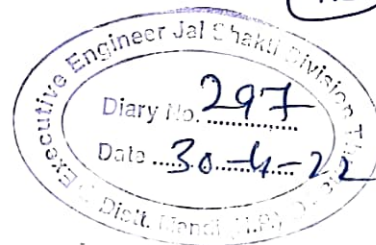


From: The Addl. Chief Secretary (Forests) to the
Govt. of Himachal Pradesh, Shimla.

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



Dated Shimla-1, the

Subject: Diversion of 0.99 hectare of forest land in favour of Irrigation and Public Health Department for the construction of Augmentation of various WSS (Stage-I) under Gram Panchayat of Seraj & Balichowki Block in Tehsil Thunag District, Mandi Under the Jal Jeevan Mission (JJM), within the jurisdiction of Nachan Forest Division, Distt. Mandi, Himachal Pradesh .

Sir/Madam,

Kindly refer to GoHP letter of even number dated 08.10.2020 on the subject cited above vide which "In-Principle" of Govt. of HP was accorded under Forest (Conservation) Act, 1980.

2 Since, amount of Compensatory levies has been deposited by the user agency & complete compliance report of Stage-I approval has been reported by CCF Mandi, thereafter, careful consideration of the proposal, the State-II approval of the State Govt. is hereby accorded for diversion of 0.99 hectare of forest land in favour of Irrigation and Public Health Department for the construction of Augmentation of various WSS (Stage-I) under Gram Panchayat of Seraj & Balichowki Block in Tehsil Thunag District, Mandi Under the Jal Jeevan Mission (JJM), within the jurisdiction of Nachan Forest Division, Distt. Mandi, Himachal Pradesh in view of the guidelines issued by the Govt of India vide letter dated 23.06.2021 subject to the following conditions:-

1. Legal status of the forest land will remain unchanged.
2. Compensatory Afforestation shall be carried over 1.98 hectare of forest land in DPF Chet of Shilibagi block in Nachan Forest Division in terms of number plants.
3. Only 13 numbers of trees of different species as proposed in the proposal should be felled. Felling should be done on the strict vigilance of DFO concerned which should not exceed more than 13 trees as proposed for felling in the proposal.
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.
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. applicable to this proposal.
9. Hon'ble Supreme Court in Civil Writ No. 202/1995 in T.N. Godaverman Thirumulkpad V/s 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/CCF & user agency will ensure fulfillment of these conditions.

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

Endst: No. Ft. 48-4033/2019(FCA),

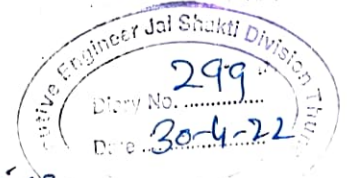
Dated, Shimla the, 25/04/2022

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

1. CCF Mandi w.r.t. his office memo No. 9436 dated 16.12.2021.
2. DFO Nachan.
3. Executive Engineer, I & PH Division Thunag, Distt. Mandi, Himachal Pradesh.

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

R.K.
21/4/22



Endst No 389-391 Dated 12/04/2022

for information & his
Copy is forwarded to

Ro Sorat

Executive Engineer, I & P.H. Division Thunag

Distt. Mandi H.P.

3. Copy to I/C Account Branch along with copy of C.A. Scheme

DIVISIONAL FOREST OFFICER,
NACHAN FOREST DIVISION,
COHAR, DISTT. MANDI (H.P.)

49

No. JSD-Thunag-WA-FCA-Aug.LWSS Janjalhi/2021 - 16799
Himachal Pradesh.
Jal Shakti Department

To

The Divisional Forest Office,
Nachan Forest Division,
Gohar, Distt. Mandi (HP)

Subject :

Diversion of 0.99 hectare of forest land in favour of Irrigation and Public Health Augmentation of various WSS (Stage-1) under Gram Panchayat of Seraj & Balichowki Block in Tehsil Thunag District Mandi under Jal Jeevan Mission (JJM), within the jurisdiction of Nachan Forest Division, Distt. Mandi, Himachal Pradesh.

Dated Thunag-175048, the 23rd October, 2021.

References:-


No. Ft. 48-5037/2020 (FCA) Dated Shimla-1, the 8 Oct. 2020

Sir,

Kindly refer to the In- Principle approval of aforesaid FCA case received vide addl. Chief Conservator (Forest) to the Govt. of HP letter No 48-5037/2020 (FCA) Dated 08-10-2020. The point wise compliance of the condition imposed in the "in-principle" approval is as under:-

Sr. No.	Condition	Compliance Report
1.	The cost of Compensatory Afforestation will be realized from the user agency along with 10 years maintenance charges as per proposed compensatory scheme on current wage rates.	The payment as per the demand notice raised by DFO Nachan vide letter No: 5310 dated 16-10-2020 amounting to Rs.1,78,691/- has been made, Which include NPV, CA, Contingency, Departmental charges and cost of trees. Payment made vide challan No. 292 Dated 30-03-2021

2.	Net present Value (NPV of the forest land been diverted for non- forestry purpose may be realized from the user agency as per Hon'ble Supreme Court of India's orders dated 30-01-2002, 9-05-2008 and Ministry's direction issued vide letter nos. 5-3/2007-FC dated 5-2-2009.	The payment as per the demand notice raised by DFO Nachan vide letter No: 5310 dated 16-10-2020 amounting to Rs.1,78,691/- has been made, Which include NPV, CA, Contingency, Departmental charges and cost of trees. Payment made vide challan No. 292 Dated 30-03-2021
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.	The payment as per the demand notice raised by DFO Nachan vide letter No: 5310 dated 16-10-2020 amounting to Rs.1,78,691/- has been made, Which include NPV, CA, Contingency, Departmental charges and cost of trees. Payment made vide challan No. 292 Dated 30-03-2021
4.	The use of forest land will not be allowed till final approval is accorded.	Condition Agreed.
5.	The muck generated in the earth cutting 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.	Condition Agreed.
6.	Minimum number of trees will be felled as are unavoidable but in any case not exceeding 12(tweve)as proposed.	Condition Agreed.
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.	Condition Agreed.


 Executive Engineer,
 Jal Shakti Division,
 Thunag.


45

UNDERTAKING

Subject:- Diversion of 0.99 hectare of forest land in favour of Irrigation and Public Health Augmentation of various WSS (Stage-1) under Gram Panchayat of Seraj & Balichowki Block in Tehsil Thunag District Mandi under Jal Jeevan Mission (JJM), within the jurisdiction of Nachan Forest Division, Distt. Mandi, Himachal Pradesh.

Reference:- No. 48-5037/2020 (FCA) Dated. Shimla-1, the 8 oct 2020

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Executive Engineer,
Jal Shakti Division,
Thunag.

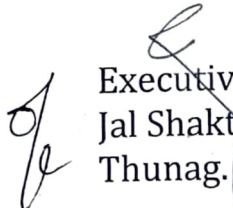
46

UNDERTAKING

Subject:- Diversion of 0.99 hectare of forest land in favour of Irrigation and Public Health Augmentation of various WSS (Stage-1) under Gram Panchayat of Seraj & Balichowki Block in Tehsil Thunag District Mandi under Jal Jeevan Mission (JJM), within the jurisdiction of Nachan Forest Division, Distt. Mandi, Himachal Pradesh.

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Executive Engineer,
Jal Shakti Division,
Thunag.


47

UNDERTAKING

Subject:- Diversion of 0.99 hectare of forest land in favour of Irrigation and Public Health Augmentation of various WSS (Stage-1) under Gram Panchayat of Seraj & Balichowki Block in Tehsil Thunag District Mandi under Jal Jeevan Mission (JJM), within the jurisdiction of Nachan Forest Division, Distt. Mandi, Himachal Pradesh.

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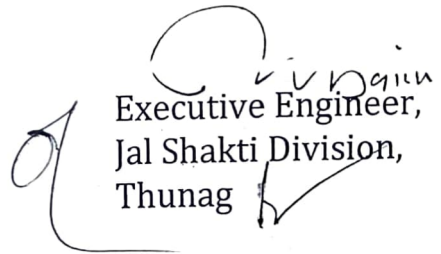
 Executive Engineer,
Jal Shakti Division,
Thunag.

UNDERTAKING

Subject:- Diversion of 0.99 hectare of forest land in favour of Irrigation and Public Health Augmentation of various WSS (Stage-1) under Gram Panchayat of Seraj & Balichowki Block in Tehsil Thunag District Mandi under Jal Jeevan Mission (JJM), within the jurisdiction of Nachan Forest Division, Distt. Mandi, Himachal Pradesh.

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4.	The use of forest land will not be allowed till final approval is accorded.	Condition Agreed.

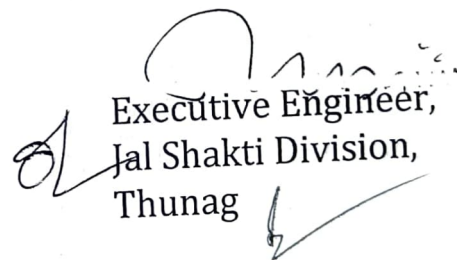

Executive Engineer,
Jal Shakti Division,
Thunag

UNDERTAKING

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5.	The muck generated in the earth cutting 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.	Condition Agreed.

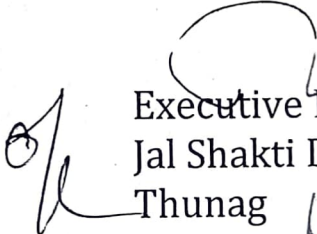

Executive Engineer,
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Sr. No.	Condition	Compliance Report
6.	Minimum number of trees will be felled as are unavoidable but in any case, not exceeding 12(twelve) as proposed.	Condition Agreed.

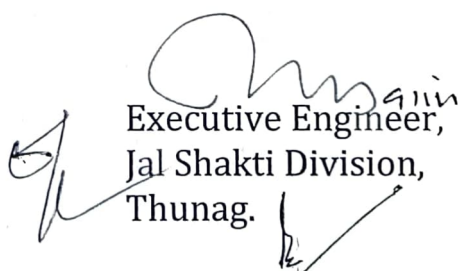

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Reference:- No. 48-5037/2020 (FCA) Dated. Shimla-1, the 8 oct 2020

Sr. No.	Condition	Compliance Report
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.	Condition Agreed.


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