

**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 (**pg. No. 1/c**) 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 Kullo 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 been accorded final approval by the Ministry's letter No. 8-48/2018-FC dated 28.03.2019 (Pg. No. **24-28/c**).
5. As we well aware that those proposals having diversion area up to 40.0 ha and above, are automatically pending at HO level on PARIVESH portal, but this proposal could not be pending at HO level due to less area. Therefore, with the help of NIC cell of the Ministry, this proposal was made pending at HO level and is linked with the old proposal.
6. As the Ministry has already taken an initiative to process the proposal online and there is no need to send physical copy of the proposal. However, the complete proposal should be upload on PARIVESH portal.
7. This proposal has been prepared after downloading the all documents from PARIVESH portal and email.

**FACT SHEET**

<b>1.</b>	<b>Name of the Proposal</b>	<b>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</b>
<b>2.</b>	<b>Online Proposal No.</b>	<b>FP/HP/HYD/39709/2019</b>
<b>3.</b>	<b>Location:</b>	
	State	Himachal Pradesh.
	District	Kullu
<b>4.</b>	<b>Category of the project</b>	Hydel
<b>5.</b>	<b>Detail of user agency</b>	
	Name of the user agency	R L Negi
	Nature of user agency	Central PSU
<b>6.</b>	<b>Particular of Forests</b>	
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 at page no. <a href="#">39/c</a>				
ii.	Survey of India toposheet on 1:50,000 scale showing the area proposed for diversion	Attached at page no. <b>38/c</b>				
iii.	Land use plan	Approach road = 0.9486  <b>No dimension is given and it is not known whether it is new road or road for widening?</b>				
iv.	Forest Cover map	NA				
v.	Authenticated DGPS maps for Non-forest land and forest land proposed for diversion.	Page No. <b>39/c</b>				
vi.	Layout plan approved by the competent authority	Page No. <b>40/c</b>				
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 enclosed at page no. 58-59/c.				
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	No				

	thereof with NOC from competent authority, if required.	
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.	<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. The DSS report is placed (Pg. No. <b>165-168/c</b>).</p> <p><b>In case of Forest land proposed for diversion:</b></p> <p>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 <b>0.86</b> ha instead of <b>0.9486 ha</b>.</p> <p>Observations based on Google Earth (GE); existing road is visible on the proposed forest land and same can be verified with the help of GE time series images available from 14.12.2011 onwards.</p> <p><b>In case of CA land:</b></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.	<b>Details of Compensatory Afforestation Scheme:</b>	
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 at page no. <b>70/c</b> that 1.9 ha of forest land identified for CA in DPF 1-19 Lamidhar is a compact block and contiguous 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.	Page No. <b>63/c</b>

iii.	Differential GPS map of the area identified for raising CA	Page No. <b>63/c</b>
iv.	Survey of India toposheet on 1:50,000 scale showing the area identified for CA	Page No. <b>64/c</b>
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 (Pg. No. <b>65-69/c</b> ).
vi.	Total financial outlay for compensatory Afforestation scheme.	₹454280/-
vii.	Total financial outlay for Net Present Value	₹6,23,230/- (Pg. no. <b>72/c</b> )
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 Kullu identified for CA is suitable for undertaking plantation from the management point of view and is free all sort of encumbrances and encroachments. (Pg. No. <b>71/c</b> )
<b>18.</b>	Undertakings to bear the cost of CA, NPV and addl. NPV	Pg. <b>48-50/c</b> .
<b>19.</b>	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 (at <b>page no. 50/c</b> )
<b>20.</b>	Site Inspection Report of the Divisional Forest Officer	Given at page No. <b>61/c</b> . The Site Inspection has been carried out by the DFO Ani Forest Division on 23.10.2019. In the SIR following has been proposed: <ol style="list-style-type: none"> <li>1. Ensure that no muck/debris is thrown/dumped on the River/stream bed. The muck be dumped on the designated dumping sites only.</li> <li>2. Before initiating the work of dumping, sites be protected by erecting protection wall to avoid rolling of debris.</li> <li>3. The excavation be carryout in scientific way to avoid rolling down of muck into river/stream.</li> </ol>
<b>21.</b>	Whether the project requires environment clearance	<b>Yes.</b> EC under process. Environmental Clearance File No.: J-12011/18/2015.  The ToR has been issued by the MoEF&CC on 21.12.2015 ( <b>Pg. No. 132-149/c</b> ).  <b>An undertaking has been submitted by the User Agency to submit the EC at page No. 150/c.</b>
<b>22.</b>	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.

23.	Rehabilitation of Oustee	
i.	Number of SC Families	
ii.	Number of ST families	Not Applicable.
iii.	Number of Backward Families	
iv.	Copies of R&R Plan	
24.	Cost Benefit Analysis	Not given
25.	Total Cost of the project	₹191259 Lakhs
26.	Employment Potential	No
27.	<b>Profile of the District /Division</b>	
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.	<b>Recommendation with Specific conditions, (if any)</b>	
	DFO	As per Part-II filled by DF at page no <b>30/c</b> : 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 (Pg.31/c).
	PCCF/ Nodal Officer (FCA)	Recommended (Pg.32/c).
	State Govt.	Recommended (Pg.33/c).

#### Others information related to the proposal:

- The length of proposed road is 1700 m passing through Forest land and width of this road is 5m in straight portion and 5m to 7m on curves (as per degree/sharpness of curves). The length of proposed road passing through Non-Forest land is nil i.e. no non-forest land is involved in this road. 200m length of this road has already been taken in diversion plan of total forest land i.e. 98.1004 ha already diverted for Luhri HEP Stage-I.
- Reason for submission of this proposal separately:** The construction material of Luhri HEP stage-I shall be obtained from Moin and Koel Quarries. The road from Moin quarry is proposed for transportation of these construction material for all major components like Dam, Toe Power House, Switchyard, Diversion Tunnel etc. of the project. The User Agency has also informed that earlier this was entrusted/supposed to be constructed by HPPWD but they have been unable to do so. Hence it has been become necessary for SJVN to construct this road.
- Alternative Studies Carried Out for the Road layout:** The following alternative studies were carried out to explore the selection of the road layout:
  - From Dam/Toe Power House at Nirath to Moin Quarry site on Right Bank

- (ii) From Dam at Nirath to Moin Quarry site through NH-22 and Moin village on left Bank.
- Option (ii) has been rejected because of longer distance and narrow bridge on River Satluj. Hence, the US has first option adopted. Both option may be seen at layout plan (page No. 46/c).
4. As per the Muck Management Plan of Moin Quarry Road a total of 19,18,631.00 M<sup>3</sup> Muck to be dumped at Rewali and Naula DS-1 and DS-2 site. (Pg no. **79/c**). Details of measurement is enclosed at page no. **80-82/c**. Total dumping capacity is 21,18,577.00 M<sup>3</sup>.
  5. Copy of the Muck management plan is enclosed at **83-95/c**.
  6. Landscape and Restoration Plan is enclosed at page. No. **96-107/c**.
  7. **Approval of CEA** is enclosed at page. No. **110-116/c**.
  8. NOC from I&PH Department has been issued vide letter No. IDA-WA-NOC/2016-1852-53 dated 27.05.2016 (pg. No. **123-126/c**).
  9. NOC from Fisheries Department has been issued vide letter No. FSH-F (2)-39-80/2015-ARC-Luhri Stage-I dated 12.12.2016 (Pg. No. **127/c**).
  10. Joint inspection report has been carried out on 12.06.2019 (page no. **129/c**).
  11. NOC from Chief Wildlife Warden, Himachal Pradesh Shimla has been issued vide letter No. WL (Misc.)-60/HEPs/Vol. VIII/6614 dated 08.03.2016. (Pg. No. **134/c**).
  12. Copies of online part-I and Part-II is also enclosed at page No. **155-164/c**.

#### **Observation:**

- i. As informed by the User Agency that proposed road was earlier entrusted/supposed to be constructed by HPPWD but they have been unable to do so. Hence, it has been become necessary for SJVN to construct this road. There is no supported documents from PWD is found in this proposal. It is not clear, whether PWD has applied this proposal earlier? And what was the reason that PWD was unable to construct this road? It is important to note that just as the Ministry has accorded final approval on 28.03.2020 then immediately the User agency has submitted this separate proposal to the Nodal officer on 04.04.2019 (**Pg. No. 13/c**). **The practice of the approvals of forest land in pieces should be avoided.**
- ii. As per the observation of DSS Cell that based on Google Earth (GE); existing road is visible on the proposed forest land and same can be verified with the help of GE time series images available from 14.12.2011 onwards. Therefore, we may ask the UA, whether the proposed road is new alignment or widening of existing road?
- iii. The Ministry has accorded its approval on 28.03.2019 and State Government has given permission for work on 15.05.2018 (pg. no. **19-21/c**). It need clarification.
- iv. Alternative examined in option (ii) may be explored if bridge widening proposal may be submitted instead of proposed road and cost of the construction may also be examined. It will be helpful for transportation via NH-22 instead of narrow road.
- v. In the present proposal 26 trees and 73 sapling has been proposed to be removed from the proposed forest land.
- vi. Compliance report of the previous approval dated 28.03.2019 have not been submitted by the State Government/User Agency.

In view of the approved agenda item, this proposal may be considered in the forthcoming FAC meeting scheduled to be held on 11.06.2020 at 11:00 AM

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