

Sub: Proposal for seeking prior approval under Forest (Conservation) Act, 1980 for use of additional area of 0.9486 ha (in addition to the already diverted 98.1004 ha) of forest land in favour of SJAVN Ltd. for Luhri HEP Stage-I for approach road under the Jurisdiction of Ani at Luhri Forest Division and District Kullu, Himachal Pradesh (Online Proposal No. FP/HP/HYD/39709/2019)-reg.

Background of the Proposal:

1. The State Government of Himachal Pradesh vide letter No. 48-3920/2019(FCA) dated 18.05.2020 has submitted the above mentioned proposal through online on PARIVESH portal.
2. As per the Nodal Officer forwarding letter the proposed forest land to be diverted forms a part of UPF, which falls under jurisdiction of Ani Forest Division and District Kullu of HP State. The working plan of this division has been expired on 31.03.2015. However, as per old working plan of Outer Seraj the proposed area falls under improvement working circle. In all 26 trees and 73 saplings = total 99 of different species are standing on the forest land proposed for diversion
3. This proposal relates to already approved 98.1004 ha of forest land in favour of SJVN Limited for construction of Luhri HEP Stage-I (219.0 MW) in Ani, Kotgarh and Rampur Forest Division, Himachal Pradesh.
4. The old proposal for diversion of 98.1004 ha of forest land for construction of 219 MW Luhri Hydro Electric Project in favour of SJVN, District Shimla, Himachal Pradesh had accorded final approval by the Ministry's letter No. 8-48/2018-FC dated 28.03.2019.
5. The details fact sheet of the proposal are as given below:

FACT SHEET

1.	Name of the Proposal	Luhri HEP Stage-I for approach road
2.	Online Proposal No.	FP/HP/HYD/39709/2019
3.	Location:	
	State	Himachal Pradesh.
	District	Kullu
4.	Category of the project	Hydel
5.	Detail of user agency	
	Name of the user agency	R L Negi
	Nature of user agency	Central PSU
6.	Particular of Forests	
i.	Name of Forest Division	Ani at Luhri
ii.	Forest Range/Block/C.No.	Chowai. C. No. H43F7, 1/19 Lambidhar
iii.	Area of Forest land proposed for Diversion (in Ha.)	0.9486 ha
iv.	Legal Status of Forest land	Protected Forest
v.	Density of Vegetation	0.3, Eco Class 5
7.	Maps	
i.	Differential GPS map of the area proposed for diversion	Attached with the proposal and uploaded in PARIVESH portal
ii.	Survey of India toposheet on 1:50,000 scale showing the area proposed for diversion	Attached with the proposal and uploaded in PARIVESH portal
iii.	Land use plan	Approach road = 0.9486
iv.	Forest Cover map	Not Given
v.	Authenticated DGPS maps for Non-forest land and forest land proposed for diversion.	Attached with the proposal and uploaded in PARIVESH portal
vi.	Layout plan approved by the competent authority	Attached with the proposal and uploaded in PARIVESH portal

8.	Vegetation					
i.	Species-wise (scientific names) and diameter class-wise enumeration of trees to be enclosed.	S. No.	Scientific name	Local Name	0-30 cm	31-60 cm
		1	Melotus Philippensis	Reuin	5	0
		2	Dalburgia Sisso	Shisham	92	1
		3	others	Kakar Singhi (Pistacia integerrima)	1	0
		Total			98	1
		The enumeration list of the trees proposed to be felled is attached with the proposal.				
ii.	Number of trees	26 trees and 73 saplings as per the forwarding letter of Nodal Officer				
9.	Brief note on vulnerability of the forest area to erosion.	Not vulnerable				
10.	Approximate distance of proposed site for diversion from boundary of forest	0.5 KM				
11.	Whether forms part of National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor etc. (if so, the details of the area the comments of the Chief Wildlife Warden to be annexed)	No, but the following wildlife is present in the proposed area: Leopard, Fox, Bear, Ghoral etc.				
12.	Whether any rare/ endangered/ unique species of flora and fauna found in the area if so, details thereof.	No rare or endangered species of flora or fauna is found in the area				
13.	Whether any protected archaeological/ heritage site/ defence establishment or any other important monument is located in the area. If so, the details thereof with NOC from competent authority, if required.	No				
14.	Whether the requirement of forest land as proposed by the User Agency in col.2 of Part-I is unavoidable and bare minimum for the project. If no, recommended area item-wise with details of alternatives examined.	Yes				
15.	Whether any work in violation of the Act has been carried out (Yes/ No). If yes, details of the same including period of work done, action taken on erring officials. Whether work in violation is still under progress.	No				
16.	Shape file / KML file CA and diversion land.	KML file of diverted forest land and CA land has been uploaded on PARIVESH Portal. Both KML file has been analysed by the DSS cell. The DSS report is attached with the proposal. In case of Forest land proposed for diversion: As per DSS report Proposed area for diversion of forest land falls under Kullu district of Himachal Pradesh State and calculated area of proposed forest land is found 0.86 ha instead of 0.9486 ha . Observations based on Google Earth (GE); existing road is visible on the proposed forest land and same can be verified with the help of				

		<p>GE time series images available from 14.12.2011 onwards.</p> <p>In case of CA land:</p> <p>CA has been proposed in single patch which is located in Kullu district of Himachal Pradesh State and its calculated area is found 1.89 ha. which is double in the area of proposed forest land for diversion. CA land is proposed on a sloped surface. VDF is not present on the proposed CA site.</p>
17.	Details of Compensatory Afforestation Scheme:	
i.	Details of non-forest area/ degraded forest area identified for compensatory Afforestation, its distance from adjoining forest, number of patches, size of each patch.	The CA over double the land being diverted will be raised over 1.9 ha in degraded forest land in C. No. H43F7, 1/19 Lamidhar, Chowai Range, Forest Division Ani, District Kullu, HP. It has been certified by the DFO Kullu HP that 1.9 ha of forest land identified for CA in DPF 1-19 Lamidhar is a compact block and cotiguous to forest area or is in close proximity of forest area in lieu of diversion of 0.9486 ha of forest land proposed for construction of approach road for Moin Quarry Site. The area identified for CA is suitable from the management protection point of view.
ii.	Map showing non-forest/ degraded forest area identified for compensatory Afforestation and adjoining forest boundaries.	Attached with the proposal and uploaded in PARIVESH portal
iii.	Differential GPS map of the area identified for raising CA	Attached with the proposal and uploaded in PARIVESH portal
iv.	Survey of India toposheet on 1:50,000 scale showing the area identified for CA	Attached with the proposal and uploaded in PARIVESH portal
v.	Detailed compensatory Afforestation scheme including species to be planted, implementing Agency, time schedule, cost structure etc.,	The State Government has been prepared a CA scheme on degraded land for 1.9 ha. in lieu of 0.9486 ha. of forest land proposed for diversion for maintenance of 10 year with the cost structure.
vi.	Total financial outlay for compensatory Afforestation scheme.	₹454280/-
vii.	Total financial outlay for Net Present Value	₹6,23,230/-
viii.	Certificate from competent authority regarding suitability of area identified for compensatory Afforestation and from management point of view. To be signed by the concerned Deputy Conservatory of Forests.	The Land suitability certificate has been given by the DFO Ani Forest Division at Luhri and certify that 1.9 ha of land bearing Survey No. H43F7 near village Lambidhar, Tehsil Ani, District of Kullu identified for CA is suitable for undertaking plantation from the management point of view and is free all sort of encumbrances and encroachments.
18.	Undertakings to bear the cost of CA, NPV and addl. NPV	Attached with the proposal and uploaded in PARIVESH portal.
19.	Documentary evidence in support of settlement of rights in accordance with the provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 on the forest land proposed to be diverted enclosed.	FRA has not been submitted. However, the User Agency has submitted an undertaking for submitting the FRA.

20.	Site Inspection Report of the Divisional Forest Officer	<p>The Site Inspection has been carried out by the DFO Ani Forest Division on 23.10.2019. In the SIR following has been proposed:</p> <ol style="list-style-type: none"> 1. Ensure that no muck/debris is thrown/dumped on the River/stream bed. The muck be dumped on the designated dumping sites only. 2. Before initiating the work of dumping, sites be protected by erecting protection wall to avoid rolling of debris. 3. The excavation be carryout in scientific way to avoid rolling down of muck into river/stream.
21.	Whether the project requires environment clearance	<p>Yes. EC under process. Environmental Clearance File No.: J-12011/18/2015. The ToR has been issued by the MoEF&CC on 21.12.2015.</p> <p>An undertaking has been submitted by the User Agency to submit the EC.</p>
21.	Catchment Area Treatment Plan	Approved by the State Government vide letter No. FFE-B-F-(2)-1/2018 dated 19-2-2018 for ₹2267 crore with subject to the condition that the UA will have to deposit the additional CAT plan cost @2.5% of the increase in project outlay.
22.	Rehabilitation of Oustee	Not Applicable.
i.	Number of SC Families	
ii.	Number of ST families	
iii.	Number of Backward Families	
iv.	Copies of R&R Plan	
23.	Cost Benefit Analysis	Not given
24.	Total Cost of the project	₹191259 Lakhs
25.	Employment Potential	No
27.	Profile of the District /Division	
i.	Geographical Area of the District	71,500 ha.
ii.	Total Forest Area of the District	53,502.36 ha.
iii.	Total area diverted since 1980	No. of cases – 93 Area diverted – 754.497 ha
iv.	Total compensatory Afforestation stipulated in the district /division since 1980	754.497 ha
v.	Forest land including penal compensatory Afforestation	754.497 ha.
vi.	Non-forest land	Nil
vii.	Progress of Compensatory Afforestation as on (date) 31.03.2019	
a)	Forest land	575.744 ha (as on 31.01.2019)
b)	Non-forest land	Nil
28.	Recommendation with Specific conditions, (if any)	
	DFO	As per Part-II filled by DF at page no 30/c : Since the land in question is required for public developmental works, hence recommended for the purpose as proposed for by the User Agency.
	CF	Recommended.

PCCF/ Nodal Officer (FCA)	Recommended.
State Govt.	Recommended.

6. The above facts was discussed in the FAC meeting held on **11.06.2020**. The previous agenda of this proposal may kindly be seen on PARIVESH portal.
7. As per the decision of the FAC meeting certain information sought on 14.07.2020 from the Government of Himachal Pradesh.
8. In the response of our letter the APCCF cum Nodal Officer (FCA) Himachal Pradesh vide letter No. Ft.48-3920/2019 (FCA) dated 11.09.2020 has submitted the following information:

S. No.	EDS raised by FC Division	Reply given by Nodal Officer (FCA) Govt. of HP
(i)	The State Government has examined only one option (alternative) to the present proposal. During the discussion, it was also learnt that the option was discarded on the basis of techno-economic reasons and biodiversity/Vegetation /forest issues were not considered. It was decided that the State government may examine at least three alternatives, and the one which causes minimum biodiversity loss and requires minimum forest area may be selected	The Nodal Officer (FCA), HP has informed that the DFO Ani has submitted the justification after examining the alternatives and the alternative-I having minimum forest land and minimum Nos of trees for felling has been selected and considered for construction of approach road to Moin quarry site. Copy of layout plan, Enumeration list of trees of all alternates is is given with the reply.
(ii)	State government shall also submit a compliance report of conditions imposed at the time of past approval of the project;	The Nodal Officer (FCA), HP has informed that the DFO has submitted the compliance report to the conditions, imposed in the past approval (already diverted 98.1004 ha) accorded vide Gol letter No. 8-48/2018-FC dated 28-03-2019. Copy of compliance to condition No. (i to xxvi) is is given with the reply.

9. **The following additional information has submitted by the State:**

The Nodal Officer (FCA), Himachal Pradesh has informed that the construction materials for Luhri HEP stage-I shall be obtained from Moin & Koel Quarries. The road for Moin quarry is proposed for transportation of these construction materials for all major components like Dam, Toe Power House, Switchyard, diversion Tunnel etc. of the project. **Earlier, this road was entrusted/supposed to be constructed by HPPWD to connect Moin Village (as Conveyed by HPPWD Authorities during meetings with them at the time of identification of land for various components of the project) .** But later on, the alignment of the road was changed by them and the road for Moin village was constructed through **alternate side** . Hence, now it has become necessary for SJVN to construct/widen the existing jeepable road.

10. The State has informed that the following alternatives studies were carried out to explore the selection of the road Alignment:

- a. Widening of Existing Jeepable road form Dam/Toe Power House at Nirah to Moin Quarry site on Right bank, Length **1700m** .
- b. ii) From Dam at Nirath to Moin Quarry site through NH-22 on Left bank & Moin village Length **8000m**
- c. iii) From proposed bridge at Nirth to Moin Quarry site along right bank of River Satluj, Length **3129m**

Option No-b) has been rejected because of longer distance and narrow bridge on River Satluj: The construction of new 70 R steel Truss Bridge is not possible here because required strata for construction of bridge Abutments is not available in near vicinity. Also= 1500m length of road from NH-22 to Quarry site is passing through Forest land and a more numbers of trees/saplings.

Option No-c) has also been rejected because of longer length (3129m) along right bank passing through forest land thus requiring larger area of forest land, more numbers of trees/saplings

Hence, the State has adopted option **(a)** from Dam/toe Power House at Nirath to Moin Quarry site on Right bank having 26 trees & 73 saplings has been considered for widening/construction of approach road to Moin Quarry site and the land has been identified accordingly. The map showing three numbers of alternatives examined for the construction of the approach road is attached with the proposal.

In view of the above facts file may be placed before FAC meeting scheduled to be held on 21.10.2020 for consideration.
