

No. Ft. 48-4033/2019 (FCA),  
**Forest Department, Himachal Pradesh.**

From: The Addl. Chief Secretary (Forests) to the  
Govt. of Himachal Pradesh, Shimla.

To: Pr. Chief Conservator of Forests (HoFF),  
Himachal Pradesh, Shimla-1.

Dated Shimla-1, the **8 DEC 2020**

Subject: **Diversion of 0.2 ha. of forest land in favour of I&PH Department for the construction of Water Supply Scheme of Seraj constituency in Jhanjheli area in Distt. Mandi, within the jurisdiction of Mandi Forest Division, Distt. Mandi, H.P. (Online No. FP/HP/Water/43942/2020).**

Sir,

I am directed to refer to the subject cited proposal received on single file from you, seeking prior approval of the Government of HP for diversion of forest land for non-forestry purpose under Forest (Conservation) Act, 1980.

2 After careful consideration of the proposal, the State Govt. has decided to accord, "In-principle" approval of the above mentioned proposal subject to the compliance of the following conditions:-

1. The cost of planting of 200 Nos plants will be realized from the user agency alongwith 10 years' maintenance charges as per proposed compensatory scheme on current wage rates.
2. Net Present Value (NPV) of the forest land being diverted for non-forestry purpose may be realized from the user agency as per Hon'ble Supreme Court of India's order dated. 30.01.2002, 09.05.2008 and Ministry's directions issued vide letter Nos. 5-3/2007-FC dated 05.02.2009.
3. The concerned DFO/UA shall get deposited the cost of plantation (except cost of Departmental Charges @ 17.5%), NPV and all other compensatory levies "online" with Ad-hoc body of Compensatory Afforestation Fund Management and Planning Authority (CAMPA) through e-challan.
4. The use of forest land will not be allowed till final approval is accorded.

PTO

5. The muck generated in the earth cuttings will be disposed off at the designated dumping sites and in no case the muck/debris will be allowed to roll down the hill slope.
6. No tree felling is involved.
7. Hon'ble Supreme Court in Civil Writ No. 202/1995 in T.N. Godavarman Thirumulkpad Vs Union of India & Others in its judgement dated 11.03.2019 has imposed ban on diversion of forest land. The diversion of forest land will be made after the decision of Hon'ble Supreme Court.

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