

हिमाचल प्रदेश सरकार

वन विभाग

No.-FFE-B-F002/113/2024 Dated Shimla – 171002 the 31st January, 2025ORDER

Subject: Proposal for seeking prior approval of the Central Government under Section 2(1)(ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 in favour of HP Education Department, Directorate of Higher Education, Himachal Pradesh for non-forestry use of 1.5298 ha. of Protected forest land for construction of Govt. Degree College, Sihunta within the jurisdiction of Dalhousie Forest Division, District Chamba, Himachal Pradesh (Online proposal no. FP/HP/SCH/21873/2016)-regarding.

भारत सरकार, पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय, नई दिल्ली द्वारा वन (संरक्षण एवं संवर्धन) अधिनियम, 1980 की धारा-2 (1)(ii) के अन्तर्गत जारी स्वीकृति पत्र दिनांक 19.12.2024 के परिणामस्वरूप, राज्यपाल, हिमाचल प्रदेश उपरोक्त विषय में दर्शित 1.5298 है० संरक्षित वन भूमि के गैर- वानिकी उपयोग हेतु विधिवत् स्वीकृति निम्नलिखित शर्तों पर प्रदान करते हैं:-

- Legal status of the diverted forest land shall remain unchanged.
- The State Forest Department shall ensure that work of compensatory afforestation shall be started within two years of issue of Stage-II approval over degraded forest land, double in extent to the forest land being diverted (3.1 ha. Degraded forest land in Survey No. 52D/3/SW, Khasra No. 119/2, 137 in Mohal Balu, Man Massi DPF, Bhattiyat Forest Range, Dalhousie Forest Division, Distt. Chamba);
- The land identified for the purpose of CA shall be clearly depicted on a Survey of India topo sheet of 1:50,000 scale;
- The State Forest Department shall ensure that the minimum number of trees be felled in the project and the blank areas shall be enriched and maintained as green patches;

- v. Land use plan shall not be changed and no diversion of forest land will be allowed for any further expansion of this project work;
- vi. The State Forest Department shall take all measures and required permissions for the safety of the proposed building/infrastructure from seismic activity and any other natural exigencies;
- vii. No muck and debris disposal will be allowed in the forest area;
- viii. The State Forest Department shall ensure that tree felling is done only in built up area and bare minimum felling is permitted in other non-built up areas. Felling of trees before the start of construction is verified by the concerned DFO;
- ix. 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;
- x. 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;
- xi. The State Forest Department shall ensure that process for settlement of rights under the Forest Rights Act, 2006 has been completed as per Rule 11(7) of Handbook of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 issued by the Ministry in this regard on 29.12.2023;
- xii. The complete compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>);
- xiii. Trees should be felled in phased manner as per the requirement in the approved Plan with prior permission of concerned DFO;
- xiv. The cost of felling of trees shall be deposited by the User Agency with the State Forest Department;
- xv. 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;
- xvi. The User agency if required, shall obtain the Environment Clearance under the Environment Impact Assessment Notification, 2006 issued under the Environment (Protection) Act, 1986;

- xvii. No labour camp shall be established on the forest land and the User Agency shall provide fuels preferable 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;
- xviii. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;
- xix. 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;
- xx. 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;
- xxi. The layout plan of the proposal shall not be changed without the prior approval of the Central Government and the forest land shall not be used for any purpose other than that specified in the proposal;
- xxii. 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;
- xxiii. No damage to the flora and fauna of the adjoining area shall be caused;
- xxiv. The concerned Divisional Forest Officer, will monitor and take necessary mitigative measures to ensure that there is no adverse impact on the forests in the surrounding area;
- xxv. 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 Forest Department and user agency;
- xxvi. The State Forest Department and User Agency shall ensure compliance to all conditions stipulated in the 'in-principle' approval letter dated 31-07-2024 for which undertakings have been obtained from the user agency and also the provisions of the all the Acts, Rules, Regulations, complete compliance of FRA, 2006 and Guidelines, relevant Hon'ble Court Order(S) and NGT Order(S), if any, or the time being in force, including compliance of the Schedule Tribes and Other Traditional Forest Dwellers (Recognition of Forests Rights) Act, 2006, before handing over the forest land to the user agency;

xxvii. The User Agency shall submit the annual self-compliance report in respect of the above stated conditions to the State Forest Department, concerned Regional Office and to the Ministry of Environment, Forest and Climate Change by the end of March every year regularly; and

xxviii. Violation of any of these conditions will amount to violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and action be taken as prescribed in para 1.16 of Chapter 1 of the consolidated guidelines and clarifications issued under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and Van (Sanrakshan Evam Samvardhan) Rules, 2023 as issued by the Ministry's letter No. 5-2/2017- FC dated 29.12.2023.

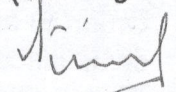
***NOTE :- State Forest Department wherever appearing Supra means PCCF(HoFF), H.P., State Nodal Officer (FCA) in supervisory and CF and DFO concerned in regulating, monitoring and implementing capacity.**

आदेशानुसार,

कमलेश कुमार पंत, भा0प्र0से0
अतिरिक्त मुख्य सचिव (वन)
हिमाचल प्रदेश सरकार

Endst. No. As above Dated, Shimla – 171001 31st January, 2025
Copy is forwarded for information and necessary action to: -

1. The Assistant Inspector General of Forests, Ministry of Environment, Forest and Climate Change (Forest Conservation Division), Indira Paryavaran Bhavan, Jor Bagh Road, Aliganj, New Delhi – 110003.
2. The Deputy Director General of Forest (C), Regional Office, Chandigarh, Sub-Office Shimla, C.G.O. Complex, Shivalik Khand, Longwood, Shimla-171001 Himachal Pradesh..
3. The Pr. CCF (HoFF) with the request to ensure compliance of all conditions contained in the above order.
4. The Nodal Officer-cum-Addl. Pr. CCF(FCA) O/o HPFD HQ, Talland, Shimla-1 w.r.t. his letter No. Ft. 48-3450/2016 (FCA)/3222 dated 01-01-2024 for similar necessary action.
5. The CEO, H.P. State CAMPA, O/o Pr. CCF (HoFF), H.P.
6. The Deputy Commissioner, Chamba, Distt. Chamba, Himachal Pradesh.
7. Divisional Forest Officer, Dalhousie Forest Division, Distt. Chamba, H.P.
8. The Director, Higher Education, Directorate of Higher Education, Lal Pani Shimla, Distt. Shimla, Himachal Pradesh (User Agency).
9. Guard file.


Special Secretary (Forest) to the
Government of Himachal Pradesh.