



Friends HIM Energies

Head Office C/o Happy Sen. Sec. School, Jail Road, Gurdaspur

Ref. No. FHB/SHP/SHW-IV-0082

Dated 23-05-23

To

The D.F.O.,
Churah,
District Chamba (H.P.)

Subject: Diversion of 8.0678 ha of forest land in favour of M/s. Friends Him Energies C/o New Happy Sen. Sec. School, Jail Road, Gurdaspur-143521 Punjab for the construction of Siul-IV SHEP, within the jurisdiction of Churah Forest Division, Distt. Chamba Himachal Pradesh. (Online Proposal No. FP/HP/HYD/35437/2018).

Dear Sir,

The point-wise replies in respect of all the observations contained in your endorsed letter No. 8B/HP/01/147/2019/FC dated 12.01.2023 are submitted for your kind perusal and favorable considerations under:-

1. The matter has been taken-up by the Nodal officer cum-APCCF (FCA) with Principal Secretary (Forest) to the GOHP vide their letter no Ft.48-3785/2018(FCA) Dated-13-02-2023 (copy enclosed). Further, the matter has been taken-up by the Principal Secretary (Forest) to the GOHP with FC-Cum Principal Secretary (Revenue) to the GOHP vides their letter no. FFE-B-F (2)-2(2022) Dated-07-03-2023 (copy enclosed). In this regard from the office of Principal Sectary (Revenue) the Joint.Sectary (Revenue) clarify that the units of land measurement presently existing as Karam in District Chamba can be converted into slandered /universally accepted system of land measurement units in meter only after the operation/process of fresh settlement in the area is completed and it will take long time to complete the settlement process in Salooni (copy enclosed). So, we have provided an undertaking stating that at the time of acquisition of land we shall take only 15 meter width of transmission and rest of the part will not be acquired by the Project Authority and could be considered as surrendered to the concerned Forest Department. It is also pertinent to mention here that the Project authority has also agreed to deposit all compensatory levies for the area being asked for diversion i.e. 8.0678 ha.
2. The relevant document in this regard from the implementing agency of small hydro projects in Himachal Pradesh i.e. HIMURJA is attached.
3. Comments from the Chief Wildlife Warden are furnished in the attachment stating that the capacity of the project is 4MW and it does not fall under Schedule of EIA Notification 2006 hence, no prior approval from NBWL/SCNBWL is required for the same.
4. The matter pertains to the D.F.O., Churah for further necessary action.
5. Revised KML file under B.2.4 component-wise break-up marked in different colours has been uploaded again. In this regard it is submitted that the Hon'ble Supreme Court has removed the ban vide order/Petition No.202/1995 on 08-02-2023, & allowed diversion of forest land in protection working circle. We hope that you find our item-wise replies to your observations in order and the same meet your kind approval.

Thanking you and looking forward to receive your favourable response at an early date.

Sincerely yours,

Nitin Ramshan
Project Manager
M/s. Friends Him Energies LLP
M/s. Friends HIM Energies

Enclose: As above

No. Ft. 48-3785/2018 (FCA),
Forest Department, Himachal Pradesh

From: Principal Chief Conservator of Forests (HoFF)
Himachal Pradesh, Shimla-1.

To : The Principal Secretary (Forests) to the
Govt. of Himachal Pradesh, Shimla.

Dated Shimla-1, the

**Subject: Diversion of 8.0678 ha. of forest land in favour of M/s Friends Him
Energies, C/o Near Happy Sr. Sec. School, Jail Road, Gurdaspur,
for the construction of Suil-IV SHEP, within the jurisdiction of
Churah Forest Division, Distt. Chamba, Himachal Pradesh. (Online
No. FP/HP/HYD/35437/2018)**

Sir,

As per GoI EDS dated 12.01.2023 (copy enclosed) at Point No.1, "In reference to the observation No.1, the submission presented is not in consonance as per the Para 3 (1.5) OM issued by MoEF&CC dated 13.05.2022 which says that " *the State Government should take appropriate action to resort the universally accepted the land measurement units*". and accordingly the proposed RoW shall be calculated as per the universally accepted system".

2. The Govt. of India has directed in REC meeting convened on 20.06.2022 that issue of unit of land measurement is "Karam" in Chamba district. The RoW for transmission line is not possible to measures because the measurement scale i.e., "Karam" of revenue department is 1.42 mtrs on Latha or Tatima. It is therefore, requested that the matter regarding to resort the universally accepted system of land measurement units be taken up with the Revenue Department at Govt. level, so that issue of land measurement in Chamba district can be resolved at the earliest.

This is submitted for favour of information please.

Yours faithfully,

Nodal Officer-cum-APCCF(FCA)
O/o Pr. CCF (HoFF), H.P.Shimla-1

Endst. No.Ft.48- 3785/2018 (FCA)

Dated, Shimla the 13 FEB 2023

Copy is forwarded to for information and further necessary action:

1. The project Manager of M/s Friends Him Energies, C/o Near Happy Sr.
Sec.School Jail road Gurdaspur-143521.

Nodal Officer-cum-APCCF(FCA)
O/o Pr. CCF (HoFF), H.P.Shimla-I

08.02.2023

No. FFE-B-F(2)-2/2022
Government of Himachal Pradesh
Department of Forests.

From

Principal Secretary (Forests) to the
Government of Himachal Pradesh, Shimla-2.

To

The FC-cum-Principal Secretary (Revenue) to the
Government of Himachal Pradesh, Shimla-171 002.

Dated: Shimla- 2, the 07 March, 2023.

Subject:-

Diversion of 8.0678 ha of forest land in favour of M/s Friends Him Energies, C/o Near Happy Sr. Sec. School, Jail Road, Gurdaspur, for the construction of Suil-IV SHEP, within the jurisdiction of Churah Forest Division, Distt. Chamba, Himachal Pradesh (Online Proposal No. FP/HP/HYD/35437/2018).

Sir,

I am directed to enclose herewith a copy of letter No. 8B/HP/01/147/2019/FC, dated 12-01-2023 received from the Regional Officer, IRO, MoEF&CC, Govt. of India, Shimla on the subject cited above and to say that the Ministry has raised following observation in the aforesaid proposal:-

"In reference to the observation No. 1, the submission presented is not in consonance as per the Para 3 (1.5) OM issued by the MoEFCC dated 13.05.2022 which says that 'the State Government should take appropriate action to resort the universally accepted the land measurement units' and accordingly the proposed RoW shall be calculated as per the universally accepted system.

2. Further, the Govt. of India has directed in REC meeting convened on 20.06.2022 that issue of unit of land measurement is "Karam" in Chamba District. The RoW for transmission line is not possible to measures because the measurement scale i.e. "Karam" of Revenue Department is 1.42 mtrs on Latha or Tatima. ↗

3. It is, therefore, requested to take necessary action to resort the issue of universally accepted system of land measurement units so that the aforesaid issue of land measurement in Chamba District could be resolved at the earliest.

Yours faithfully,

(C.P. Verma, IAS),
Special Secretary (Forests) to the
Government of Himachal Pradesh
Phone No. 0177-2620887

Contd..

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No. Rev- D (G) 7-6/2023
Government of Himachal Pradesh,
Department of Revenue

From

The Principal Secretary (Revenue) to the
Government of Himachal Pradesh

To

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

Dated : Shimla-2, the

16-05-2023

Subject :

Diversion of 8.0678 hac of forest land in favour of M/s Friends Him Energies, C/o near Happy Sr. Sec. School, Jail Road, Gurdaspur for the construction of Suil-IV SHEP, within the jurisdiction of Churah Forest Division, District Chamba, Himachal Pradesh.

Sir,

P-11/c
I am directed to refer to your letter No. FFE-B-F(2)-2/2022 dated 7th March, 2023 on the subject cited above and to clarify that the units of land measurement presently existing as Karam in Chamba district can be converted into standard/universally accepted system of land measurement units in meters only after the operation/process of fresh settlement in the area is conducted/completed. At present settlement operation is underway in some parts of district Chamba and the measurement in meters units will be applicable after new latha is prepared on completion of settlement process in district Chamba. Therefore, the existing unit of Karam is to be used to finalize the RoW for transmission line of M/s Friends Him Energies for construction of Suil-IV SHEP in district Chamba at present.

In view of the above, since it will take a long time to start/complete the settlement process in Tehsil Salooni, hence, further action in the matter may be taken accordingly.

Yours faithfully,

(Balwan Chand)

Joint Secretary (Revenue) to the
Government of Himachal Pradesh

Endst: As above,

Dated: Shimla-2,

16-05-2023

Copy is forwarded to:-

1. Deputy Commissioner, District Chamba, Himachal Pradesh for information and necessary action.
2. M/s Friends Him Energies, C/o near Happy Sr. Sec. School, Jail Road, Gurdaspur for information.

Joint Secretary (Revenue) to the
Government of Himachal Pradesh

UNDERTAKING

I / We M/S FRIENDS HIM ENERGIES have applied for diversion of 8.0678 hectares forest land for the construction of Siul-IV 4MW SHEP at Village Digodi, Tehsil Salooni District Chamba H.P. I am Mr. Nitin Ramshan project manager of the Siul-IV 4MW SHEP hereby, undertake in respect of MoEF observation letter No. 8B/HP/01/147/2019/FC dated 12.01.2023 Ponit No.1 So, we have provided undertaking that at the time of acquisition of land we shall take only 15meters width of transmission and rest of the part will not be acquired by the project authority and could be considered as surrendered to the concerned forest department. This is also pertinent to mention here that project authority is also agreed to deposit all compensatory levies for the area being asked for diversion i.e. 8.0678 hectare.

Place:.....Chamba

Dated:.....28/05/23


Project Manager
User Agency
M/S Friends Him Energies Pvt. Ltd



(H.P. Govt. Energy Development Agency)

HIMURJA, Urja Bhawan, Block No 8-A SDA Complex , Kasumpti , Shimla-171009

PHONE-0177- 2621783, 2628074, FAX 0177-2622635

No. HIMURJA/ (F-7)O&M-Project

From

319

Dated:

21.4.2022

Chief Executive Officer,
HIMURJA, Kasumpti, Shimla-9

To

✓ Nodal Officer-cum-APCCF (FCA)
O/o Pr. CCF(HoFF),H.P.


**Subject: Diversion of 8.0678 ha. Of forest land in favour of M/s Friends him Energies,
C/o Near Happy Sr. Sec. School, Jail Road, Gurdaspur, for the construction
of Suil-IV SHEP, within the jurisdiction of Churah Forest division, Distt.
Chamba, Himachal Pradesh.**

Sir,

In reference to your letter No. Ft. 48-3785/2018(FCA) dated 29-03-2023, kindly find enclosed herewith the list of projects allotted to the IPPs upto 5 MW capacity on Suil stream of Ravi river basin in district Chamba.

This is for your information please.

Yours sincerely,

 20/04/2022

Encls: As Above

Project Director-cum-Dy-CEO

HIMURJA, Urja Bhawan

Kasumpti Shimla- 171009

Sr. No.	Firm Name	Project Name	District	Capacity (MW)	Status	Basin	Stream	Date of Allotment	± Elev. of Weir(m)	± Elev. of PH(m)
1	Siul Baroti Hydro Projects Ltd.	Siul Baroti	Chamba	4.50	Under Clearance	Ravi	Suil	20-05-2002	1262.5	1200
2	Gujarat Coastal Construction Limited	Suil-I	Chamba	5.00	Under Construction	Ravi	Suil	04-05-2001	1715	1604
3	KVA Hydro. Pvt. Ltd.	Suil-II	Chamba	5.00	Under Clearance	Ravi	Suil	01-02-1997 04-05-2001	1600	1480
4	Panera Biotech (P) Ltd.	Siul Rathirani	Chamba	5.00	DPR with DoE for TEC	Ravi	suil	10-08-2015	2460	2210
5	M/s Trinity Hydro Power (P) Ltd.,	Siul Langeri	Chamba	5.00	DPR with DoE for TEC	Ravi	suil	10-08-2015	2160	1980
6	Friends Him Energies (Partnership)	Siul-IV	Chamba	4.00	TEC Accorded	Ravi	suil	10-08-2015	1813.3	1745
7	Puneet Sharma (Sole Prop.)	Siul-III	Chamba	3.00	DPR with DoE for TEC	Ravi	suil	10-08-2015	1294	1265
8	Purjit Singh S/o Sh Tara Singh	Siul Baroti-III	Chamba	4.00	DPR with DoE for TEC	Ravi	suil	19-12-2016	1193	1132

X
2/2

[Signature]

No. WL (Misc.)-18/Diversion/ 7142
Himachal Pradesh Forest Department

Dated Shimla-1, the 23-2-2023

From: Pr. CCF Wildlife and
CWLW, HP Shimla.

To: Nodal Officer-cum-APCCF (FCA)
O/o Pr. CCF (HoFF) Shimla.

Subject: Diversion of 8.0678 hac. of forest land in favour of M/s Friends Him
Energies, C/o Near Happy Sr. Secondary School, Jail Road, Gurdaspur-
143521 for construction of Siui-iv-SHEP, within the jurisdiction of
Churah Forest Division, District Chamba, Himachal Pradesh.

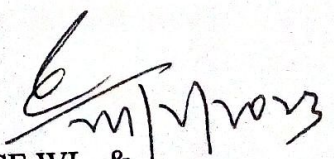
Memo.

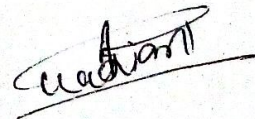
Kindly refer to your office memo No.Ft.48-3785/2018 (FCA) dated
13.02.2023 on the subject cited above.

In this regard, it is submitted that as per the revised guidelines received
from GoI, MoEF &CC vide F.No.6-30/2019-WL dated 21.07.2022 under point No. 1.6,
it has been mentioned that the activities/projects falling under the schedule of EIA
Notification, 2006 require the prior approval of NBWL/SCNBWL.

Since the said project is of 4 MW capacity and does not fall under the
schedule of EIA Notification, 2006 hence no prior approval from NBWL/SCNBWL is
required in this case.

This is for your further necessary action please.


PCCF.WL. &
CWLW, HP



F. No. 6-30/2019-WL

Government of India

Ministry of Environment, Forest and Climate Change
(Wildlife Division)

3rd Floor, Jal Wing,
Indira Paryavaran Bhawan,
Jor Bagh Road, New Delhi 110003.

21st July, 2022

To

1. The Principal Secretary (Forests)
All States/UTs
2. The Chief Wild Life warden
All States/UTs
3. The PCCF, All States/UTs

Sub: Revised guidelines for seeking recommendations of Standing Committee of National Board for Wild Life for activities in protected areas - reg.

Sir/Madam,

In pursuance to this Ministry's earlier letter of even number dated 06.05.2022, I have been directed to enclose herewith **revised guidelines** for seeking recommendations of Standing Committee of National Board for Wild Life for ready reference.

2. This issues with the approval of the competent authority.

Yours faithfully,

Encl: as above

(Dr. Rajendra Kumar)
Scientist 'C'

Email: kumar.rajendra@gov.in

Copy to:

1. PPS to DFG&SS, MoEF&CC
2. PPS to ADG(WL), MoEF&CC
3. PPS to IGF(WL)/IGF(PE)/IGF(NTCA), MoEF&CC
4. PS to DIG(WL)/DIG(FC), MoEF&CC
5. Guard File

Endst. No. WL (Misc.)-47/Road-NBWL/

Dated

Copy alongwith its enclosures is forwarded to all CCFs (WL) in H.P. for information and necessary action.

Encls: As above.

APCCF (WL)

O/o PCCF WL HP

GUIDELINES FOR SEEKING RECOMMENDATIONS OF STANDING COMMITTEE OF NATIONAL BOARD FOR WILD LIFE

Areas of ecological, faunal, floral, geomorphological, natural or zoological significance and reserve forests are notified as Sanctuaries and National Parks for the purpose of protecting, propagating or developing wildlife or its environment. Such areas are extremely important for conservation of biodiversity and ensuring the survival of its floral and faunal components. Activities involving use or diversion of any part of a notified protected area should therefore be permitted only after taking into account the likely impact of the activity on the protected area.

The Ministry has issued clarifications/guidelines from time to time for submission of proposals for consideration of the National Board for Wild Life (NBWL)/Standing Committee of the National Board for Wild Life (SCNBWL). These guidelines are being issued in supersession of the earlier guidelines.

1.	ACTIVITIES INSIDE PROTECTED AREAS
	Consideration and recommendation of NBWL/SCNBWL is required in the following cases:
1.1	WILDLIFE SANCTUARIES:
	In view of the provisions of section 29 of the Wild Life (Protection) Act, 1972 (WLPA), consultation with the State Board for Wild Life (SBWL) is required before permitting any activity mentioned in this section within a sanctuary. In view of the directions dated 9 th May 2002 of the Hon'ble Supreme Court of India in Writ Petition (Civil) No. 337/1995 and order dated 5.10.2015 in W.P. (C) No. 202/1995, all such proposals also require recommendation of the SCNBWL.
1.2	NATIONAL PARKS:
	Section 35 (6) of WLPA mandates consultation with the NBWL for undertaking any activity mentioned therein within a National Park.
1.3	OTHER PROVISIONS:
	Section 33 (a) of the WLPA provides for prior approval of the National Board for construction of commercial tourist lodges, hotels, zoos and safari parks inside a sanctuary. This proviso is also applicable to National Parks as per Section 35 (8) of the WLPA.
1.4	ACTIVITIES WITHIN TIGER RESERVES AND LINKING AREAS:

- i. The User Agency shall submit the proposal online on the PARIVESH portal of the Ministry. A User Manual for online submission and monitoring of Environmental, Forest and Wild Life Clearance is available at <https://parivesh.nic.in>. No proposal submitted for consideration of the SCNBWL in physical form shall be entertained by the Ministry.
- ii. The user agency can also track the movement of the proposal through different stages of processing through the online clearance system.
- iii. The roles of various agencies involved in the process and actions required to be taken are provided in the manual. In case of difficulty, the details of concerned to be contacted have also been provided.

3. TIME LINES TO BE FOLLOWED BY VARIOUS AGENCIES INVOLVED IN PROCESSING THE PROPOSALS:

Following time lines will be adhered by all the officials responsible for the activities indicated

1	DFO/Wild Life Warden	i. Initial scrutiny in 5 days of receipt of the proposal
		ii. 15 days after receipt of complete proposal for site inspection, consultation with Conservator of Forests/Chief Conservator of Forests/Addl. Principal Chief Conservator of Forests and forwarding to the Chief Wild Life Warden
2	Chief Wild Life Warden	15 days from receipt of proposal for scrutiny and recommendation to the State Government for placing before the State Board for Wild Life.
3	Consultation with State Board for Wild Life and recommendation of State Government	The activity involves decision of the State Government, consultation with State Board for Wild Life and thereafter, recommendation of State Government to Ministry of Environment, Forest and Climate Change enclosing the copy of the minutes of the State Board for Wild Life. Therefore, this stage may take up to 45 days (one and half months) , as the State Board for Wild Life is chaired by Hon'ble Chief Minister.
4	Ministry of Environment, Forest and Climate Change	i. Initial scrutiny in 10 days of receipt of the proposal
5	Consultation with Standing Committee of National Board for Wild Life	ii. In the upcoming Meetings of Standing Committee of National Board for Wild Life which are ordinarily convened once in 3 months .

	The Protected Areas constituting a Tiger Reserve attract all the provisions applicable for National Parks or Sanctuaries. In addition, as per section 38-O (1) (g) of the Act, approval of NBWL and advice of the National Tiger Conservation Authority (NTCA) are required for activities within tiger reserves and in areas linking one Protected Area or tiger reserve with another Protected Area or tiger reserve for ecologically unsustainable uses, except in public interest.
1.5	ALTERATION OF BOUNDARIES:
	In view of sections 26A (3) and 35 (5) of WLPA, no alteration of the boundaries of a Sanctuary/National Park by the State Government can be made except on a recommendation of the NBWL/SCNBWL. Further, in view of section 38 W of the WLPA, no alteration in the boundaries of a Tiger Reserve can be made except on a recommendation of the NTCA and the approval of the NBWL.
1.6	ACTIVITIES INSIDE ECO-SENSITIVE ZONES:
	Notifications of Eco-Sensitive Zones (ESZ) specify the activities which are prohibited, regulated and promoted in the ESZ. Proposals for prohibited activities should not be forwarded for consideration of the SCNBWL. For taking up any activity within an ESZ, if notified, or within 10 km zone of the boundary of National Parks/Wildlife Sanctuaries (if ESZ has not been notified), prior approval of the NBWL/SCNBWL shall be required if the activity/project is listed in the schedule of the EIA Notification 2006 as amended from time to time.
1.7	ACTIVITIES REFERRED BY OTHER AGENCIES:
	There may be cases where chairperson of NBWL/SCNBWL or Hon'ble Supreme Court of India or any other statutory agency may desire examination of a proposal by the NBWL/SCNBWL. Such cases may be submitted by the State Government/UT Administration for consideration of NBWL/SCNBWL along with the recommendations of the SBWL.
2.	PROCEDURE TO BE FOLLOWED FOR CONSIDERATION OF PROPOSALS BY THE STANDING COMMITTEE OF NATIONAL BOARD FOR WILDLIFE:

4.	PROPOSALS FOR SURVEY WORK TO BE CARRIED OUT INSIDE NATIONAL PARKS AND WILDLIFE SANCTUARIES:
	<p>State Governments/Union Territory Administrations may consider prescribing rules under section 28 of the WLPA regarding safeguards to be followed while entering Protected Areas for survey/ investigation. In view of section 35(8) of the Act, the provisions of section 28 apply in relation to a National Park as they apply in relation to a sanctuary.</p> <p>It may be noted that when invasive activities (such as destruction, exploitation, removal etc from PA) are involved, the permit for survey and investigation can be issued only after consideration by the SCNBWL. In case survey work and/or Environment Impact Assessment (EIA) studies are to be taken up in areas involving a Protected Area, and are covered under section 29 or 35(6) of WLPA, then also the entire procedure, as prescribed in paragraph 2 above needs to be followed.</p>
5.	MANDATORY SUBMISSION OF ANIMAL PASSAGE PLANS:
	<p>A guidance document, namely, 'Eco-friendly Measures to Mitigate Impacts of Linear Infrastructure on Wild Life' has been prepared by the Ministry. The document prescribes measures, both structural and non-structural, to be adopted while designing linear infrastructure projects through wildlife habitats. Whenever a linear infrastructure project is planned through a wildlife habitat, an animal passage plan shall be prepared by the user agency in consultation with the Chief Wild Life Warden for submission along with the project proposal.</p>
6.	COST OF MITIGATION MEASURES:
	<p>Measures to mitigate impacts of projects in protected areas and eco-sensitive zones should be part of project proposals. Instead of imposing a fixed cost, mitigation measures and costs associated with such measures should be prescribed while recommending project proposals.</p>
7.	MANAGEMENT PLANS FOR AREAS UNDER TRANSMISSION LINES:
	<p>Proposals for transmission lines shall be accompanied with a management plan for the area below the transmission line. The management plan should prescribe the species to be planted and maintained below the transmission line, periodicity of maintenance etc.</p>
8.	BIO-DIVERSITY IMPACT ASSESSMENT REPORT:
	<p>Proposals for use of an area exceeding 50 ha within a sanctuary/national park shall be accompanied with a bio-diversity impact assessment study report prepared by an agency accredited by the Government of India.</p>
9.	MINING PROPOSALS:
	<p>In view of the direction of the Hon'ble Supreme Court of India in its order dated 04.08.2006 in I.A. 1000 in W.P. 202/95, no proposal for mining in a</p>

	sanctuary/National Park or within one km from the boundary of a sanctuary/ National Park should be forwarded to the Ministry for consideration of the SCNBWL.
10.	USE OF INNOVATIVE TECHNOLOGY IN MITIGATION OF IMPACTS:
	State/UT Governments shall endeavor to encourage user agencies to use innovative technologies and modern scientific tools while prescribing mitigation measures and monitoring the impact of developmental activities on wildlife habitats.
