

कमांक: EDN-MND-G(2B) FCA/KV Dharmpur-/2024- 49822-23
कार्यालय उप निदेशक उच्च शिक्षा,
मण्डी, जिला मण्डी हि०प्र०
27/07/2024

To

The Divisional Forest Officer,
Joginder Nagar Forest Division
Distt. Mandi (H.P.)

Subject:-

Diversion of 1.00 ha. of forest land in favour of Director of Higher Education, Himachal Pradesh for the construction of Kendriya Vidyalaya in Tehsil Dharmpur, within the jurisdiction of Joginder Nagar Forest Division, Distt. Mandi, Himachal Pradesh. (Online Proposal No. FP/HP/SCH/49067/2020).

संदर्भ:-

भारत सरकार/ एकीकृत क्षेत्रीय कार्यालय, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय सी.जी.ओ. कॉम्प्लैक्स, शिवालिक खण्ड, लोंगवुड, शिमला, हिमाचल प्रदेश के पत्र क्र० सं० FC/HPB/09/14/2021 Dated 13.07.2022.

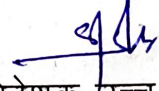
महोदय :-

उपरोक्त विषयांतर्गत प्रकरण पर भारत सरकार/ एकीकृत क्षेत्रीय कार्यालय, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय शिमला, हिमाचल प्रदेश द्वारा उक्त प्रस्ताव की सैद्धान्तिक स्वीकृति (Stage- 1 approval) अनुपालना रिपोर्ट का अवलोकन किया गया उपर्युक्त विषय पर प्रस्तुत प्रस्ताव की सैद्धान्तिक स्वीकृति पत्रांक की शर्त संख्या 6 (क) एवं 8 के सम्बन्ध में प्रदान की गई अनुपालना रिपोर्ट पर कुछ टिप्पणियाँ उठाई गई हैं। उपस्थित टिप्पणियों का बिंदुवार उत्तर इस प्रकार है:-

| क्र० सं | सैधिनतिक स्वीकृति शर्तें | पालना शर्तें |
|----------|---|---|
| Point-06 | <p>शुद्ध वर्तमान मूल्य:</p> <p>{क} इस संबंध में भारत के माननीय सर्वोच्च न्यायालय के WP (C) संख्या: 202/1995 में IA नंबर 556 दिनांक 30.10.2002, 01.08.2003, 28.03.2008, 24.04.2008 एवं 09.05.2008 तथा मंत्रालय द्वारा पत्रांक 5-1/1998-एफ.सी. (Pt. 2) दिनांक 18.09.2003, 5-2/2006-एफ.सी. दिनांक 03.10.2006, 5-3/2007-एफ.सी. दिनांक 05.02.2009 एवं 5- 3/2011-FC(Vol-I), दिनांक 06.01.2022 में जारी दिशानिर्देशानुसार राज्य सरकार प्रयोक्ता अभिकरण से इस प्रस्ताव के तहत 1.00 ha वन क्षेत्र के प्रत्यावर्तन के लिए शुद्ध वर्तमान मूल्य वसूल करेगी।</p> | <p>भारत सरकार पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय के फाइल संख्या File No.5-3/2011-FC(Vol-I) दिनांक 06-01-2022 के तहत उपरोक्त प्रस्ताव में शुद्ध वर्तमान मूल्य (NPV) exempt है क्योंकि उपरोक्त प्रस्ताव में स्कुल निर्माण है तथा प्रत्यावर्तित भूमि 1 हैक्टर है और कोई भी पेड़ नहीं काटा जाना है। इसलिए शुद्ध वर्तमान मूल्य वसूला नहीं जा सकता। निम्नलिखित श्रेणियों के अंतर्गत प्रस्तावों को एनपीवी में छूट दी गई है उल्लिखित सूची संलग्न है।</p> |

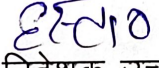
| | | |
|----------|--|--|
| Point-06 | (ख) विशेषज्ञ समिति से रिपोर्ट प्राप्त होने पर माननीय सर्वोच्च न्यायालय द्वारा प्रत्यावर्तित वन भूमि के शुद्ध वर्तमान मूल्य की अतिरिक्त राशि, यदि कोई हो, जो अंतिम रूप देने के बाद देय हो, को राज्य सरकार द्वारा प्रयोक्ता अभिकरण से वसूला जाएगा। | प्रस्तावित स्कूल के लिए शुद्ध वर्तमान मूल्य (NPV) exempt है क्योंकि उपरोक्त प्रस्ताव में स्कूल निर्माण है तथा प्रत्यावर्तित भूमि 1 हैक्टर है और कोई भी पेड़ नहीं काटा जाना है। इसलिए शुद्ध वर्तमान मूल्य वसूला नहीं जा सकता 1 निम्नलिखित श्रेणियों के अंतर्गत प्रस्तावों को एनपीवी में छूट दी गई है उल्लिखित सूची संलग्न है। |
| Point-08 | State Government may review and revise the NPV calculation sheet in accordance with MoEF&CC letter dated 06.01.2022 and same may be uploaded on PARIVESH portal. | Net Present Value (NPV) is exempted in the above proposal under the File No.5-3/2011-FC(Vol-I) dated 06-01-2022 of the Ministry of Environment, Forest and Climate Change, Government of India. |

DA/- As above


 उप निदेशक उच्च शिक्षा,
 मण्डी, जिला मण्डी हि0प्र0 ।
 जुलाई, 2024

पृष्ठांकन संख्या: उपरोक्त मण्डी-175001,
 प्रतिलिपि:-

उपायुक्त मण्डी जिला मण्डी हि0प्र0 को सूचनार्थ प्रेषित है ।


 उप निदेशक उच्च शिक्षा,
 मण्डी, जिला मण्डी हि0प्र0 ।

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

Indira
Paryavaran Bhavan, Aliganj, Jorbagh Road
New Delhi-110 003
Date: 6th January, 2022

To

The Additional Chief Secretary (Forest)/Principal Secretary (Forest),
All States Governments/ Union Territory Administration

Sub: Revision of rates of Net Present Value – reg

Sir,

I am directed to invite your attention to Hon'ble Supreme Court's order dated 28.03.2008 in Writ Petition (Civil) No. 202 of 1996 in the matter of T. N. Godavarman Thirumalpad vs. Union of India and Ministry' guidelines dated 05.02.2009 wherein rates to Net Present Value (NPV) to be realized in lieu of diversion of forest land have been fixed based on the outcome scientific assessment of ecosystem goods and services. Hon'ble Supreme Court in the said order has also directed the MoEF&CC for upward revision of the NPV rates.

2. In compliance of order dated 28.03.2008 of Hon'ble Court and with the approval of the competent authority, the following revised NPV rates have been prescribed for levying NPV in lieu of diversion of forest land:

Table: Revised NPV rates based on fitment factor of 1.53

(in Rs.)

| Eco-Class | Very Dense | Dense | Open |
|------------------|-------------------|--------------|-------------|
| Class-1 | 1595790 | 1436670 | 1116900 |
| Class-II | 1595790 | 1436670 | 1116900 |
| Class-III | 1357110 | 1228590 | 957780 |
| Class- IV | 957780 | 861390 | 670140 |
| Class-V | 1436670 | 1292850 | 1005210 |
| Class-VI | 1516230 | 1372410 | 1069470 |

| | |
|----------------|--|
| Eco-Class-I: | Tropical Wet Evergreen Forests, Tropical Semi-evergreen Forests and Tropical Moist Deciduous Forests |
| Eco-Class-II: | Littoral and Swamp Forests |
| Eco-Class-III: | Tropical Dry Deciduous Forests |
| Eco-Class-IV: | Tropical Torn Forests and Tropical Dry Evergreen Forests |
| Eco-Class-V: | Sub-tropical Broad-Leaved Hill Forests, Sub-Tropical Pine Forests and Sub-Tropical Dry Evergreen Forests |
| Eco-Class-VI: | Montane Wet Temperature Forests, Himalayan Moist Temperature Forests, Himalayan Dry Temperature Forests, Sub Alpine Forest, Moist Alpine Scrub and Dry Alpine Scrub |

3. NPV shall be charged to the extent of ten times of the normal NPV payable in the case of National Parks and five times in the case of Sanctuaries. The use of non-forest land falling within the National Parks and Wildlife Sanctuaries may be permitted on payment of an amount equal to the NPV payable for the adjoining forest area. In respect of non-forest land falling within marine National Parks / Wildlife Sanctuaries, the amount shall be five times the NPV payable for the adjoining forest area;

4. The proposals under the following categories are exempted from NPV to the extent as mentioned in the list below:

| Category | Conditions |
|--|--|
| i. Schools | Full exemption upto 1 ha. of forest land, provided: a. no felling of trees is involved; b. alternate forest land is not available; c. the project is of non-commercial nature and is part of the Plan/Non-Plan Scheme of Government; and d. the area is outside National Park/ Sanctuary |
| ii. Hospitals | |
| iii.Children's playground of non-commercial nature. | |
| iv.Community centres in rural areas. | |
| v. Over-head tanks | |
| vi. Village tanks | |
| vii.Laying of underground drinking water, irrigation and PNG pipeline upto 4 inch diameter | |
| viii.Electricity distribution line upto 22 KV in rural areas. | |

| | | |
|---|---|-----------------------|
| ix. Relocation of villages from the National Parks/ Sanctuary to alternate forest land | Full exemption | |
| x. Collection of boulders/silts from the river belts in the forest area. | Full exemption, provided:- (a) area is outside National Park/ Sanctuary; (b) no mining lease is approved/signed in respect of this area; (c) the works including the sale of boulders/silt are carried out departmentally or through Government undertaking or through the Economic Development Committee or Joint Forest Management Committee; (d) the activity is necessary for conservation and protection of forests; and (e) the sale proceeds are used for protection/conservation of forests. | |
| xi. Laying of underground optical fiber cable | Full exemption, provided: (a) no felling of trees is involved; and (b) area falls outside National Park / Sanctuary. | |
| xii. Pre-1980 regularization of encroachments and conversion of forest villages into revenue villages | Full exemption provided these are strictly in accordance with MoEF&CC's Guidelines dated 18.9.1990. | |
| xiii. Underground mining | Surface strain predicted by 3-D subsidence prediction model | NPV to be paid |
| | i. Up to 5mm/m | NIL |
| | ii. 5mm to 10 mm/m | 10% of normal rates |
| | iii. 10mm/m to 15 mm/m | 25% of normal rates |
| | iv. 15 mm/m to 20 mm/m | 50% of normal rates |
| | v. more than 20 mm/m | At Normal rates |

| | |
|---|--|
| xiv.Wind Power Projects | 50% at the minimum NPV rate, provided, minimal tree felling is involved, irrespective of the eco-class in which the project lies. |
| xv.Hydroelectric Projects up to 25 MW capacity | 50% of the applicable rates of the forest land actually diverted for setting up of such projects, provided, the project involves felling of not more than 5 trees per hectare. |
| xvi.Field Firing Range (FFR) of Defence Ministry not involving felling of trees and no likelihood of destruction of forests | At the rate of 20 % of the normal rates of NPV for the forest areas falling within the impact zone. The forest areas falling within safety zone of FFRs shall be fully exempted from the requirement of payment of NPV |
| xvii.The area of riverbed in a proposed water reservoir, that is to be under permanent submergence throughout the year | 50 per cent of the normal rate applicable to the area. |

Yours faithfully,

Sd/-

(Sandeep Sharma)

Asst. Inspector General of Forests

Copy to:

1. The Principal Chief Conservator of Forests, All State Governments/UTs
2. The Nodal Officer (FCA), Office of the PCCF, All State Governments/UTs
3. The Regional Officer, All Integrated Regional Offices of the MoEF&CC
4. Monitoring Cell, FC Division, MoEFCC, New Delhi
5. Guard File