

No. Ft. 48-5037/2020 (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 125 MAR 2021

**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. Godavarma Thirumulkpad V/s Union of India & Others in its judgment dated 11.03.2011 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. Therefore, 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. 48-5037/2020(FCA),

Dated, Shimla the,

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

1. CCF Mandi w.r.t. his office memo No. 9438 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.