

GOVERNMENT OF HIMACHAL PRADESH TEL NO: 0177-2673551, FAX NO: 2673553, Email: dir.doehp@nic.in, ceenergy09@gmail.com

No. - HPDoE/CE (Energy)/CEIA (Ravi Basin)/2021- 8018-19

The Nodal Officer-cum-APCCF (FCA), Forest Department, Tolland, Shimla.

Subject:

Diversion of 8.0678 hectare of forest land in favour of M/s Friends Him Energies. C/o page 17 Energies, C/o near Happy Sr. Secondary School, Jail Road, Gurdaspur-143521, for the construction for the construction of Suil-IV SHEP within the jurisdiction of Churah Forest Division Diete Churah Forest Division, Distt. Chamba, Himachal Pradesh (On line no. FP/HP/HYD/3537/2018)

Your Office letter no Ft. 48-3785/2018(FCA) dated 24.07.2021.

Sir.

Please refer to above letter addressed to CEO, HIMURJA and subsequently in receipt of HIMURJA letter no Himurja/SHP-IA/Suil-V-6200 dated 02.12.2021(copy enclosed) from Project Director Curp Dec Charles and Subsequently and Su Director Cum Dy. CEO, HIMURJA on the subject cited matter where in it has been informed that MoEF & CC, GoI has observed following:

"The concern of the State to provide for mitigating measures of individual projects in the EMP does not seem to be tenable as it is devoid of factual basis. The hydel projects up to 25 MW are not covered under the EIA notifications and hence may not involve preparation of EMPs and also cannot be apprised by the SEAC as adverted by the state. The state Govt. may provide their comments in this regard.'

() In this context, it is submitted that Deptt. of Environment, Science & Technology, GOHP is appropriate Deptt. to offer comments on the above observation. The matter in a similar case (for SHEP Upper Makkan-II - 5 MW; Distt.- Chamba) was taken up with Environment, Science & Technology Deptt. and Deptt. of Environment Science and Technology vide letter no. Env.S&T/SEIAA (061)/2009-Miscellaneuous-2660 dated 09.12.2021 has stated that "the hydel project up to 25 MW does not fall in purview of Environment Impact Assessment Notification, 2006 and its subsequent amendments". Further the comments and correspondence w.r.t. mitigative measures to address the projects up to 25 MW as received from Env. Scie, & Tech. Deptt., GoHP are attached herewith at Annexure-I for your kind information and further necessary action in the matter please.

Yours faithfully,

DA: As above

(Er.Khem Singh Thakur) Chief Engineer, Directorate of Energy, GoHP Shimla-09

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Chief Engineer, Directorate of Energy, Golff Shimla-09

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ASSESSMENT OF ENVIRONMENTAL MANAGEMENT SYSTEMS AND IMPLEMENTATION CAPACITY

HIMURJA is in operation since 1989 and entrusted to to promote renewable energy program for the State of Himachal Pradesh. HIMURJA is also responsible for allotment and development of hydro projects below 5MW capacity. Many initiatives were taken by HIMURJA since its inception for promotion of small hydro which includes implementation of UNDP-GEF assisted projects in the far flug areas of the State. HIMURJA is responsible to execute renewable energy projects in collaboration of Ministry of New and Renewable Energy (MNRE) and State Government.

Policies: HIMURJA strive to create a sustainable development in generating renewable energy throughout Himachal Pradesh. HIMURJA stated that it aims to implementing friendly measures in its operation. The allotment of small hydel projects is governed through the hydel power policy framed in 2006 and its amentments till date. Similarly allotment of the Solar Projects is governed through the Solar Power Policy of HP framed during 2014 and amended in 2016.

HIMURJA has no clear Environment Policy or Framework in place to screen, manage and mitigate environmental concerns, nor any clear mention of regulations or institutional responsibilities on safeguard issues are there in place.

Procedures and Practices: There are guidelines available for developing small hydros in the state. Any Private Investor whether Himachali or outsiders such as Private Ltd. Company Public Ltd. Company / Partnership concern/Sole Proprietary and Cooperative Societies/V oluntary societies/trusts comprising wholly of Bonafide Himachalis is eligible to apply for the allotment of these Small Hydro Electric Projects. The applications for the identified Projects Self Identified Projects shall be received after advertisements issued by Government HIMURJA in Giri raj and in leading Newspapers. Applications shall be scrutinized by HIMURJA and approved by the Government. As the potential sites have been identified on the basis of preliminary reconnaissance only, the interested Project Developers should, in their own interest, visit the sites for verifying various Project related parameters viz. discharge, head, water availability, habitation etc. It is clearly mentioned that HIMURJA shall not be responsible for any kind of variation. Project Developers shall also ensure that the Project components do not fall in the wild life sanctuaries, national parks, eco protection zones etc. and also do not interfere / overlap with the existing and proposed Hydro Projects of State, SPSUs / CPSUs HIMURJA, Joint CPSUs and Private Project Developers, before submitting their offers on the prescribed format.

The application shall include the information regarding name of the stream / nallah, estimated capacity, assessed head and assessed design discharge, layout sketch of the Project which should show the elevations of the main components of the Project, names of the Projects already allotted upstream/downstream of the proposed site, if any etc. The Joint Inspection in case of Self Identified Projects shall be carried out by HIMURJA / Committee comprising of officials of all concerned departments like HIMURJA, Revenue, Jal Shakti, PWD, Forest, Fisheries etc. including upstream / downstream Project representatives as notified by Government of Himachal Pradesh to ascertain the interference, if any, with the existing Projects along with the elevation / horizontal distance as prescribed and other aspects of concerned departments related to development of Project. The Project Officer, HIMURJA of

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concerned area will be Member Secretary of the Committee and he will ensure the joing inspection of the site and report thereof.

There are no laid out procedures and practices was found regarding environmental management or mitigation.

Capacity: HIMURJA does not have a specialized Environment and Social Cell for addressing environmental issues.

Training: Training if any used to be obtained from HIMURIA.

Monitoring and Reporting: At present there are no system available for monitoring and reporting of environmental complainces or non-complainces.

Thus it can be concluded that HIMURJA at its present capacity does not have an adequate institutional and regulatory framework to guide environmental and social impact assessment and the management of environmental and social effects. It also lacks in institutional capacity to effectively implement the requirements of the system.

Core Principle 1: Environmental and Social Management

Key Planning Elements	System Assessment	ogram's environmental and so Capacity Assessment	MCCONTINGMANIA
Program procedures will: 1.1 Bank program procedures are backed by an adequate legal framework and regulatory authority to guide environmental and social impact assessments at the programmatic level.		At present it is guided by application formats developed based on Hydro Power Policy, 2006 and Solat Power Policy, 2014 and respective amendments till	Clear articulation of legal ar regulatory framework with respect to environmental risks, impacts and management need to be formulated.
1.2. Incorporate recognized elements of environmental and social-assessment good practice, including the following: 1.2 (a) Early screening of potential effects	In the application format it is stated that Project Developers shall also ensure that the Project components do not fall in the wild fife sanctuaries, trational parks, eco protection zones etc. and also do not interfere / overlap with the existing and proposed Hydro Projects	No formal screening system exists	Environmental Screening need to be made part of the overall ESMF
1.2 (b) Consideration of strategic, technical, and site alternatives including the 'no-action' dternative)	It is taken as policy that no small hydro should come up in the major river basins of Ravi, Sailuj, Chenab or Yamuna wherein minimum e-flow regulations are applicable.	N/A	There is a need to make the strategic, technical, and site alternatives consideration and an E&S system should be developed.
2 (c) Explicit ssessment of potentially iduced, cumulative, and ansboundary impacts	At pre-cult in the havelet		
2 (d) Identification of		In case of dispute these issues were brought to notice and	ESMP need to prepared for all identified activities for

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Elements	ronmental and social management procedures and processes are designed to gram. System Requirements Key Findings Recommendations				
reas		Key Findings	Recommendations		
(b) Supports and	A Police				
		79-1	/		
conservation,	important messages from the	There is no policy of	A policy framework stating the clear mandates		
naintenance, and	1980; India Emation) Act,	framework available to	stating the clear manualion		
THE CHILIDAY A	Wildlife (Protest Act, 1927;	avoid, protect or conserve Critical natural habitats.	on protection, compa		
natural habitats;	The tyle plone	Content natural machines.	:/5		
avoids the significant	brought into place		natural habitats; avoid or significant conversion		
THE PARTY OF					
degradation of critical natural					
habitat natural			avoiding the signification		
habitats and if	18		I CONVERSION OF BARRY		
avoiding the			habitats is not technically feasible, includes measures to mitigate as offset		
significant Comme	7				
conversion of natural					
habitats is not			impacts or program		
technically feasible,			activities.		
includes measures to					
mitigate or offset			100000		
impacts or program activities.					
			1		
2 (c) Takes into account potential	The program is unlikely to	No policy that takes			
adverse impacts on	have adverse impact on	genount on impacts on			
physical cultural	critical natural habitat and	physical cultural propertie	85		
property and, as	physical cultural heritage	are available.			
warranted, provides					
adequate measures to			The second		
avoid, minimize, or					
mitigate such effects.	K				

Core Principal 3:

The nature of activities under the Bank's Program is that there is no exposure to toxic chemicals, hazardous wastes and dangerous materials.

Core Principle 3: Program procedures ensure adequate measures to protect public and worker safety against the potential risks associated with (a) construction and/or operations of facilities or other operational practices developed or promoted under the program and (b) exposure to toxic chemicals, hazardous wastes, and otherwise dangerous materials.

Key Planning Elements .	System Assessment	Capacity Assessment	Recommendations
3 (a) Promotes			
community, individual,			
and worker safety	A		
through the safe design,			
construction, and O&M			
of physical			
nfrastructure, or in			
carrying out activities			
hat may be dependent			
on such infrastructure			
with safety measures,			
nspections, or remedial vorks incorporated as			



Core Principle 3: Program procedures ensure adequate measures to protect public and worker safety against the potential risks associated with (a) construction and/or operations of facilities or other operational practices developed or promoted under the program and (b) exposure to toxic chemicals, hazardous wastes, and otherwise dangerous materials.

hazardous wastes, and oth	erwise dangerous materia	k	Recommendations
Key Planning Elements	System Assessment	Capacity Assessment	
needed.			
3 (b) Promotes the use			
of recognized good			
practice in the			
production.			
management, storage,			
transport, and disposal			
of hazardous materials			
generated through			
program construction or			
operations; promotes the			
use of IPM practices to			
manage or reduce pests			
or disease vectors; and			
provides training for			
workers involved in the			
production.			
procurement, storage,			
transport, use, and			
disposal of hazardous			
themicals in accordance			
with international			
midelines and	1.1		
onventions.			
(c) Includes measures			
avoid, minimize, or			
itigate community,			Company of the State of the Sta
dividual, and worker			
ks when program			PROPERTY AND
tivities are located			
TAITIES SIE IOCSIEG			
hin areas prone to			
ural hazards such as			
ods, hurricanes,		A said the search of the could be	
thquakes, or other			
ere weather or			
nate events.			

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