

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

Indira Paryavaran Bhawan,
Aliganj, Jor Bag Road,
New Delhi - 110003.

Dated: 11th January, 2024

To

The Principal Secretary (Forests),
Department of Forest,
Government of Himachal Pradesh,
Shimla.

Subject: Diversion of 406.79 ha. of forest land in favour of HPPCL for the construction of Thana Plaun Hydro-Electric Project (191 MW), within the jurisdiction of Mandi & Jogindernagar forest Divisions, District Mandi, Himachal Pradesh (Online proposal No. FP/HP/HYD/8255/2014) - regarding.

Madam/Sir,

I am directed to refer to the Government of Himachal Pradesh's letter No.Ft.48-2883/2014 (FCA) dated 30.07.2021 submitting the above mentioned proposal for seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 and to say that the proposal has been examined by the Advisory Committee constituted by the Central Government under Section-3 of the aforesaid Act.

2. After careful examination of the proposal of the State Government and on the basis of the recommendations of the Advisory Committee, and its acceptance by the competent authority in this Ministry, ***In-principle/ Stage-I approval*** of the Central Government is hereby accorded for diversion of 406.79 ha. of forest land in favour of HPPCL for the construction of Thana Plaun Hydro-Electric Project (191 MW), within the jurisdiction of Mandi & Jogindernagar forest Divisions, District Mandi, Himachal Pradesh subject to fulfillment of the following conditions:

- i. Legal status of the diverted forest land shall remain unchanged.
- ii. The Compensatory Afforestation areas on notified forest land shall be revised and the State shall provide for the purpose of Compensatory Afforestation suitable wastelands which come under the category of Protected Forests but have neither been demarcated on ground nor transferred and mutated in the name of forest department. The Compensatory Afforestation over degraded notified forest areas will be accepted only when no suitable wasteland or non-forest land is available and a certificate to this effect is given by the State Government.
- iii. Proposed project is located on river Beas and the adjoining areas are also covered with diverse multi-storied vegetation with presence of wildlife. Therefore, an Ecological Monitoring Unit with a dedicated expert to monitor the impacts of flora, fauna and ecosystem services of the landscape by the

proposed project activities needs to be established by the User Agency so that possible adverse impacts can be minimized.

- iv. The CAT Plan size should be based on the actual extent of work to be done in the catchment but shall not be less than 2.5% of the project cost.
- v. In order to minimize the impact of mining on the aquatic flora and fauna, mining in the quarry sites of the project shall be carried out without interfering with the main flow of River/Khad/Nallah. All the quarry sites are adjacent to the habitation and are in River/Khad/Nallahs, therefore, a study regarding impact of mining on general environment of the nearby area as well as riverine ecosystem' its reclamation etc., along with Mitigation plan shall be carried out by user Agency through a reputed institute within a period of one year from the handing over of the forest land to the user agency and additional mitigation measures shall be taken up accordingly.
- vi. Keeping in view the sloppy terrain, the user agency/state government shall ensure that scientific and engineering measures are put-in place by the user agency before beginning the dumping of muck so that muck would not roll down beyond the boundary of dumping sites.
- vii. Various reclamation/mitigation strategies in the EMP like Muck Management Plan, Reservoir Rim Treatment, Restoration plan for quarry sites and landscaping and Road Management Plan shall be implemented and an annual compliance report in this regard shall be submitted to the State Forest Department and the Regional Office of the Ministry.
- viii. The reservoir created due to the construction of dam and subsequent submergence shall be declared as a Reserve Forest under the Indian Forest Act, 1927 or state specific forest laws.
- ix. 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.
- x. 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.
- xi. 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 in accordance with the MoEF&CC's guidelines dated 6.01.2022 read with guidelines dated 22.03.2022.
- xii. The cost of felling of trees shall be deposited by the User Agency with the State Forest Department.
- xiii. All the funds received from the user agency under the project shall be transferred/deposited in the account of National Authority only through e-portal (<https://parivesh.nic.in/>). Amount deposited through other modes will not be accepted as compliance of the Stage-I clearance.

- xiv. The complete compliance of the FRA, 2006 shall be ensured by the State Government.
- xv. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.
- xvi. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).
- xvii. 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.
- xviii. 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.
- xix. User agency shall undertake afforestation along the periphery of the reservoir.
 - xix. User agency shall provide free water for forestry related activities/ projects.
 - xx. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
 - xxi. 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.
 - xxii. The layout plan of the proposal shall not be changed without prior approval of Central Government.
- xxiv. The forest land shall not be used for any purpose other than that specified in the project proposal.
- xxv. No labour camp shall be established on the forest land and the User Agency shall 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.
- xxvi. No damage to the flora and fauna of the adjoining area shall be caused.
- xxvii. 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.
- cxviii. Any other condition that the concerned Regional Office of this Ministry may stipulate, with prior approval of competent authority, in the interest of conservation, protection and development of forests & wildlife.
- xxix. The user agency shall 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.
- xxx. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as prescribed in para

1.21 of Chapter 1 of the Handbook of comprehensive guidelines of Forest (Conservation) Act, 1980 as issued by this Ministry's letter No. 5-2/2017-FC dated 28.03.2019.

After receipt of compliance report on fulfillment of the conditions mentioned above, the proposal shall be considered for final approval under Section-2 of the Van(Sanrakshan Evam Samvardhan) Adhiniyam,1980. Transfer of forest land shall not be affected till final approval is granted by the Central Government in this regard.

Yours faithfully,

Sd/-
(Suneet Bhardwaj)
Assistant Inspector General of Forests

Copy to:

1. The Principal Chief Conservation of Forests, Government of Himachal Pradesh, Shimla.
2. The Dy. Director General of Forest(Central) ,Regional Office,Chandigarh
3. The Dy. Inspector General of Forest (Central), Sub-office of MoEF&CC, Shimla.
4. The Nodal Officer, O/o the PCCF, Government of Himachal Pradesh, Shimla.
5. User Agency.
6. Monitoring Cell of FC Division, MoEF & CC, New Delhi.