

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

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

Dated: 13th October, 2021

To

The Additional Chief Secretary (Forests),
Government of Himachal Pradesh.
Shimla.

Sub: Proposal for seeking prior approval under Forest (Conservation) Act, 1980 for non-forestry use of 0.9486 ha (in addition to the already diverted 98.1004 ha.) additional forest land in favour of SJVN 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). -regarding.

Madam/Sir,

I am directed to refer to the Government of Himachal Pradesh's letter No. Ft.48-3920/2019(FCA) dated 18.05.2020 on the above mentioned subject, seeking prior approval of Central Government under Section-2 of the Forest (Conservation) Act, 1980. After careful consideration of the proposal by the Forest Advisory Committee constituted by the Central Government under Section-3 of the said Act, '*in-principle*' /*Stage -I* approval to the proposal was granted vide this Ministry's letter of even number dated 21.12.2020 subject to fulfillment of certain conditions prescribed therein. The State Government has furnished compliance report in respect of the conditions stipulated in the in-principle approval and has requested for final/Stage-II approval.

2. In this connection, I am directed to say that on the basis of the compliance report furnished by the Government of Himachal Pradesh vide their letters No. Ft. 48-3920/2019 (FCA) dated 02.03.2021, 12.08.2021 and 25.09.2021, **final approval (Stage - II)** of the Central Government is hereby granted under Section -2 of the Forest (Conservation) Act, 1980 for non-forestry use of 0.9486 ha (in addition to 98.1004 ha forest area already diverted vide letter No. 8-48/2018-FC dated 28.03.2019) additional forest land in favour of SJVN Ltd. for Luhri HEP Stage-I for approach road under the Jurisdiction of Ani at Luhri Forest Division and District Kullu, Himachal Pradesh, subject to fulfillment of the following conditions:

A: Conditions which need to be complied prior to handing over of forest land to user agency by the State Govt.:

- i. The State Government shall ensure that the User Agency will implement bio-engineering measures up to 100 meters on either side of the proposed road as per the report at the cost of the UA and the measures will promote greenery in the area.
- ii. The State government shall co-ordinate with the Ministry of Agriculture & Farmers Welfare to explore possibility for finding appropriate support for bamboo plantation in the designated plan area.
- iii. The State Govt. shall ensure the complete compliance on FRA, 2006; It should also be

- ensured that the FRA certificate issued by District collector is complete with letter number, date, name, signature and official seal, as required in the certificate;
- iv. The User Agency shall implement the R&R Plan as per the R&R Policy of State Government in consonance with National R&R Policy, Government of India before the commencement of the project work and implementation. The said R&R Plan will be monitored by the State Government/Regional Office of MoEF &CC along with indicators for monitoring and expected observable milestones;
 - v. The State Govt. shall ensure that 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 co-ordinates; and
 - vi. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;

B: Conditions which need to be complied after handing over of forest land to the user agency by the State Govt.:

- i Legal status of the forest land shall remain unchanged;
- ii The State Government shall ensure that the minimum number of trees/plants/poles in any case not more than mentioned in the applied forest area will be removed and the trees should be felled under strict supervision of the State Forest Department;
- iii The proposed forest land i.e. 0.9486 ha shall be handed over to the User Agency only after when the User Agency has acquired the required non-forest land, if any, for the project;
- iv The Compensatory Afforestation shall be taken up by the State Forest Department over 1.89 ha. degraded forest land 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;
- v The User Agency shall pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
- vi User agency shall raise strip plantation on both sides and central verge of the road as per the IRC norms.
- vii Speed regulating signage will be erected along the road at regular intervals in the Protected Areas/ Forest Areas.
- viii The user agency shall provide suitable under / over pass in Protected Area / Forest Area as per recommendations of CWLW / NBWL / FAC / REC.
- ix The layout plan of the proposal shall not be changed without prior approval of Central Government;
- x No labour camps shall be set up inside the forest area.
- xi The Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel;
- xii 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;
- xiii No damage to the flora and fauna of the area shall be caused;
- xiv The forest land shall not be used for any purpose other than that specified in the project proposal;
- xv The concerned Divisional Forest Officer, will monitor and take necessary mitigation measures to ensure that there is no adverse impact on the forests in the surrounding area;
- xvi The forest land proposed to be diverted shall under no circumstances be transferred to

- any other agencies, department or person without prior approval of Govt. of India;
- xvii The State Govt. shall ensure that the Compliance report of this approval is uploaded on e-portal (<https://parivesh.nic.in/>);
- xviii The Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the para 1.21 of comprehensive guidelines issued vide this Ministry F. No.5-2/2017-FC dated 28th March, 2019;
- xix 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; and
- xx The State Government and user agency shall ensure compliance to all conditions stipulated in the Stage-I approval letter dated 21.12.2020 for which undertakings have been obtained from the user agency and also the provisions of the all Acts, Rules, Regulations and Guidelines, relevant Hon'ble Court Order (S) and NGT Order (S), if any, pertaining to this project for the time being in force, as applicable to the project;

Yours Sincerely

Sd-

(Suneet Bhardwaj)

Assistant Inspector General of Forests

Copy to: -

1. Principal Chief Conservator of Forests & HoFF, Department of Forest, Government of Himachal Pradesh, Shimla.
2. Regional Officer, Integrated Regional Office, Shimla.
3. Nodal Officer, Forest Department, (FCA), Government of Himachal Pradesh, Shimla.
4. User Agency.
5. Monitoring Cell, FC Division, MoEF & CC, New Delhi, for uploading.