

**HPFD-F05/154/2023-FCA**  
Forest Department, Himachal Pradesh

**From:** Nodal Officer-cum-PCCF (FCA)  
O/o Pr.CCF, H.P, Shimla-1.

**To:** The Deputy Inspector General of Forests (Central)  
Ministry of Environment, Forest and Climate Change  
Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj  
New Delhi – 110003

Dated, the Shimla-1

**Subject:** **Diversion of 1.61 ha. of Forest Land in favour of Badi Brotiwala Nalagarh Development Authority, EPIP Phase-I, Jhar Majri, Baddi, District Solan, HP for the up-gradation of road in front of ACL Factory situated at Bir-Plassi Nalagarh, within the jurisdiction of Nalagarh Forest Division, District Solan, HP.**

Sir,

Kindly refer to online proposal No. FP/HP/Road/114837/2020 and Stage-I approval conveyed thereof on 01/10/2025 on the subject cited above.

2. The point-wise reply to the stipulations as stipulated in Stage-I approval is submitted as below:-

| <b>Sr. No.</b> | <b>Conditions</b>  | <b>Reply</b>  |
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| i.             | Legal status of the diverted forest land shall remain unchanged  | User agency alongwith DFO & CCF concern has submitted the legal status of the diverted forest land will be remained unchanged. Undertaking in this regard is attached with the compliance report of DFO & CCF concern.  |
| ii.            | The cost of felling of trees shall be deposited by the User Agency with the State Forest Department;   | The cost of felling of trees will be deposited by the User Agency with the State Forest Department. Undertaking in this regard duly authenticated by DFO concern is attached herewith.  |
| iii.           | The Compensatory afforestation over an area of 3.22 ha. double DPF in Survey No. 53A/12, Compartment No. C-3 of DPF Bir Plassi (Nalagarh Range), Village- Bir Plassi, Tehsil- Nalagarh, District- Solan, shall be raised by the State Forest Department at the project cost within twoyears from the date of grant of Stage-II approval. | The Compensatory afforestation over an area of 3.22 ha. double DPF in Survey No. 53A/12, Compartment No. C-3 of DPF Bir Plassi (Nalagarh Range), Village- Bir Plassi, Tehsil- Nalagarh, District- Solan, will be raised by the State Forest Department at the project cost within two years from the date of grant of Stage-II approval. Undertaking in this regard duly authenticated by DFO concern is attached herewith. |
| iv.            | The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and   | The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey,  |

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|       | <p>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.</p>                               | <p>demarcation and erection of permanent pillars, if required, on the CA land, has been deposited in advance with the Forest Department by the user agency. The CA will be maintained for 10 years. The scheme including 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. has been prepared.</p>                      |
| v.    | <p>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.</p>   | <p>The KML files of diverted area and the CA areas has been uploaded on the e-Green watch portal.</p>  |
| vi.   | <p>The user agency shall transfer the funds towards the cost of Net Present Value (NPV) of the forest land being diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 28.03.2008, 24.04.2008 and 09.05.2008 in Writ Petition (Civil) No. 202/1995 and the guidelines issued by this Ministry vide its letter No. 5-3/2007-FC dated 06.01.2022 read with 22.03.2022 through online portal of CAMPA account of the State Concerned;</p> | <p>The funds towards the cost of Net Present Value (NPV) of the forest land being diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 28.03.2008, 24.04.2008 and 09.05.2008 in Writ Petition (Civil) No. 202/1995 and the guidelines issued by this Ministry vide its letter No. 5-3/2007-FC dated 06.01.2022 read with 22.03.2022 has been deposited through online portal of CAMPA account of the State Concerned.</p> |
| vii.  | <p>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.</p>   | <p>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 is attached with the compliance report of DFO concern.</p>  |
| viii. | <p>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 (<a href="https://parivesh.nic.in/">https://parivesh.nic.in/</a>);</p>  | <p>The Compensatory levies to be realized from the User Agency under the project has been transferred/ deposited, through e-challan, in to the account of National Authority, CAMPA pertaining to the State concerned through e-portal (<a href="https://parivesh.nic.in/">https://parivesh.nic.in/</a>).</p>  |
| ix.   | <p>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-</p>   | <p>The State Government will 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</p>   |

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|        | rule (7) of Rule 11 of the Van (Sanrakshan Evam Samvardhan) Rules, 2023;   | Samvardhan) Rules, 2023. Undertaking in this regard is attached with the compliance report of DFO concern.  |
| x.     | The complete compliance report shall be uploaded on e-portal ( <a href="https://parivesh.nic.in/">https://parivesh.nic.in/</a> ).  | The complete compliance report has been uploaded on e-portal ( <a href="https://parivesh.nic.in/">https://parivesh.nic.in/</a> ).   |
| xi.    | The User Agency shall pay the five (5) times penal NPV for the extent of violation done plus 12 percent simple interest from the date of raising of such demand till the deposit is made by the User Agency.   | The User Agency has paid the five (5) times penal NPV for the extent of violation done plus 12 percent simple interest from the date of raising of such demand till the deposit is made by the User Agency.   |
| xii.   | Protection of CA plantation shall be carried out by the State Government at the cost of User Agency;   | Protection of CA plantation shall be carried out by the State Government at the cost of User Agency. Undertaking in this regard is attached with the compliance report of DFO concern.  |
| xiii.  | Revised CA scheme including provisions for watch and ward for 10 years may be submitted by the State Government along with the compliance report   | Revised CA scheme including provisions for watch and ward for 10 years may be submitted by the State Government along with the compliance report.   |
| xiv.   | Wherever possible and technically feasible, the User Agency shall undertake afforestation measures along the roads within the area FC/HPB/19/2023 I/83513/2024 diverted under this approval, in consultation with the State Forest Department at the project cost;       | Wherever possible and technically feasible, the User Agency will undertake afforestation measures along the roads within the area FC/HPB/19/2023 I/83513/2024 diverted under this approval, in consultation with the State Forest Department at the project cost. Undertaking in this regard it attached with the compliance report of DFO concern. |
| xv.    | The cost of felling of trees shall be deposited by the User Agency with the State Forest Department  | The cost of felling of trees is deposited by the User Agency with the State Forest Department.  |
| xvi.   | 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; | The user agency will explore the possibility of translocation of maximum number of trees identified to be felled and will ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department. Undertaking in this regard is provided by the user agency.                   |
| xvii.  | The cost of felling of trees shall be deposited by the User Agency with the State Forest Department  | The cost of felling of trees is deposited by the User Agency with the State Forest Department.  |
| xviii. | The User Agency shall obtain the Environment Clearance as per the  | The User Agency will obtain the Environment Clearance as per the provisions of the  |

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|        | provisions of the Environmental (Protection) Act, 1986, if required   | Environmental (Protection) Act, 1986, if required. Undertaking in this regard is provided by the user agency.  |
| xix.   | User agency shall provide free water for forestry related activities/ projects;   | User agency will provide free water for forestry related activities/ projects. Undertaking in this regard is provided by the user agency.  |
| 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;       | No labour camp will 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. Undertaking in this regard is attached with the compliance report of DFO concern.       |
| xxi.   | No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work   | No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work. Undertaking in this regard is attached with the compliance report of DFO concern.   |
| xxii.  | The boundary of the diverted forest land shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS coordinates. | The boundary of the diverted forest land will be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS coordinates. Undertaking in this regard is attached with the compliance report of DFO concern. |
| 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;  | The period of diversion under this approval will be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less. Undertaking in this regard is attached with the compliance report of DFO concern.  |
| xxiv.  | The layout plan of the proposal shall not be changed without the prior approval of the Central Government;  | The layout plan of the proposal will not be changed without the prior approval of the Central Government.  |
| xxv.   | The forest land shall not be used for any purpose other than that specified in the project proposal   | The forest land will not be used for any purpose other than that specified in the project proposal. Undertaking in this regard is attached with the compliance report of DFO concern.  |
| xxvi.  | 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  | The forest land proposed to be diverted will under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government. Undertaking in this regard is attached with the compliance report of DFO concern.   |

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| xxvii.  | No damage to the flora, fauna or the environment of the adjoining area shall be caused; Adequate measures to ensure no damage to the adjoining areas should be taken by the User Agency at the project cost;   | No damage to the flora, fauna or the environment of the adjoining area shall be caused; Adequate measures to ensure no damage to the adjoining areas should be taken by the User Agency at the project cost. Undertaking in this regard is attached with the compliance report of DFO concern.  |
| xxviii. | 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  | The User Agency will 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. Undertaking in this regard is attached with the compliance report of DFO concern.   |
| xxix.   | 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   | 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 will be carried with by the State Government and User Agency.  |
| xxx.    | The User Agency shall comply all the provisions of the 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 FC/HPB/19/2023 I/83513/2024 to the project; and  | The User Agency will comply all the provisions of the 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 FC/HPB/19/2023 I/83513/2024 to the project.  |
| xxxi.   | Violation of any of these conditions will amount to violation of Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 and action would be taken as prescribed in para 1.16 of Chapter 1 of consolidated guidelines and clarifications issued under Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 and Van (Sanrakshan Evam Samvardhan) Rules, 2023 issued in 2019 29.12.2023 | Violation of any of these conditions will amount to violation of Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 and action would be taken as prescribed in para 1.16 of Chapter 1 of consolidated guidelines and clarifications issued under Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 and Van (Sanrakshan Evam Samvardhan) Rules, 2023 issued in 2019 29.12.2023. Undertaking in this regard from user agency concern duly authenticated by DFO is attached herewith for ready reference. |

Yours faithfully,

Nodal Officer-cum-PCCF (FCA)  
O/o Pr.CCF, H.P, Shimla-1.