

HPFD-F05/130/2023-FCA

Forest Department, Himachal Pradesh

From: Nodal Officer-cum-PCCF (FCA)
O/o Pr.CCF, H.P, Shimla-1.

To: The Deputy Inspector General of Forests (Central)
Ministry of Environment, Forest and Climate Change,
Integrated Regional Office, Chandigarh, Sub-Office, Shimla
CGO Complex, Shivalik Khand, Longwood,
Shimla – 171001, Himachal Pradesh,
Email: iro.shimla-mefcc@gov.in

Dated, the Shimla-1

Subject: **Proposal for seeking prior approval of the Central Government under section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 diversion of 0.4148 hectare of additional forest land in favour of Himachal Pradesh Power Corporation Pvt. Ltd for the construction of Integrated Kashang HEP Stage-II & III(130MW) for some modification in the Project component construction of Silt Flushing Tunnel (SFT) within the jurisdiction of Kinnaur Forest Division, Distt. Kinnaur, Himachal Pradesh. (Online Proposal No FP/HP/HYD/49387/2020)- regarding.**

Sir,

Kindly refer to your office electronic letter No. FC/HPB/01/2022 dated 30.09.2024 on the subject cited above vide which Stage-I approval has been accorded to the subject cited proposal.

2. The point-wise reply to the stipulations as stipulated in Stage-I approval is submitted as below:-

General Conditions

Sr. No.	Stipulation	Reply
i.	Legal status of the diverted forest land shall remain unchanged	Legal status of the diverted forest land shall remain unchanged. Undertaking is furnished by UA duly countersigned by DFO concerned. The same is uploaded with the compliance report of Stage-I approval in EDS history detail.
ii.	The cost of felling of trees shall be deposited by the User Agency with the State Forest Department.	The cost of felling of trees has been deposited by the User Agency in the State Govt. Treasury.

iii.	Compensatory Afforestation will be undertaken in a site of 0.8296 ha, in Survey No. H44A6, UP Mohal Khawangi, Kalpa Forest Range, Kinnaur Forest Division. and shall be initiated by the State Forest Department within two years from the date of grant of Stage- II approval;	Compensatory Afforestation will be undertaken in a site of 0.8296 ha, in Survey No. H44A6, UP Mohal Khawangi, Kalpa Forest Range, Kinnaur Forest Division. and shall be initiated by the State Forest Department within two years from the date of grant of Stage- II approval. Undertaking in this regard is furnished by DFO.
iv.	The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars, if required, on the CA land, shall be deposited in advance with the Forest Department by the user agency. The CA will be maintained for 10 years. The scheme may include afforestation of indigenous species with appropriate provision for anticipated cost increase for works scheduled for subsequent years, into the account of National Authority, CAMPA managed by the State Govt.;	The cost of compensatory levies has been deposited in Ad-hoc CAMPA Account.
v.	The KML files of diverted area and the CA areas shall be uploaded on the e-Green watch portal with all requisite details prior to Stage- II approval.	The KML files of diverted area and the CA areas shall be uploaded on the e-Green watch portal with all requisite details prior to Stage- II approval. Undertaking in this regard, is attached with the compliance report by user agency through online web portal.
vi.	The user agency shall transfer the funds towards the cost of Net Present Value (NPV) of the forest land being diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme	The amount of NPV is deposited by UA in current account of National CAMPA.

	Court of India dated 28.03.2008, 24.04.2008 and 09.05.2008 in Writ Petition (Civil) No. 202/1995 and the guidelines issued by this Ministry vide its letter No. 5-3/2007-FC dated 06.01.2022 read with 22.03.2022 through online portal of CAMPA account of the State Concerned;	
vii.	At the time of payment of the Net Present Value (NPV) at the present rate, the User Agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India	The user agency has furnished undertaking accordingly.
viii.	The Compensatory levies to be realized from the User Agency under the project shall be transferred/ deposited, through e-challan, in to the account of National Authority, CAMPA pertaining to the State concerned through e-portal (https://parivesh.nic.in/)	The amount of compensatory levies is deposited by UA in Ad-hoc CAMPA.
ix.	The State Government shall complete settlement of rights, in term of the Scheduled Tribes and Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any, on the forest land to be diverted as per the sub-rule (7) of Rule 11 of the Van (Sanrakshan Evam Samvardhan) Rules, 2023;	The State Government will complete settlement of rights, in term of the Scheduled Tribes and Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any, on the forest land to be diverted as per the sub-rule (7) of Rule 11 of the Van (Sanrakshan Evam Samvardhan) Rules, 2023. Undertaking in this regard is attached with the compliance report of Stage-I approval.
x.	The complete compliance report shall be uploaded on e-portal (https://parivesh.nic.in/)	The complete compliance report has been uploaded on e-portal (https://parivesh.nic.in/)
xi.	The State Government shall ensure	The State Government will ensure

	compliance of extant laws, rules, and guidelines relevant to Hydel projects and shall submit an undertaking to that effect along with Stage- I compliance report;	compliance of extant laws, rules, and guidelines relevant to Hydel projects and shall submit an undertaking to that effect along with Stage- I compliance report. Undertaking in this regard is attached with the compliance report of Stage-I approval by the user agency.
xii.	The cost of felling of trees shall be deposited by the User Agency with the State Forest Department;	The cost of felling of trees shall be deposited by the User Agency with the State Forest Department;
xiii.	The user agency shall explore the possibility of translocation of maximum number of trees identified to be felled and shall ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;	The user agency will explore the possibility of translocation of maximum number of trees identified to be felled and shall ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department. Undertaking in this regard is attached herewith with the compliance report of Stage-I approval by the UA.
xiv.	The cost of felling of trees shall be deposited by the User Agency with the State Forest Department;	The cost of felling of trees shall be deposited by the User Agency with the State Forest Department;
xv.	The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required	The User Agency informed that the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, has been obtained.
xvi.	User agency shall provide free water for forestry related activities/ projects;	User agency will provide free water for forestry related activities/ Projects. Undertaking in this regard is furnished by UA.
xvii.	No labour camp shall be established on the forest land and the User Agency shall provide fuels preferably alternate fuels to	No labour camp will be established on the forest land and the User Agency shall provide fuels preferably alternate fuels to

	the laborers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;	the laborers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas. Undertaking in this regard is attached with the compliance report of Stage-I approval.
xviii.	No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work	No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work. Undertaking in this regard is attached with the compliance report of Stage-I approval.
xix.	The boundary of the diverted forest land shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS coordinates.	The boundary of the diverted forest land will be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS coordinates. Undertaking in this regard is attached with the compliance report of Stage-I approval.
xx.	The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favor of the user agency or the project life, whichever is less;	The period of diversion under this approval will be co-terminus with the period of lease to be granted in favor of the user agency or the project life, whichever is less. Undertaking in this regard is attached with the compliance report of Stage-I approval.
xxi.	The layout plan of the proposal shall not be changed without the prior approval of the Central Government	The layout plan of the proposal shall not be changed without the prior approval of the Central Government. Undertaking in this regard is attached with the compliance report of Stage-I approval.
xxii.	The forest land shall not be used for any purpose other than that specified in the project proposal;	The forest land shall not be used for any purpose other than that specified in the project proposal. Undertaking in this regard is attached with the compliance report of

		Stage-I approval.
xxiii.	The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government.	The forest land proposed to be diverted will under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government. Undertaking in this regard is attached with the compliance report of Stage-I approval.
xxiv.	No damage to the flora, fauna or the environment of the adjoining area shall be caused; Adequate measures to ensure no damage to the adjoining areas should be taken by the User Agency at the project cost	No damage to the flora, fauna or the environment of the adjoining area will be caused; Adequate measures to ensure no damage to the adjoining areas should be taken by the User Agency at the project cost. Undertaking in this regard is attached with the compliance report of Stage-I approval.
xxv.	The User Agency shall submit the annual self-compliance report in respect of the above stated conditions to the State Government, concerned Regional Office and to this Ministry by the end of March every year regularly	The User Agency will submit the annual self-compliance report in respect of the above stated conditions to the State Government, concerned Regional Office and to this Ministry by the end of March every year regularly. Undertaking in this regard is furnished with the compliance report of Stage-I approval.
xxvi.	Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife shall be carried with by the State Government and User Agency	Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife shall be carried with by the State Government and User Agency. Undertaking in this regard is attached with the compliance report of Stage-I approval.
xxvii.	The User Agency shall comply all the	The User Agency will comply all the

	provisions of the all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and NGT Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.	provisions of the all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and NGT Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project. Undertaking in this regard is attached with the compliance report of Stage-I approval.
xxviii.	Violation of any of these conditions will amount to violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and action would be taken as prescribed in para 1.16 of Chapter 1 of consolidated guidelines and clarifications issued under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and Van (Sanrakshan Evam Samvardhan) Rules, 2023 issued in 2019 29.12.2023.	Violation of any of these conditions will amount to violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and action would be taken as prescribed in para 1.16 of Chapter 1 of consolidated guidelines and clarifications issued under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and Van (Sanrakshan Evam Samvardhan) Rules, 2023 issued in 2019 29.12.2023. Undertaking in this regard is attached with the compliance report of Stage-I approval.

Yours faithfully,

Nodal Officer-cum-APCCF (FCA)
O/o Pr.CCF, H.P, Shimla-1