

1/40302/2023

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

Indira Paryavaran Bhawan,
 Aliganj, Jor Bag Road,
 New Delhi - 110003.

Dated: 29th March, 2023

To

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

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

Madam/Sir,

I am directed to refer to the Government of Himachal Pradesh's online proposal no. FP/HP/HYD/40611/2019 dated 16.03.2023 regarding diversion of 7.3722 ha of additional forest land for the construction of Shongtong Karchham HEP (due to enhancement in the exiting capacity of HEP 402 to 450 MW), seeking prior approval of the Central Government in accordance with Section-2 of the Forest (Conservation) Act, 1980. After preliminary scrutiny of the proposal, the following observations are made:

- i. The Part-1 of the application form mentions that the forest land is required due to enhancement in the existing capacity of HEP from 402 to 450 MW, due to change in the river course during flood and also usage of already diverted dumping site used by BRO and restriction imposed by the Army Authorities for construction activities within the boundary of 1200 yards. In this regard the details along with the KML files of the project area affected by floods and the already diverted dumping site used by shall be submitted long with the detail of relevant approvals.
- ii. The State Govt. has reported violation of 0.5883 Ha. but the nature of violation is not furnished. The detail of violation needs to be provided. Further, it has also been mentioned that it is encroachment. The same needs clarification.
- iii. It is noted that the letter dated 12.12.2013 from PCCF (HoFF) to Pr. Secretary (Forest) has been uploaded on PARIVESH in lieu of revised Catchment Treatment (CAT) Plan. Therefore, the revised Catchment Treatment Plan may be uploaded on PARIVESH. Govt. of Himachal Pradesh may also confirm the status of implementation of the CAT plan.
- iv. The point wise status of compliance of the conditions stipulated in the Stage-II approval dated 14.11.2012 1980 for diversion of 63.5015 ha of forest land for construction of 402 MW Shongtong Karchham Hydro Electric Project under FCA,1980 and Environment Clearance dated 19.05.2011 shall be furnished.
- v. The shape file/KML files for diverted area and Compensatory Afforestation (CA)/Green Belt Plantation done in case of Stage-II approval dated 14.11.2012 for diversion of 63.5015 ha of forest land shall be provided.

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- vi. The status of implementation of the R&R plan in in case of instant project shall also be submitted.
- vii. As per DSS analysis, Sangla Valley (Raksham Chitkul) Wildlife Sanctuary is located at a distance of 9.78 Km. from proposed area of diversion which is less than 10 KM. The status of notification of ESZ around the said protected area shall be submitted. Further, it shall be ascertained that the proposed area of diversion does fall within the eco-sensitive zone.
- viii. Legible copy of Survey of India (Sol) toposheet map showing proposed diversion may be uploaded on PARIVESH.

In view of above, Govt. of Himachal Pradesh is requested to furnish their response on the above observation for further consideration of the proposal in the Ministry.

Yours faithfully,

Signed by Suneet Bhardwaj

Date: 29-03-2023 23:05:00

Reason: Approved

Sd/-

(Suneet Bhardwaj)

Assistant Inspector General of Forests

Copy to:

1. The Principal Chief Conservation of Forests, Government of Himachal Pradesh, Shimla.
2. The Regional Officer, Integrated Regional Office, Shimla: **with a request to intimate whether any monitoring of FC/EC conditions stipulated in approval dated 14.11.2012/19.05.2011 has been done recently, if so, the copy of the same with their comments be furnished to this Ministry, if not done, the monitoring may be done and report be submitted to this office for further action.**
3. The Nodal Officer, O/o the PCCF, Government of Himachal Pradesh, Shimla.
4. User Agency.
5. Monitoring Cell, FC Division, MoEF & CC, New Delhi.
6. Guard File.

F. No. 8-78/2010-FC
Government of India
Ministry of Environment & Forests
(FC Division)

Paryavaran Bhawan,
C.G.O Complex, Lodhi Road,
New Delhi - 110510.
Dated: 14th November, 2012.

To
The Principal Secretary (Forests),
Government of Himachal Pradesh,
Shimla.

Sub: Diversion of 63.5015 ha of forest land for construction of 402 MW Shongtong-Karcham Hydro Electric Project in favour of Himachal Pradesh Power Corporation Limited (HPSEB) in Kinnaur Forest Division in Kinnaur district of Himachal Pradesh.

Sir,

I am directed to refer to the State Government's letter no. Ft.48-1942/2009 (FCA) dated 04.09.2010 on the subject cited above seeking prior approval of the Central Government under the Forest (Conservation) Act, 1980. After careful consideration of the proposal by the Forest Advisory Committee constituted under section-3 of the said Act, in-principle approval was granted vide this Ministry's letter of even number dated 22.03.2011 subject to fulfillment of certain conditions. 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 Nodal officer (FCA) of the State Government vide letter nos. Ft.48-1942/2009(FCA) dated 10.05.2011, Ft.48-1942/2004(FCA) dated 25.08.2012 and Ft.48-1942/2004(FCA) dated 16.10.2012, permission of the Central Government for diversion of 63.5015 ha of forest land for construction of 402 MW Shongtong-Karcham Hydro Electric Project in favour of Himachal Pradesh Power Corporation Limited (HPSEB) in Kinnaur Forest Division in Kinnaur district of Himachal Pradesh under the provisions of Section 2 of Forest (Conservation) Act, 1980 is hereby granted subject to fulfillment of the following conditions:

1. Legal Status of the diverted forest land shall remain unchanged.
2. The Compensatory Afforestation (CA) will be raised and maintained over double the area proposed for diversion in a degraded forest land (i.e. 128 ha) at the cost of User Agency.
3. The User Agency shall pay additional NPV, if so determined, as per the final decision of Hon'ble Supreme Court of India.

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4. All the funds received from the User Agency under the project shall be transferred to Ad-hoc CAMPA pertaining to the State.
5. The State Government shall ensure that minimum flow of 15% is maintained at all time.
6. The user agency shall set up Ecological Monitoring Unit to monitor the impact of the project on flora and fauna of the area.
7. The user agency shall keep the effect of camping labourers on the flora and fauna during the construction phase of 48 months at minimum by providing alternate fuel for cooking and heating.
8. The entire reservoir created due to submergence shall be declared Reserve Forest under Indian Forest Act, 1927 within six months. However, regulated fishing shall be allowed. Nodal Officer shall submit compliance report in this regard.
9. Catchment Area Treatment Plan should be implemented at the project cost under the supervision of the State Government.
10. Green belt of adequate width shall be raised by the user agency around the reservoir at the cost of the project.
11. The user agency shall facilitate a basin level study on the impact of HEPs on the flora & fauna of the area as per the TOR submitted to MoEF.
12. The user agency shall carry out muck disposal at pre-designated sites in such a manner so as to avoid its rolling down.
13. The dumping area for muck disposal shall be stabilized and reclaimed by planting suitable species by the user agency at the cost of project under the supervision of State Forest Department. Retaining walls and terracing shall be carried out to hold the dumping material in place. Stabilization and reclamation of such dumping sites shall be completed before handing over the same to the State Forest Department in a time bound manner as per Plan.
14. The User agency will consult other organisations having experience in construction of roads in hilly areas such as BRO to avoid frequent road blockade due to land slides etc and shall provide breast walls and retaining walls wherever necessary.
15. The Forest Department shall regenerate equivalent amount of degraded forest area, in addition to the condition no. 1. As the user agency does not have qualified manpower and control on forest area to execute the same, they have paid for the same to the CF, Rampur. The Forest Department shall implement the same and submit a compliance report.
16. The User Agency shall submit annual self monitoring report indicating status of compliance to the conditions stipulated in the approval, to the State Government and the concerned Regional Office of the Ministry.

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17. All other conditions including standard conditions applicable to the proposals under Forest (Conservation) Act, 1980 and under different rules regulations and guidelines including Environmental Clearance and rehabilitation shall be complied with before transfer of forest land

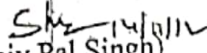
Yours faithfully,

(Shiv Pal Singh)

Sr. Assistant Inspector General of Forests

Copy to:-

1. The Principal Chief Conservator of Forests, Himachal Pradesh, Shimla.
2. The Nodal Officer (FCA), Forest Department, Himachal Pradesh, Shimla.
3. The Conservator of Forests (Central), Northern Regional Office, Chandigarh.
4. User Agency.
5. Monitoring Cell of FC Section.
6. Guard File.


(Shiv Pal Singh)

Sr. Assistant Inspector General of Forests