised by the State Forest Department at the project cost within two years from the date of grant of Stage - II approval;
- iii. The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars, if required on the CA land, shall be deposited in advance with the Forest Department by the user agency. The CA will be

maintained for 10 years. The scheme may include afforestation of indigenous species with appropriate provision for anticipated cost increase for works scheduled for subsequent years, into the account of National Authority, CAMPA managed by the State Govt.;

- iv. The land identified for the purpose of CA shall be clearly depicted on a Survey of India topo sheet of 1:50,000 scale;
- v. ***The State Govt. shall ensure that the minimum number of trees be felled in the project and the blank areas shall be enriched and maintained as green patches;***
- vi. ***Land use plan shall not be changed and no diversion of forest land will be allowed for any further expansion of this project work;***
- vii. ***State Govt. shall take all measures and required permissions for the safety of the proposed building/infrastructure from seismic activity and any other natural exigencies;***
- viii. ***No muck and debris disposal will be allowed in the forest area;***
- ix. The tree felling shall be done only in built up area and bare minimum felling shall be permitted in other non-built up areas. Felling of trees before the start of construction should be verified by the concerned DFO;
- x. The KML files of diverted area and the CA areas shall be uploaded on the e-Green watch portal with all requisite details prior to Stage II approval;
- xi. The User Agency shall transfer the funds towards the cost of Net Present Value (NPV) of the forest land being diverted under this proposal in accordance with the MoEF&CC's guidelines dated 6.01.2022 read with guidelines dated 19.01.2022 into the account of National Authority, CAMPA managed by the State Govt.;
- xii. At the time of payment of the Net Present Value (NPV) at the present rate, the user agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
- xiii. The Compensatory levies to be realized from the User Agency under the project shall be transferred/ deposited, through e-challan, in to the account of National Authority, CAMPA pertaining to the State concerned through e-portal (<https://parivesh.nic.in/>);
- xiv. The State Government shall complete settlement of rights, in term of the Scheduled Tribes and Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any, on the forest land to be diverted as per the sub-rule (7) of Rule 11 of the Van (Sanrakshan Evam Samvardhan) Rules, 2023;
- xv. The complete compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>);
- xvi. Trees should be felled in phased manner as per the requirement in the approved Plan with prior permission of concerned DFO;
- xvii. The cost of felling of trees shall be deposited by the User Agency with the State Forest Department;
- xviii. The user agency shall explore the possibility of translocation of maximum number of trees identified to be felled and shall ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;
- xix. The User Agency, if required, shall obtain the Environment Clearance under the Environment Impact Assessment Notification, 2006 issued under the

Environmental (Protection) Act, 1986;

- xx. No labour camp shall be established on the forest land and the User Agency shall provide fuels 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;
- xxi. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;
- xxii. The boundary of the diverted forest land shall be demarcated on ground at the project cost, by erecting four feet high wall or RCC pillars (in case of RCC pillars - each pillar should be inscribed with its serial number, distance from pillar to pillar and GPS coordinates);
- xxiii. The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less;
- xxiv. The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government;
- xxv. No damage to the flora and fauna of the adjoining area shall be caused;
- xxvi. The concerned Divisional Forest Officer, will monitor and take necessary mitigative measures to ensure that there is no adverse impact on the forests in the surrounding area;
- xxvii. The User Agency shall submit the annual self -compliance report in respect of the above stated conditions to the State Government, concerned Regional Office and to this Ministry by the end of March every year regularly;
- xxviii. Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife shall be carried with by the State Government and user agency;
- xxix. The user agency shall comply all the provisions of all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and NGT Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project; and
- xxx. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as prescribed in para 1.16 of Chapter 1 of the Handbook of comprehensive guidelines of Forest (Conservation) Act, 1980 as issued by this Ministry's letter No.5-2/2017-FC dated 29.12.2023.

After receipt of compliance report on fulfilment of the conditions mentioned above, the proposal shall be considered for final approval under section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. Transfer of forest land shall not be affected till final approval is granted by the Central Government in this regard.

Yours faithfully,

Sd-

(S. Sundar)

Assistant Inspector General of Forests

Copy to: -

1. The Principal Chief Conservator of Forests & HoFF, Government of Himachal Pradesh, Shimla.
2. The DDGF (C), Regional Office, Chandigarh of MoEFCC.
3. The Nodal Officer, Government of Himachal Pradesh, Shimla.
4. User Agency.
5. Monitoring Cell, FC Division, MoEF & CC, New Delhi for uploading.