

Himachal Pradesh
I&PH Department

No. EE/IPHD/WA-I/ NOC Project/ 2019-
To

796-94

Dated :- 13-5-19

M/S Baldev Singh S/o Sh. Diwan Chand
VPO Sahoura, Tehsil & Distt. Kangra H.P.

**Subject: No Objection Certificate for C/o Small Hydel Project Lower IKU-I (1.00MW)
On Iku Khad in Tehsil Dharamshala Distt. Kangra H.P.**

Reference: SE office letter No. SE/PHCD/WS- NOC/2019- 1192-96 dated 08/05/2019.

This No Objection Certificate for the C/O Small Hydel Project Lower IKU-I (1.00MW) capacity Baldev Singh S/o Sh. Diwan Chand VPO Sahoura, Tehsil & Distt. Kangra H.P. is hereby issued on behalf of IPH Department as approved vide Superintending Engineer IPH Circle Dharamshala letter No. SE/PHCD/WS WS- NOC/2019- 1192-96 dated 08/05/2019 as per powers conferred by the Principal Secretary (IPH) to the Govt. of Himachal Pradesh Shimla vide Notification No. IPH-B(F)5-4/2006 dated 29/8/2007 & Engineer -In- Chief ,I&PH Department, U.S. Club Shimla letter No. IPH-Irrig. Gen. HEP/2007-2504-22 dated 13th September, 2007 subject to the following terms and conditions.

TERMS AND CONDITIONS:-

1. That for any modification to be carried out by the firm in the jurisdiction of prior approval of the Department shall be taken & design shall be subject to approval of this department.
2. The usage of water of IKU Khad shall be taken over by the second party purely on temporary basis and the firm shall have no permanent right on it.
3. The Joint inspection of site of **Small Hydel Project Lower IKU-I (1.00MW)** capacity was conducted on 21/02/2019, by Assistant Engineer IPH Sub Division Dharamshala with Junior Engineer of concerned section along with representative of the firm and it shall be complied with in future as an when required as per direction of IPH Department. **The Project weir should be proposed down stream of head weir of Machhul Kuhl.**
4. That the IPH Department has power to stop the construction work of **Small Hydel Project Lower IKU-I (1.00MW)**, if any ongoing scheme is disturbed/ effected by the firm during the construction of the project.
5. If any private khad/kuhl are disturbed /affected due to execution of this project the project authority has to talk with the beneficiary i.e. Pardhan of Gram Panchayat concerned and K.V.S for the its alternative arrangement.
6. If any WSS or Irrigation Scheme and water mills on upstream and down stream of project is submerged/ disturbed due to construction of this project the project authority will have to pay the full compensation claim for that as per estimate sanction by the department and will have to deposit the original cost of scheme including its remodeling, restoration and augmentation cost as the case may be.
7. This Department reserves the right to draw as much quantity of water as required from the concerned **Lower IKU -I** to formulate and execute any WSS or Irrigation scheme in future.
8. The project shall be based on **"Run Off"** condition there should not be any diversion and poundage facility which may affect natural water flow condition in upstream and downstream of khad.
9. The Chief Engineer (DZ) IPH Department ,Dharamshala shall be the sole adjudicator for any dispute arising during construction as well as subsequently and his decision shall be binding

- on all the parties.
10. That in case there is any scarcity of water due to drought or any other reason, the requirement of department shall have precedence over the requirement of the **HEP**.
 11. The proposed **project** will not infringe the drinking rights on upstream or downstream of the project of any existing/Proposed scheme of IPH Department.
 12. The second party shall furnish to the first party a compendium giving details of Hydrological data/ observation within one year of signing of **MOU**.
 13. The second party will not dump blasting muck and soil etc. on the project site or any other in appropriate place, which flow further to down stream of the khad causing serious threat to the existing water supply or Irrigation scheme of H.P IPH Department
 14. A forum of hydro power producers of Beas based has come into existence on 5/11/2005 and the guidelines of this forum Whatever applicable, the attempt will be made to abide by the recommendations of the forum and applicable to second party. If however any such more forum are constituted for other river basin the guidelines of the same shall be applicable on second party.
 15. The second party shall ensure to project the water rights of the local inhabitants for drinking and irrigation purposed etc be verifying the revenue entries and activities of IPH department so as to ensure that such rights are not infringed upon, any dispute in the matter shall be referred to a committee, to be appointed by the first party involving IPH and revenue Departments. However the decision of the first party shall be final and binding on all the parties.
 16. The first party shall put in place a committee comprising of experts from the relevant field for determination of the impact, if any on the existing water supply or irrigation projects due to allotment of any upstream and /or downstream project. In the event of a dispute the decision of first party in the matter shall be final and binding on all the parties.
 17. The second party shall ensure minimum flow of threshold value of water not less than 15% of the minimum flow observed in the lean season immediately downstream of the project all the time including lean season form Novembers to March of every year. Keeping in mind the serious concern of the state government on account of its fragile ecology environment and also to address issue concerning riparian rights, drinking water etc. & even to honor the sensitive religious issues like cremation and other religions rights etc. on the river/Nalah bank. However the second party is at liberty to install Small Hydly Project to harness such water for their captive use, utilities system and colonies.

Executive Engineer,
IPH Division,
Dharamshala.

Copy forwarded to Engineer-in-Chief IPH Department U.S. Club Shimla for information please.

Copy forwarded to Chief Engineer (DZ) IPH Department D/shala for information please.

Copy forwarded to Superintending Engineer IPH Circle Dharamshala for information please with reference letter referred to above.

Copy forwarded to Assistant Engineer IPH Sub Division Dharamshala for information please with reference to your office letter No. 4330 dated 22/02/2019.

Executive Engineer,
IPH Division,
Dharamshala