

Sub: Proposal for seeking prior approval under Forest (Conservation) Act, 1980 for use of 0.8374 ha of additional forest land (in addition to the already diverted 69.3762 and 0.9274 ha) for construction of Road, Bridge, River protection/Training works for Rampur Hydro Electric Project in favour of SJVN in Rampur Forest Division and District, Shimla Himachal Pradesh (Online Proposal No. FP/HP/HYD/12761/2015)-reg.

Part-A

1. The first proposal for diversion of 69.3762 ha of forest land for construction of 434 MW Rampur Hydro Electric Project in favour of SJVN, District Shimla, Himachal Pradesh was approval by the Ministry vide its letter No. **8-114/2005-FC** dated **07.04.2006**.
2. The Second proposal for diversion of 0.9274 ha additional area for construction of Adit along Head Race Tunnel (HRT) near Kasholi Khand and approach road to the Adit for construction of 434 MW Rampur Hydro Electric Project in favour of Satluj Jal Vidyut Nigam Limited in Shimla District, Himachal Pradesh was approved by the Ministry's vide letter No. **8-114/2005-FC** dated **28.05.2009**.

Part-B

1. This is the third proposal for additional area of **0.8374** ha for construction of Road, Bridge, River protection/Training works for Rampur Hydro Electric Project in favour of SJVN in Rampur Forest Division and District, Kullu Himachal Pradesh submitted by the State on **18.09.2020**.
2. The detailed information of the instant proposal is given in tabular form as below:

1.	Name of the Proposal	Construction of Road, Bridge, River protection/Training works for Rampur Hydro ElectricProject
2.	Online Proposal No.	FP/HP/HYD/12761/2015
3.	Location:	
	State	Himachal Pradesh.
	District	Shimla
4.	Category of the project	Hydel
5.	Detail of user agency	
	Name of the user agency	Rampur Hydro Electric Project SJVN Ltd.
	Nature of user agency	Central Government
6.	Particular of Forests	
i.	Name of Forest Division	Rampur
ii.	Area of Forest land proposed for Diversion (in Ha.)	0.8374 ha
iii.	Legal Status of Forest land	Unclassed Forests
iv.	Density of Vegetation	0
7.	Maps	
i.	Differential GPS map of the area proposed for diversion	Attached with the proposal and uploaded on PARIVESH portal.
ii.	Survey of India toposheet on 1:50,000 scale showing the area proposed for diversion	Attached with the proposal and uploaded on PARIVESH portal.

iii.	Land use plan	<p>1. Road (131m x 18.923m) = 0.2479 ha.</p> <p>2. River training & protection (319m x 17.727m) = 0.5655</p> <p>3. Bridge abutment (20m x 12m) = 0.024 ha</p>
iv.	Forest Cover map	NA
v.	Authenticated DGPS maps for Non-forest land and forest land proposed for diversion.	Attached with the proposal and uploaded on PARIVESH portal.
8.	Vegetation	
i.	Species-wise (scientific names) and diameter class-wise enumeration of trees to be enclosed.	Nil
ii.	Number of trees	Nil
9.	Brief note on vulnerability of the forest area to erosion.	The area is not seriously eroded or is not much vulnerable to erosion
10.	Approximate distance of proposed site for diversion from boundary of forest	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
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.	<p>Yes</p> <p>In this proposal Violation has been done as per the information provided in online form of part-II under column 11 (i).</p> <p>As per the online form it has been mentioned that the matter with regard to encroachment and raising of permanent structures over</p>

		forest land has been reported to Police under Section-32, 33 of Indian Forest Act, 1927 by lodging an FIR. At the same time the encroachment case has been prepared and challaned in the Court of Collector Grade-1-cum-Tehsildar Rampur vide Range Officer Rampur letter dated 1-6-2013.
16.	Shape file / KML file CA and diversion land.	<p>KML file of diverted forest land and CA land has been uploaded on PARIVESH Portal.</p> <p>Both KML file has been analysed by the DSS cell of FC Division.</p> <p>In case of Forest land proposed for diversion: As per revised DSS report proposed area for diversion is in Kullu district of Himachal Pradesh State and Calculated area of forest land is found 0.8372 ha. proposed for road and bridge.</p> <p>In case of CA land: The KML file of CA land has been analysed on DSS and found that the area is 1.7 and there is no VDF, MDF, OF and water. As per the GE imagery CA land is proposed on a sloped surface.</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 1.6748 ha in degraded forest land in UF-Shandal, Rampur.
ii.	Map showing non-forest/ degraded forest area identified for compensatory Afforestation and adjoining forest boundaries.	Attached with the proposal and uploaded on PARIVESH portal.
iii.	Differential GPS map of the area identified for raising CA	Attached with the proposal and uploaded on PARIVESH portal.
iv.	Survey of India toposheet on 1:50,000 scale showing the area identified for CA	Attached with the proposal and uploaded on 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 1.6748 ha. in lieu of 0.8374 ha. of forest land proposed for diversion for maintenance of 10 year with the cost structure.
vi.	Total financial outlay for compensatory Afforestation scheme.	₹5,87,053/-
vii.	Total financial outlay for Net Present Value	₹5,85,343/- NPV calculation sheet is given. The NPV is calculated for Eco-Class-VI Open Forest. The rate of NPV for Eco-Class VI is ₹6,99,000/- per ha.
viii.	Certificate from competent authority regarding suitability of area identified for compensatory Afforestation and from management point of view. To	Land suitability certificate has been given by the DFO Rampur and certify that 1.6748 ha land bearing Survey No. 53E/11 near village Shandal, Tehsil Rampur Bushahr, District Shimla

	be signed by the concerned Deputy Conservatory of Forests.	identified for CA is suitable for undertaking plantation from the management point of view and is free all sort of encumbrances and encroachments.
18.	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.	<p>The District Commissioner Shimla, Govt. HP has issued FRA certificate vide his letter no. SML-SR (57)/2014/289 dated 11.05.2015 for diversion of 0.8374 ha. of forest land proposed to be diverted in 25 favour of the Addl. General Manager (P&A) RHEP, SJVN Ltd. Jhakri Shimla for Construction of Bridge and Road at Duttnagar.</p> <p>Documentary evidences in support of settlements of rights under the Scheduled Tribe and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.</p>
19.	Site Inspection Report of the Divisional Forest Officer	The Site Inspection has been carried out by the DFO Rampur Division on 12.06.2015 . The SIR shows that this is a violation case.
20.	Whether the project requires environment clearance	No
21.	Catchment Area Treatment Plan	Not Applicable.
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	₹192623 Lakhs
25.	Employment Potential	No
26.	Undertakings to bear the cost of CA and NPV	Attached with the proposal and uploaded on PARIVESH portal.
27.	Profile of the District /Division	
i.	Geographical Area of the District	1,29,848 ha.
ii.	Total Forest Area of the District	40,372.76 ha.
iii.	Total area diverted since 1980	<p>No. of cases – 74</p> <p>Area diverted – 647.2977 ha</p>
iv.	Total compensatory Afforestation stipulated in the district /division since 1980	1547.64 ha
v.	Forest land including penal compensatory Afforestation	1547.64 ha.
vi.	Non-forest land	Nil
vii.	Progress of Compensatory Afforestation as on (date) 31.03.2019	
a)	Forest land	1538.91 ha
b)	Non-forest land	Nil

28.	Recommendation with Specific conditions, (if any)	
	DFO	Recommended
	CF	Recommended
	PCCF/ Nodal Officer (FCA)	Recommended
	State Govt.	Recommended

3. After the examination of the proposal the Ministry sought certain information from the State vide letter of even no. dated **20.05.2020**.

4. The Nodal Officer cum APCCF (FCA), Himachal Pradesh Forest Department vide letter No.Ft.48-1063/2005 (FCA) dated **18.09.2020** has submitted their point wise reply. The same is given below:

S. No.	Observations raised by the MoEFCC, New Delhi	Reply given by the Nodal Officer (FCA), HP
1	Revised Compensatory afforestation scheme with current wage rate be uploaded on PARIVESH portal.	The Nodal Officer (FCA), HP has informed that the DFO Rampur has submitted the revised CA scheme on the current wages rates and uploaded on the portal at part-II in additional information.
2	Status of the conditions of the previous approvals be uploaded on PARIVESH portal in additional information column	The Nodal Officer (FCA), HP has informed that the DFO Rampur has intimated that compliance to the Gol stipulation imposed the previous approval duly authenticated by the DFO has been uploaded on the portal at Part-I.
3	KML file of the proposed forest land being diverted is not uploaded in shape file format. Please upload the KML in shape file format instead of line format.	The User agency has uploaded the KML in shape file of the proposed forest land to be diverted on the portal.
4	Forwarding letter of the State Government be uploaded on PARIVESH portal.	The covering forwarding letter has been uploaded on the portal.

Part-C

1. After examination of the additional information submitted by the Govt. of HP, the following is observed:

- i. Regarding revised CA scheme, it has been observed that the estimate of the CA scheme submitted in 2015 was ₹587057/- and the estimate submitted now is ₹483918/-. From the pursuance of both CA schemes it has also been observed that CA scheme was prepared for 1500 plans per hectare and now for 1100 per hectare.
- ii. As informed by the Nodal Officer that the revised KML file has been uploaded on PARIVESH portal. But revised KML file was not found on the PARIVESH portal.

2. The above observations were again communicated to the Govt. of HP vide this Ministry's letter dated **15.10.2020**.

3. Now, the State Govt. of HP vide their letter No.Ft.48-1063/2005 (FCA) dated **30.01.2021** has forwarded additional information in response to this Ministry's letter dated **15.10.2020**. Point wise reply is given as under:

S. No.	Observations raised by the MoEFCC, New Delhi on 15.10.2020	Reply submitted by the Govt. of HP on 30.01.2021
1.	Revised KML file of the proposed forest land is not found on PARIVESH portal. It has been observed that the KML file currently uploaded on PARIVESH is same as the previously uploaded KML file. Therefore revised KML file of the proposed forest land being diverted be uploaded in polygon feature format.	<p>In this regard the State Govt. informed that the revised KML file has now been uploaded in online Part-I against appropriate column.</p> <p>The same has been analysed by the DSS cell of this Ministry and found that the calculated area of the KML is 0.8372 ha. It has also been observed by the DSS cell that road is visible on the proposed forest land and same can be verified with the help of GE time series images.</p> <p>Which shows that this is a Violation case.</p>
2.	Compliance report with respect to condition no 2 of the previous approval letter dealing with CA is incomplete. Govt. of Himachal Pradesh may furnish the comments in this regard.	In this regard the State Govt. informed that the compensatory afforestation has been raised and maintained over degraded forest land twice in extent to the forest land as diverted at the cost of user agency. An amount of ₹88,28,620/- with respect to already diverted land i.e. 69.3762 ha. & 0.9274 ha has been deposited by the user agency in Ad-hoc CAMPA. Out of total amount of ₹46,400/- is to be spent on maintenance in the next two years.

Observation:

1. This is a violation case as per the information provided by the DFO in online part-II under column 11 and site inspection report. The same has been observed in DSS report that road is visible on the proposed forest land and same can be verified with the help of GE time series image. Therefore, the penal provision may be imposed.

In view of the above, it is proposed that the proposal may be placed before the FAC meeting scheduled to be held on 16.02.2021.
