

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

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Indira Paryavaran Bhawan,  
Jor Bagh Road, Aliganj,  
New Delhi: 1100 03,

**Dated: 17<sup>th</sup> February, 2022**

To

**The Regional Officer,**  
Integrated Regional Office  
Ministry of Environment, Forest and Climate Change.  
Shimla.

Sub: Proposal for diversion of 61.4083 hectare of forest land in favour of M/s. JSW Energy Ltd. For the Construction 240 MW Kuther Hydro Electric Project Within the jurisdiction of Bharmour Forest Division Chamba, Himachal Pradesh. **Regarding change in the name of one user agency to another user agency i.e. M/s. JSW Energy Limited to M/s. JSW Energy (Kuther) Limited**

Madam/Sir,

I am directed to refer to the Government of Himachal Pradesh's letter No. Ft.48-2084/2010 (FCA) dated 06.01.2022 (**Copy enclosed**) on the above mentioned subject wherein the Ministry had granted Stage-I approval on 22.06.2011 and Stage-II on 11.01.2013 read with letter dated 19.02.2013 (**Copies enclosed**). Now the State has submitted a proposal for change in the name of the User Agency from M/s. JSW Energy Private Limited to M/s. JSW Energy (Kuther) Private Limited.

It has been observed that 3.1715 ha area out of total 61.4083 was transferred to another User Agency namely M/s Himachal Pradesh Power Transmission Corporation Limited (HPPTCL) on 10.11.2015 which has not been kept in view by the State Government.

In this regard the ministry vide letter dated 16th Feb 2022(copy enclosed) has asked justification/clarification from the state govt. on various points including those pertaining to the compliance of the conditions stipulated in the Stage-II approval.

Further, as per the documents provided by the State Government, the SPV was created in the 2013 and the proposal for change in the name of user agency has been submitted to the Central Government in the year 2022 which implies that the new UA was implementing the proposal without having permission to do so which is in violation of the provisions and stipulated conditions.

Since it has been observed that the compliance of conditions stipulated by the Ministry is still pending after a period of about 10 years, therefore IRO Shimla is requested to inspect the

site and submit a report on the compliance of the conditions laid down in Stage-II approval along with status of violations if any, including in the transfer of land to HPPTCL as well as the use of forest land by the new User agency i.e. JSW Energy (Kuther) Private Limited.

In case there is any violation of the provisions of Forest(Conservation), Act 1980, the action may be initiated as per the powers delegated vide Gazette Notification dated 17.12.2019 under intimation to this Ministry.

Yours sincerely,

**Encl: As above.**

**Sd/-**

**(Suneet Bhardwaj)**

**Assistant Inspector General of Forests**

**Copy to: -**

1. The Addl. Chief Secretary (Forests) Government of Himachal Pradesh, Shimla.
2. The PCCF (HoFF), Government of Himachal Pradesh, Shimla.
3. The APCCF-cum-Nodal Officer (FCA), Forest Department, Government of Himachal Pradesh, Shimla.
4. User Agency.
5. Monitoring Cell, FC Division, MoEF & CC, New Delhi, for uploading.