

Policy Guidelines for recommendation of FCA Cases approved by Govt of H.P. on 30th Sep 2009

1. Since out of total 37,033 sq km of forest land in H.P., only 1,896 (5.1 %) is Reserve Forest and these are sacrosanct by their nature and legal classification, diversion of forest land from Reserve Forests should be recommended only in exceptional cases when the diversion is extremely site specific and totally unavoidable. Otherwise efforts should be made to explore sites in other forests even if the cost of proposed project becomes higher due to shifting from proposed site in Reserve Forest. Merit of such proposals should be considered on case to case basis.
2. Only Govt owned/ Govt approved projects should be entertained for diversion of RFs, DPFs and UPFs.
3. For any other proposal not covered in 2 above, only those forest areas should be considered which are not RF/DPF/UPF but come under the category of forest by application of 1952 notification.
4. Forest land should not be diverted to Private individual/Firm or organization (including society), charitable trusts, etc not owned by the Gov. However, it can be considered on case to case basis if it serves public interest or is for public welfare activities like hydel projects, transmission lines, and drinking water projects etc.
5. Forest land for mining can be diverted to individuals only if it has been approved by the Mining Department.
6. Forest land may not be diverted for religious purposes.
7. Forest land may not be diverted to Panchayats, Mahila Mandals, Headmasters, Principals, societies etc. directly. Rather cases should be prepared by the concerned Govt Department under whose control these institutions operate. On approval of Government of India of such cases, the concerned Department may arrange leasing out of the land to such

user agencies. The Departments might object to paying charges for Compensatory Afforestation, NPV and other charges as ordered to be levied by Govt of India. To overcome this problem, a system can be evolved for depositing such charges by the actual user agency to the concerned Department (not in to treasury as revenue), who, in turn, will deposit the charges to the appropriate account/head designated by Govt of India/ State Govt.
