

HPFD-F05/300/2024-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
Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj
New Delhi – 110003

Dated, the Shimla-1

Subject: **Proposal for seeking prior approval under Forest (**Conservation Act, 1980 for use of 0.8374 hectare of forest land (in additional to the already diverted 69.3762 ha 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, H.P. (FP/HP/HYD/12761/2015)**

Sir,

Kindly refer to your office letter No.8-114/2005-FC(Vol.) dated 25.03.2021 on the subject cited above.

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

Sr. No.	Conditions	Reply
i.	Legal status of the diverted forest land shall remain unchanged	User agency alongwith DFO & CCF concern has submitted the legal status of the diverted forest land will be remained unchanged. Undertaking in this regard is attached with the compliance report of DFO & CCF concern.
ii.	The State Government shall ensure that the legal action initiated against the user agency is pursued and taken to its logical conclusion and appropriate action as per law is taken against the persons/officials/authority responsible for violation and breaking of forest land without the prior approval of the competent authority.	It is reported by DFO Rampur that legal action initiated in the said case against the user agency is being pursued. The case was reported to the police under Sec 32,33 of Indian Forest Act, 1927 by lodging an FIR in 2013. An encroachment case was prepared and challaned in the Cour of Collector Grade-I-cum-Tehsildar Rampur in 2013. Thereafter, as per record available with this office , the ACJM, Rampur Bushahr has ordered further investigation in the matter vide order dated 17.08.2020. The matter is under investigation and fresh report has been sought from SDPO Rampur vide this office letter NO. 6857 and from Tehsildar vide this office letter No. 6855.

iii.	The User Agency shall pay five times of NPV and five times penal CA on double degraded forest land in respect of 0.8374 ha of forest land on which violation of the FC Act has been reported by the State Government.	The User Agency has paid five times of NPV and five times penal CA on double degraded forest land in respect of 0.8374 ha of forest land on which violation of the FC Act has been reported by the State Government.
iv.	The Integrated Regional Office Shimla shall certify the extent of area under violation, and if the area under violation is larger than the area reported by the State Government, the five time NPV and five times CA shall be imposed on the larger area;	The User Agency paid the amount of compensatory levies to the extent of the area violated by the user agency. Penal NPV& Penal CA has been deposited by the user agency accordingly.
v.	The KML files of diverted area and 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 CA areas has been uploaded on the e-Green watch portal with all requisite details prior to Stage-II approval.
vi.	Compensatory Afforestation	
(a)	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 project authority. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.	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 has been deposited in advance with the Forest Department by the project authority. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.
(b)	Compensatory afforestation shall be taken up by the Forest Department over 1.6748 ha in degraded forest land in UF-Shandal, Rampur at the cost of the User Agency. As far as practicable a mixture of local indigenous species will be planted, and monoculture of a species has to be avoided	Compensatory afforestation will be taken up by the Forest Department over 1.6748 ha in degraded forest land in UF-Shandal, Rampur at the cost of the User Agency. As far as practicable a mixture of local indigenous species will be planted, and monoculture of a species has to be avoided. Undertaking in this regard duly countersigned by DFO concern is uploaded with the compliance report of DFO concern.
vii.	Net Present Value (NPV):	
(a).	The State Government shall charge the Net Present Value (NPV) for the 0.8374 ha forest area to be diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated	The Net Present Value (NPV) for the 0.8374 ha forest area to be diverted under this proposal has been charged from the User Agency as per the orders of the Hon'ble Supreme Court of India

	30/10/2002, 01/08/2003, 28/03/2008, 24/04/2008 and 09/05/2008 in IA No. 566 in WP (C) No. 202/1995 and as per the guidelines issued by the Ministry vide letters No. 5-1/1998-FC (Pt. II) dated 18/09/2003, as well as letter No. 5- 2/2006-FC dated 03/10/2006 and 5-3/2007-FC dated 05/02/2009 in this regard	dated 30/10/2002, 01/08/2003, 28/03/2008, 24/04/2008 and 09/05/2008 in IA No. 566 in WP (C) No. 202/1995 and as per the guidelines issued by the Ministry vide letters No. 5-1/1998-FC (Pt. II) dated 18/09/2003, as well as letter No. 5- 2/2006-FC dated 03/10/2006 and 5-3/2007-FC dated 05/02/2009 in this regard.
(b)	Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect.	The User Agency has furnished an undertaking to this effect and attached with the compliance report of Stage-I approval by the user agency has well as DFO concern.
viii.	All the funds received from the user agency under the project shall be transferred/ deposited to CAMPA fund only through e-portal (parivesh.nic.in	All the funds received from the user agency under the project has been transferred/ deposited to CAMPA fund only through e-portal (parivesh.nic.in)
ix.	The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate/documents from the concerned District Collector	The complete compliance of the FRA, 2006 will be ensured by way of prescribed certificate/documents from the concerned District Collector. Undertaking in this regard is provided user agency duly authenticated by DFO concern.
x.	User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;	User Agency will obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable. Undertaking in this regard is provided by the user agency.
xi.	The layout plan of the proposal shall not be changed without prior approval of Central Government.	The layout plan of the proposal will not be changed without prior approval of Central Government. Undertaking in this regard is provided by the user agency.
xii.	No labour camp shall be established on the forest land.	The User Agency will provide fuels preferably alternate fuels to the labourers 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 DFO concern.
xiii.	Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from	Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after

	the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.	purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel. Undertaking in this regard is attached with the compliance report of DFO concern.
xiv.	The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer;	The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer. Undertaking in this regard is attached with the compliance report of DFO concern.
xv.	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 DFO concern.
xvi.	The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less	The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less. Undertaking in this regard is attached with the compliance report of DFO concern.
xvii.	The User Agency and the State Government shall ensure compliance of all the Court orders, provisions, rules, regulations and guidelines for the time being in force as applicable to the project.	The User Agency and the State Government will ensure compliance of all the Court orders, provisions, rules, regulations and guidelines for the time being in force as applicable to the project. Undertaking in this regard is attached with the compliance report of DFO concern.
xviii.	The forest land shall not be used for any purpose other than that specified in the project proposal.	The forest land will 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 DFO concern.
xix.	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 attached with the compliance report of DFO concern.
xx.	The forest land proposed to be diverted shall	The forest land proposed to be diverted

	under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India	will under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India. Undertaking in this regard is attached with the compliance report of DFO concern.
xxi.	Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF&CC Guideline F. No. 11-42/2017-FC dt. 29/01/2018.	Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF&CC Guideline F. No. 11-42/2017-FC dt. 29/01/2018. Undertaking in this regard is attached with the compliance report of DFO concern.
xxii.	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.	Any other condition that the Ministry of Environment, Forests & Climate Change will stipulate from time to time in the interest of conservation, protection and development of forests & wildlife will be adhered. Undertaking in this regard is attached with the compliance report of DFO concern.
xviii.	The complete compliance report shall be uploaded on e-portal (parivesh.nic.in).	The complete compliance report has been uploaded on e-portal (parivesh.nic.in).

Yours faithfully,

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