

No. RK/FCA/ 9089

Forest Department, Himachal Pradesh

Dated J/Nagar, the/ 29-1-2025

From: DFO Joginder Nagar

To: (1) CCF Mandi

Subject: Diversion of 0.56 ha. of forest land in favour of Bhup Raj, 162/9 Bhojnagar Bazar Sundernagar, for the construction of Dhanwan Small HEP (1.00 MW), within the jurisdiction of Jogindernagar Forest Division, Distt. Mandi, Himachal Pradesh. (Online Proposal No. FP/HP/HYD/39107/2019).- reg

Memo;


Kindly refer to IRO letter dated 27.04.2023 whereby following observations (EDS) raised and reply of the same is furnished as under :-

Sr. No.	Observation	Reply/Compliance
1.	In reply to query no.1, State Govt. has submitted the aerial distances of proposed site from the DA site only. However, the clarification regarding the difference in aerial distance between the DSS analysis report and PCCF (CWLW) report has not been submitted. As per DSS analysis, proposed project is falling inside Nargu WLS and as per CWLW report proposed project is 3.6 km away from ESZ of Nargu WLS. Therefore, State Govt. may submit the clarification regarding the difference in aerial distance between the DSS analysis report and PCCF (CWLW) report as desired by the REC	As per joint inspection conducted by ACF (Wilelife Kullu) and ACF (Joginder Nagar) the proposed hydel project falls just below Kalgehar and Dhanwan village which are quite far from Nargu WLS boundaries (Daint DPF) and the project fall approximately 3.6 Km from Eco-Sensitive Zone and the proposed hydel project is well outside the Nargu WLS. The copy of report submitted ACF Joginder Nagar is enclosed herewith as per Annexure-1 . Therefore the DSS analysis may be reviewed at higher level.
2.	In reply to observation no.3, State Government has submitted that " <i>User Agency submitted that the issue of measurement of Karam is already under consideration at MoEF&CC&GoI level</i> ". No documentary proof in this regard has been provided. REC desired that " <i>The State Government should take appropriate action to resort the universally accepted system of land measurement units instead of "Karam" and Nodal Officer, FCA and UA</i>	User Agency submits that observation has been attended and letter has been sent to The Principal Secretary (Revenue) to the Govt. of Himachal Pradesh and The Principal Secretary (Forest) to the Government of Himachal Pradesh for doing the needful copy annexd as per Annexure-2 .

Sr. No.	Observation	Reply/Compliance
	<i>shall take up the matter of "KARAM" with ministry separately". Therefore, satisfactory compliance of condition no. 3 is required to be submitted</i>	
3.	In reply to query no.4, State Government has submitted that mail has been sent to MoEF&CC for updation of name change of User Agency from M/s Bhup Raj to M/s Shiv Ganga. Name of User Agency is neither updated so far in Part-I nor any documentary proof regarding e-mail sent to MoEF&CC for correction has been submitted.	User Agency submits that e-mail has been sent to MoEF&CC and documentary proof regarding e-mail has been attached and uploaded on the Parivesh portal in additional information, Part-I. copy annexed herewith as per Annexure-3 .
4.	In reply to query no.5, State Government submitted that HIMURJA has approved the change of User Agency name from M/s Bhup Raj to M/s Shiv Ganga Hydel Power. However, in State Government letter still the name of User Agency is mentioned as Bhup Raj. Therefore, same is required to be rectified.	User Agency submits that signed agreement has been attached and uploaded on the Parivesh portal copy annexed herewith as per Annexure-4 .

It is, therefore requested that the necessary Stage-I approval may kindly be obtained from competent authority please..

Encl. As above.


Divisional Forest Officer,
J/Nagar Forest Division
Joginder Nagar, Distt. Mandi, H.P.

Annexure-1

No/ 7852
HP Forest Department

Dated, J/Nagar, the/ 20-12-2022

From: ACF Joginder Nagar.

To: Divisional Forest Officer, J/Nagar

Subject:

Diversion of 0.56 Hac. Of forest Land in Favour of M/s Shiv Ganga Hydel Power Project (1.00 MW) In District Mandi HP For the construction of Dhanwan Small Hydro Power Project (1.00 MW) HEP within the jurisdiction of Joginder Nagar Forest Division, Distt Mandi HP (Online No FP/HP/HYD/39107/2019).

Memo:

Reference to your office endst. No 7279-81 dated 26.11.2022 on the subject cited above; undersigned along with ACF(Wild Life) Kullu jointly visited the proposed Hydel Project site on dated 12.12.2022. The proposed hydel project falls just below Kalgehar and Dhanwan village which are quite far from Nargu WLS boundaries (Daint DPF).

The proposed hydel project is on Kalgehar Khad arising from Bhubhu pass. As per FCA Proposal and spot visit the proposed hydel project falls under revenue Muhal Kalgehar and Dhanwan and the revenue status of land is Charagah Drakhtan and Charagah Vila Drakhtan these facts were also reconfirmed from local revenue authorities over telephone.

The Geo coordinate of proposed hydel project components/ site is as follows

Name of nearest wildlife sanctuary	HEP Component	Latitude	Longitude
Nargu Wildlife Sanctuary (Daint DPF)	Water lifting/takeoff point	31.920833°	76.938302°
	WCS/Transmission line	31.917382°	76.935322°

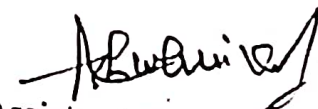
Inspite of this even superimposition of Kml File of Nargu WLS and Proposed hydel project is made by undersigned the areal distance come out to be approximately 3.6 Km from eco-sensitive zone and the proposed hydel project is well outside the Nargu WLS.

It is therefore reported that proposed hydel project is quite away from Nargu WLS boundaries and does not falls within Nargu Wildlife sanctua rather falls under jurisdiction of Silhbudhani beat & block of Tikken Forest Range Joginder Nagar forest Division.

action please

Submitted for favour of information and further necessary

R.K. 21/12/22


Assistant Conservator of Forest
Forest Division, Joginder Nagar

To,

1. The Principal Secretary (Forest) to the Government of Himachal Pradesh.
2. The Principal Secretary (Revenue) to the Government of Himachal Pradesh.

Sub: Diversion of 0.56 ha. of forest land in favour of Bhup Raj, 162/9 Bhojnagar Bazar Sundernagar, for the construction of Dhanwan Small HEP (1.00 MW), within the jurisdiction of Jogindernagar Forest Division, Distt. Mandi, Himachal Pradesh. (Online Proposal No. FP/HP/HYD/39107/2019).-reg.

Ref: IRO EDS letter no. FC/HPB/01/74/2021, dated 01.09.2022.

Sir,

This is with above mentioned reference and subject the observation has been received from the Regional Officer, IRO MoEF&CC, Govt. of India, Shimla i.e. *"With reference to observation no-3, the compliance has not been done as desired by REC. Rather, User Agency has requested that the forest area may be calculated as per KML file. However, State govt. has not submitted and matter of "KARAM" has not taken up with Ministry. Therefore The State Govt. should take appropriate action to resort the universally accepted system of land measurement units instead of "KARAM" and Nodal Officer, FCA and User Agency shall take up the matter of "KARAM" with Ministry separately."*

Further, the Govt. of India has directed in REC meeting convened on 20 June, 2022 that issue of unit of land measurement is "Karam" in Mandi District. The RoW for transmission line is not possible to measurement scale i.e. Karam of Revenue Department is 1.42 mtrs on Latha or Tatima.

This is therefore, requested to kindly take necessary action to resort the issue of universally accepted system of land measurement unit so that the aforesaid issue of land measurement in Mandi District could be resolved at the earliest.

Yours faithfully.



Nandlal Arora.

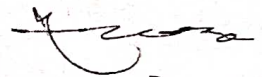
Sub: Diversion of 0.56 ha. of forest land in favour of Bhup Raj, 162/9 Bhojnagar Bazar Sundernagar, for the construction of Dhanwan Small HEP (1.00 MW), within the jurisdiction of Jogindernagar Forest Division, Distt. Mandi, Himachal Pradesh. (Online Proposal No. FP/HP/HYD/39107/2019).-reg.

Ref: IRO EDS letter no. FC/HPB/01/74/2021, dated 01.09.2022.

Sir,

This is to inform you that the above mentioned proposed FCA case has been uploaded on the Parivesh portal vide online proposal no.FP/HP/HYD/39107/2019. In this regards the User Agency has been decided the name change of User Agency name **from M/s Bhup Raj to M/s Shiv Ganga Hydel Power**. Therefore the matter was discussed in the REC dated 20 June, 2022 and direction has been received from REC (attached IRO letter no. FC/HPB/01/74/2021, dated 01.09.2022).

In this regards mail has been sent to your good office kindly change the name of User Agency **from M/s Bhup Raj to M/s Shiv Ganga Hydel Power**. So that we can take further necessary action.



Regards
NandLalArora

1/13/25, 8:52 AM

Gmail - Fwd:



Fwd:

1 message

Rajesh Kumar <saipetroleums@gmail.com>

Tue, Dec 31, 2024 at 5:28 PM

----- Forwarded message -----

From: Rajesh Kumar <saipetroleums@gmail.com>

Date: Mon, Dec 30, 2024 at 12:40 PM

Subject:

To: <monitoring-fc@nic.in>, <gaurav.chamoli@nic.in>, Nandlal Arora <nandlalarora01@gmail.com>

2 attachments

 **EDS reply Danwan (1).docx**
23K

 **Agreement change of Name UA.pdf**
5624K



हिमाचल प्रदेश HIMACHAL PRADESH

C 650492

AGREEMENT FOR CHANGE IN NAMEDhanwan HYDRO ELECTRIC PROJECT (0.30 MW) IN DISTRICT MandiHIMACHAL PRADESH

Sept.

THIS TRIPARTITE AGREEMENT is made on this 29th day of the month of _____, 2021 (Two Thousand Twenty one) between THE GOVERNMENT OF HIMACHAL PRADESH through the Special Secretary (NES), to the Government of H.P.-cum-Chief Executive Officer (HIMURJA), having its office at URJA Bhawan, Block 8-A, SDA Complex, Kasumpti, Shimla (H.P.)-171009, (hereinafter referred to as the "Government" or "First Party", which expression shall unless repugnant to the context or meaning thereof include its successors, assigns and legal representatives) being Party of the FIRST PART,

AND

M/s. Bhup Raj having its Registered/Head Office Village Shandra, P.O. Bhungi, Tehsil Nihri, Distt. Mandi (hereinafter referred to as the "Second Party") which expression shall unless repugnant to the context or meaning thereof, include its successors, administrators and assigns, a undertaking on stamp paper through M/s. Bhup Raj on dated 12.8.2021 to execute this Agreement, of the SECOND PART.

Special Secretary (NES)
to the Govt. of H.P.-
cum-CEO HIMURJA
Shimla-171 009

For Bhup Raj

For Shivganga Hydel Power Project

Partner



0 SEP 2021

14/12 27/9/21
Name Sh./Smt. Smt. Gangi Devi
A/o/W/o Govind Prasad
Address 1317 BC
Through Nandit Dr. Indu
Purpose Amrit Mand.

SUNIL CHANDER
Stamp & Seal
District Court, Shimla, H.P.

Y

Nº 3100303

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Himachal Government Judicial Paper.

M/s Shiv Ganga Hydel Power Project, a company incorporated and registered under the provisions of companies Act 2013 having its Registered office House No. 73, Housing Board Colony Daundhi, P.O. Nagchala, Tehsil Balh, Distt. Mandi and site office in H.P. at VIII Dhanwan, P.O. Sudhar, Tehsil Padhar, Distt. Mandi. (hereinafter referred to as the "Third Party") which expression shall, unless repugnant to the context or meaning thereof, include its successors, administrators and assigns, Sh. Nand Lal Arora, who is authorized a under taking on stamp paper, ,dated 12.8.2021, to execute this Agreement, of the OTHER PART.

WHEREAS, the Government had issued consent letter dated 10.8.2015 for the implementation of 0.30 MW capacity Dhanwan Hydro Electric Project in District Mandi, Himachal Pradesh (hereinafter referred to as project); and

WHEREAS, the Project is envisaged on Kangehar/Uhl in District Mandi (H.P.) between the elevations ± 1332 M to ± 1287 M, and

WHEREAS the Second Party intends to transfer/assign all assets, liabilities, obligations, rights, privileges, benefits and statutory/non statutory clearances obtained of the project, to the Third Party, accrued to it under consent dated 10.8.2015, and

WHEREAS, the Third Party has agreed to accept and take over all the assets, liabilities, obligations, rights, benefits and statutory/non statutory clearances obtained arising out of the consent dated 10.8.2015 issued by the State Government to the Second Party.

WHEREAS, the Government has been approached by the second party for transfer of all its rights, obligations and statutory/non-statutory clearances obtained in favour of third party as per provisions of Hydro Power Policy, 2006 and subsequent amendments thereof, and

WHEREAS, the First Party has consented the approval vide letter No. NES-F (2) 26/2015 dated 15.6.2021 to the change in name of the company from M/S. Bhup Raj to M/s Shiv Ganga Hydel Power Project and transfer of all assets, liabilities, rights, obligations, benefits and statutory/non statutory clearances obtained by the Second party, to Third Party arising out of the consent dated 10.8.2015 Issued by the First Party., and


Special Secretary (NES)
to the Govt. of H.P.
cum-CEO HIMURJA
Shimla-171 009

For Bhup R.
Prop.

For Shivganga Hydel Power Project
Partner

No. 3100306

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Himachal Government Judicial Paper.

Whereas, the Third Party has deposited the requisite fee on account of change in name through D.D. No. 756007 dated 3.8.2021 of Union Bank of India in favour of the Director, Himurja, Shimla-9, and

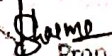
WHEREAS, the Third Party has established Registered Office/Head Office at House No. 73, Housing Board Colony Daundhi, P.O. Nagchala, Tehsil Balh, Distt. Mandi and.

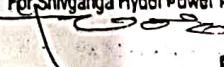
WHEREAS, the Third Party has agreed to accept the conditions of Hydro Power Policy 2006 and subsequent amendments thereof for which Implementation Agreement shall be signed separately with the new entity; and

NOW THIS AGREEMENT WITNESSED AS UNDER AMONG THE PARTIES HERETO AS FOLLOWS:

- ii) That the Government hereby grants its consent to transfer/assign all the assets, liabilities, obligations, privileges, statutory/non-statutory clearances obtained and benefits of the project by the Second Party to the Third Party arising out of the consent, dated 10.8.2015 with the unequivocal acceptance of Third Party of all the assets, rights, liabilities, obligations, privileges including benefits and statutory/non-statutory clearances obtained and benefits arising out of above mentioned consent, dated 10.8.2015. Third Party i.e. M/s Hydro Water Shakti Enterprises, Should ensure that share holding as approved by the Government vide letter No. NES-F (2)-26/2015 dated 15.6.2021 shall be continued up to two years from the date of achieving commercial operation date of the project. If at a later date it comes to the notice of the Government that this condition has been violated without prior approval of the First Party, First Party shall have the right to terminate the Tripartite Agreement (TA), to forfeit the security furnished by the third party and the project with all its capital and infrastructural assets shall vest with the Government. After two years of actual date of commissioning of the project, Second Party/Third Party is allowed to freely sell/divest the Shares.
- ii) That the Government hereby releases the second party of all the obligations under the Consent dated 10.8.2015 mentioned above and agrees to be bound to the third party in terms thereof.
- vi) That the third party hereby agrees that it shall be bound and liable for all the liabilities, obligations and execution of the project on the terms and conditions specified in the Consent, dated 10.8.2015 to the Government.


Special Secretary (NES)
to the Govt. of H.P.
cum-CEO HIMURJA
Shimla-171 009

For Himurja

Prop.

For Shinganga Hydro Power Project

Partner

No 3100309

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Himachal Government Judicial Paper.

- vii) All the terms and conditions of the Consent, dated 10.8.2015 shall remain the same save and except as provided herein above and wherever expression of "Company" "Generating Company" or second party appear in the Consent, dated 10.8.2015 the same shall be read, construed, mean and deemed to be referred to as the third party.
- viii) That the third party agrees to perform the Consent dated 10.8.2015 as if they were the original party of aforesaid Consent, dated 10.8.2015 in place of second party.

In witness whereof the parties have set their hands as under:-

For and on behalf of

Government of H.P.

Special Secretary (NES)
to the Govt. of H.P.
to the CEO HIMURJA
Shimla-9
Shimla-171000

for and on behalf of

Mr Bhup Raj

(Mr Bhup Raj)

for and on behalf of

M/s Shiv Ganga Hydel Power Project
For Shivganga Hydel Power Project

(Mr. Nand Lal Arora)
Partner.

WITNESSED BY:-

1 (Er. Sanjeev Gautam)
PM (Hydro)
HIMURJA, Shimla

1 Ram dev

1 Sunil kr Sharma
Amn vilg, khaling, Shumb

2 (MONICA SHARMA)
Project Officer (SHP)
HIMURJA, Shimla

2 Sunil kr Sharma
Amn vilg, khaling, Shumb

2 Ram dev