

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

Indira Paryavaran Bhawan,
Jor Bagh Road, Aliganj,
New Delhi – 1100 03,
Dated: As per e-Signature

To,

The Principal Secretary (Forests),
Department of Environment and Forests,
Government of Himachal Pradesh.
Shimla.

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 Shongtong Karchham Hydro Electric Project, HPPCL under the jurisdiction of Kinnaur Forest Division, Distt. Kinnaur, Himachal Pradesh, for non-forestry use of 7.3722 ha. of forest land as additional forest land requirement in already approved diversion, in the State of Himachal Pradesh (Online Proposal No. FP/HP/HYD/40611/2019)-regarding.

Sir/ Madam,

I am directed to refer to the Government of Himachal Pradesh's Letter No.Ft.48-4019/2011 (FCA) dated 21.02.2023 on the above mentioned subject, seeking prior approval of Central Government under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. After careful consideration of the proposal by the Advisory Committee (AC) constituted by the Central Government under Section- 3 of the said Act, **'in-principle'/Stage-I** approval to the proposal was granted vide this Ministry's letter of even number dated 19.03.2024 subject to fulfillment of certain conditions prescribed therein. The State Government has furnished compliance report in respect of the conditions stipulated in the in-principle approval and has requested the Central Government to grant final approval.

2. In this connection, I am directed to say that on the basis of the compliance report furnished by the Government of Himachal Pradesh vide letter No. Ft.HPFD-F05/243/2023-FCA (FCA) dated 20.06.2024, **Stage – II/ final approval** of the Central Government is hereby granted under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for non-forestry use of 7.3722 ha. of forest land as additional forest land requirement in already approved diversion, in the State of Himachal Pradesh, subject to fulfillment of the following conditions:-

- i. Legal status of the forest land shall remain unchanged;
- ii. The Compensatory Afforestation shall be raised over double the degraded forest land i.e. 15 ha. land bearing survey sheet No. 53-1/2 near village Kalpa in Kinnaur Distt., H.P). The work of Compensatory Afforestation shall start

- within two years of issue of order of diversion of the corresponding forest land and at least 1000 plants per hectare shall be planted over identified DFL. Once completed, the plantation carried out shall be maintained thereafter by the State Forest Department at the cost of the User Agency and at least 1000 plants per hectare shall be planted over identified DFL;
- iii. The land identified for the purpose of CA shall be clearly depicted on a Survey of India topo sheet of 1:50,000 scale;
 - iv. The User Agency shall pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
 - v. The State Government shall ensure that the process for settlement of rights under the Forest Rights Act, 2006 has been completed as per Rule 11 (7) of Van (Sanrakshan Evam Samvardhan) Rules, 2023;
 - vi. The cost of felling of trees shall be deposited by the User Agency with the State Forest Department;
 - vii. 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;
 - viii. The State Government shall ensure that the forest area nearby shall not be encroached upon due to implementation of the project;
 - ix. The State Government shall ensure that the minimum number of trees/plants/poles in any case not more than mentioned in the applied forest area will be removed and the trees should be felled under strict supervision of the State Forest Department;
 - x. The State Govt. shall ensure that 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 co-ordinates;
 - xi. The State Government shall ensure that KML files of the area under diversion and the accepted degraded forest land for raising compensatory afforestation in the E-Green Watch portal of FSI before handing over forest land to the user agency;
 - xii. The User Agency, if required, shall obtain the environment clearance under the Environment Impact Assessment Notification, 2006 issued under the Environmental (Protection) Act 1986;
 - xiii. The State Govt. shall ensure the user agency will undertake comprehensive soil conservation measures at the project cost in consultation with the State Forest Department, if required;
 - xiv. The State Government shall ensure that User agency shall undertake

- afforestation along the periphery of the reservoir;
- xv. The State Government shall ensure that User agency shall provide free water for forestry related activities/ projects;
 - xvi. The layout plan of the proposal shall not be changed without prior approval of Central Government;
 - xvii. No labour camp shall be established on the forest land and the User Agency shall provide firewood preferably 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. The Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel;
 - xix. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;
 - 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 User Agency shall ensure that because of this project, no damage is caused to the wildlife available in the area;
 - xxii. The forest land shall not be used for any purpose other than that specified in the project proposal;
 - xxiii. 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;
 - xxiv. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India;
 - xxv. No damage to the flora and fauna of the adjoining area shall be caused;
 - xxvi. The State Govt. shall ensure that the Compliance report of this approval is uploaded on e-portal (<https://parivesh.nic.in/>);
 - xxvii. The State Government and user agency shall ensure compliance to all conditions stipulated in the Stage-I approval letter dated 19.03.2024 for which undertakings have been obtained from the user agency;
 - xxviii. Any other condition that the concerned Regional Office of this Ministry may stipulate with the approval of competent authority in the interest of conservation, protection and development of forests & wildlife shall be carried with by the State Government and User Agency;
 - xxix. Violation of any of these conditions will amount to violation of Van

(Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and action would be taken as prescribed in para 1.16 of Chapter 1 of the Consolidated Guidelines and Clarifications on Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 as issued by this Ministry's letter dated 29.12.2023;

- xxx. The State Government and User Agency shall ensure compliance to 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; and
- xxxi. The User Agency shall submit the annual self -compliance report in respect of the above stated conditions to the State Government, concerned Regional Office and to this Ministry by the end of March every year regularly.

This is issued with the approval of competent authority.

Yours faithfully,

**Sd-
(S. Sundar)**

Assistant Inspector General of Forests

Copy to: -

1. The Principal Chief Conservator of Forests & HoFF, Department of Forest, Government of Himachal Pradesh, Shimla.
2. The DDGF (Central) Regional Office, Chandigarh of MoEF&CC.
3. The APCCF –cum-Nodal Officer, Government of Himachal Pradesh, Shimla.
4. The User Agency.
5. The Monitoring Cell, FC Division, MoEF & CC, New Delhi for uploading.