



वन विभाग हिमाचल प्रदेश
Himachal Pradesh Forest Department
Chamba Forest Circle, Chamba
 Ph. 01899-225839, 222237
 E-mail : head-forcircha-hp@hp.gov.in



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From:- Chief Conservator of Forests
 Chamba Forest Circle, Chamba

To:- Nodal Officer-cum-APCCF (FCA)
 O/o Pr. CCF, HP, Shimla

Subject:- Diversion of 8.0678 hectare of forest land in favour of M/s Friends Him Energies C/o Near Happy, Sr. Sec. School , Jail Road, Gurdaspur -143521 for the construction of Siul-IV 4MW SHEP within the jurisdiction of Churah Forest Division, District Chamba.

References:

- I. Stipulation No. A(vii) of Stage-I (In-principle) approval accorded by the GoI, MoEF &CC, Integrated Regional Office Shimla vide letter No. 8B/HP/01/147/2019/FC/I-62190 dated 09.01.2024 on the proposal cited above. (copy enclosed)
- II. This office memo. No. D-V-18/G -9066 dated 27.02.2023 regarding to take up the matter of CC&CIA study of Ravi basin in District Chamba. (Copy enclosed along with letter received from DOE)
- III. Pr. CCF (HoFF) HP, Shimla letter No. Ft-48-2258/2020/Hydel(FCA) dated 08.05.2023 regarding River Basin Carrying Capacity and Cumulative Impact Studies (CC & CIS) regarding. (Copy Enclosed)

Memo: -

2. In the above subject and references, it is submitted that User Agency of above subjected project has requested to this office for clarification regarding condition No. (A) VII of Stage-I approval accorded vide letter mentioned at Sr. No. I in references, which state that ***“Carrying Capacity Studies (CCS) and Cumulative Impact Assessment Studies (CIS) as per the OM NoJ-11013/I/2013-IA-I dated 28th May, 2013 shall be carried out, except for the first Hydro-electric Project in a river basin where such study CCS and CIS need not be carried as mentioned in the aforesaid OM, and based on the outcome of such study the 'final' approval shall be granted”***



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 In this regard, this office had taken up the matter with your good office vide this office memorandum dated 27.02.2023 as referred at Reference Sr. No. II. And in reply to this letter clarification was received from Pr. CCF (HoFF) HP, Shimla vide his office memorandum dated 08.05.2023 mentioned at reference Sr. No. III, the contents of memo. are reproduced as under: -

“The Directorate of Energy, GoHP has clarified that all the studies undergoing in the state of Himachal Pradesh were handed over to MoEF &CC, GOI, New Delhi hence requested to process the FCA cases accordingly.

Reply has been submitted by Nodal Office in JSW proposal to IRO & Head Office Ministry of Environment Forest & Climate Change, GoI, New Delhi and was not objected by them.

You are requested to process the cases of Hydel projects to the next authority/Nodal Officer.”

Keeping in view this clarification received from Pr. CCF (HoFF), this office was processing the New Hydel Project proposals to next authority, but this case now for stage-II approval i.e. for compliance of stipulations of the Stage-I approval.

And User Agency has also submitted in his letter that, as per the Rule-II Sub-Rule (10) of Consolidated Guidelines and clarification issued under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and Van (Sanrakshan Evam Samvardhan) Rules, 2023, issued by MoEF & CC on 29.12.2023, “where compliance of conditions imposed in the “In-Principle” approval is awaited from State Government or Union Territory Administration for more than two years, the “In-principle” approval shall be deemed null and void. Hence, the User Agency is asking this office through DFO Churah whether they should have to deposit the CA levies in compliance to Stage-I approval during this interim period.

Therefore, the following clarification in this regard may kindly be issued:





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1. Whether referring the letter of Pr. CCF (HoFF) HP dated 08.05.2023 (referred at reference Sr. No. iii) compliance of this stipulation be submitted to your office?
2. Otherwise, the matter regarding the CC & CIA Studies may kindly be taken up with the Pr. CCF (HoFF), HP, Pr. Secretary Forests, GoI, HP and to the Asstt. Inspector General of Forests, GoI, MOEF, FC Division, New Delhi to issue the necessary guidelines/directions in this matter, so that the compliance to condition No. (A) VII of the Stage-I approvals be complied and accordingly EDS raised in other proposals be replied.
3. The clarification to the query of User agency regarding to deposit the CA levies without compliance of CC & CIA be given to this office.

It is again requested to issue necessary guidance/clarification CC & CIA Studies to this office at the earliest, so that the further action could be taken accordingly.

Encl: As Above.

Chamba.

Conservator of Forests, (T)
Chamba Forest Circle,

Copy to:-

- ✓ Pr. CCF (HoFF), HP Shimla for favour information and necessary action please.
- ✓ DFO Churah with reference to his office memo No. 622 dated 12.06.2024 for information please.



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DIRECTORATE OF ENERGY
GOVERNMENT OF HIMACHAL PRADESH
SHANTI BHAWAN PHASE-III SECTOR-6 NEW SHIMLA -9
TEL NO: 0177-2673551, Email: dir.doehp@nic.in, ceenergy09@gmail.com

No. HPDoE/CE (Energy)/Forest Issue/2022- 75 04-05

Dated: 21/11/2022

From

Director (Energy),
GoHP, Shimla.

To

✓ Chief Conservator of Forests,
Chamba Forest Circle, Chamba

Subject: Diversion of 61.4083 hectares of forest land in favor of M/s JSW Energy Ltd. for the construction of 240 MW Kuther Hydro Electric Project within the Jurisdiction of Bharmour Forest Division Chamba, Himachal Pradesh.

Sir,

In reference your office letter no. D-V-18/G/4605 H.P Forest Department, Chamba dated 12.09.2022 on the subject cited matter it is intimated that initially GoHP has decided to undertake the Cumulative Impact Assessment & Carrying Capacity Study (CIA & CCS) of Ravi Basin. Accordingly, draft Term of Reference (ToR) was prepare and submitted to MoEF,CC, GoI in the year 2015. However in the year 2015, Ministry of Environment and Forest (MoEF) ,CC, GoI took in-principle decision that henceforth all the CEIA and CCS study in all River basin will be conducted by MoEF,CC, GoI itself (**Copy enclosed**). Accordingly, all the studies undergoing in the State of Himachal Pradesh were handed over to MoEF, CC, GoI on as and when basis alongwith all the original files and record available with this office.

In view of the above, it is amply clear that the mandate of such study is now with MoEF; CC, GoI, hence the matter may be taken up accordingly. This is for your information and necessary action in the matter please.

D/C Gen.
8/12/22



Yours faithfully,

K. S. N. K. V.
Chief Engineer (Energy),
Directorate of Energy,
GoHP, Shimla-09

Copy to the M/s JSW Energy (Kuther) Limited for information w.r.t to their office letter no. JSWEL/Kuther HEP/DOE/ FC/52/22-23/5066 dated 20.07.2022 please.

K. S. N. K. V.
Chief Engineer (Energy),
Directorate of Energy,
GoHP, Shimla-09

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Impact
9-14

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DIRECTORATE OF ENERGY
GOVERNMENT OF HIMACHAL PRADESH
SHANTI BHAWAN PHASE-III SECTOR-6 NEW SHIMLA-9
Tel No: 0177-2673552, Fax No: 2673553, Email: ceenergy09@gmail.com

No.HPDOE/CE (Energy)/Satluj Basin/2015- 3888-96

Dated: 29/7/2015

To

Sh. Bishwanath Singh (I.A.S.),
Joint Secretary,
Ministry of Environment, Forests & Climate Change,
Govt. of India, New Delhi.

Subject:- Taking over all river/river basin carrying capacity studies from the State Governments & Central Water Commission (CWC) on as is where basis.

Sir,

This is in reference to your office D.O. letters dated 14.01.2015 & 05.02.2015 and subsequent letters No. J-11013/1/2013-IA-1 dated 03.02.2015, dated 20.02.2015, dated 12.03.2015 and minutes of meeting held on 07.07.2015 issued vide your office memorandum dated 13th July 2015.

In this context in line with decision of MoEF GoI to conduct future studies on Carrying Capacity and Cumulative Impact Assessment Studies (CC& CIA) directly by engaging consulting firms and/or reputed Institutes and take over the ongoing studies being funded by CWC and various State Governments as desired all the relevant files in original related to CEIA Studies of the various river basins in Himachal Pradesh are being submitted to your office as per detail given in (Annexure -1).

The status of all the CEIA studies in progress in different river basins of Himachal Pradesh is submitted here with as per (Annexure-2).

However on the part of H.P. Govt. certain clarifications as brought out under are humbly required from MoEF.

1. The matter regarding reimbursement of amount already spent on these studies by GoIP (Annex-3).

- 20
2. The extent of involvement of GoHP during the course of conducting the CEIA studies to address the specific concerns of State of H.P.
 3. Mode of operation of the agreement signed by GoHP with the respective consultants i.e. ICFRE Dehradun for CEIA study of Satluj basin and with M/s R.S. Environlink Technology Pvt. Ltd. Gurgaun for CEIA study of Chenab basin in Himachal Pradesh.
 4. The role of Peer Group constituted by GoHP to review the basin wise CEIA studies being carried out by various agencies/consultants and to offer valuable inputs and suggestions for improvement
 5. The role of Panel of Environment and Social Experts (PESE) as engaged by GoHP in order to ensure proper transparency by giving independent review on the report and same time advise on Hydro Power development to be consistent with GoHP & Govt policies and at par with international standards environmental and social policies.

Mr. Deepak Jasrotia (Sr. executive Engineer DoE, GoHP) along with concerned official are hereby deputed to your good office for handing over the above said record and files pertaining to CEIA studies of various river basins in Himachal Pradesh.

Submitted for further favour of necessary action at your end please.

Yours faithfully,

Ajaya

Dr. Ajay Sharma (IAS),
Director (Energy),
Directorate of Energy,
Govt. of Himachal Pradesh.
Mobile No. 9418068206.

Copy forwarded for information to the:-

1. Chief Secretary to the GoHP, Shimla 171002 for kind information please.
2. Additional Chief Secretary (MPP & Power) to the GoHP, Shimla 171002 for kind information please.

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Bishwanath Sinha I.A.S
Joint Secretary



U/o the Chief Secretary
Dy. No.
Dated.

Government of India
Ministry of Environment, Forests & Climate Change

ACS (ENV)
ACS (MHA)
2-2-15

Dy. No. S 3123775
Dated. 2-2-15

D.O. No J-11013/1/2013-IA-1

Dated: 5th February, 2015

5312708

12/2/2015

Subject: River-Basin carrying capacity and cumulative impact studies (CC & CIA) - regarding

Dear Sir,

You are aware that river carrying capacity studies will be conducted under the aegis and supervision of this Ministry. It has also been decided that the studies which have already been awarded and are in the process of awarding, will also handed over to this Ministry by CWC and other state governments concerned.

2. I request you to kindly arrange to transfer the relevant files to this Ministry at the earliest.

Raymond

Yours sincerely,
Bishwanath Sinha
(Bishwanath Sinha)

Shri. P. Mitra, IAS
Chief Secretary
Government of Himachal Pradesh
Room No. E-201-B
Ellerslie Building
Himachal Pradesh Government Secretariat
Shimla - 171 002
Fax No.0177- 2621813

9/2

SSC(17K)

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No. D-V-18/G/ 9066
H.P. Forest Department

Dated Chamba, the 27-02-2023

From: Chief Conservator of Forests,
Chamba Forest Circle, Chamba (HP)

To: Nodal Officer (FCA) HP
O/o Pr. CCF (HoFF), Shimla

Subject: - **Proposal for diversion of 58.2368 [61.4083-3.1715 (transferred to HPPTCL) = 58.2638] hectare of forest land in favour of M/s JSW Energy Ltd for the construction of 240 MW Kuther Hydro Electric Project within the jurisdiction of Bharmour Forest Division Chamba, Himachal Pradesh- regarding change in the name of one user agency to another user agency i.e. M/s JSW Energy Limited to M/s JSW Energy (Kuther) Limited.**

Sir,

Kindly refer to Govt. of India, MOEF, (Forest Conservation Division) New Delhi letter No. 37894/2023 dated 27.01.2023 and your office Endst. No. Ft. 48-2084/2010(FCA) dated 10.02.2023 on the subject cited above.

In this connection, it is submitted that the matter regarding the Carrying Capacity and Cumulative Impact Studies (CC& CIA) for Ravi river was taken up with the Director, Directorate of Energy, Govt of Himachal Pradesh, and in reply to this matter they informed that all the records related to river basin CC & CIA studies in Himachal Pradesh as on as is where is basis had been handed over to MoEF, New Delhi in pursuance to his vide his office letter No. HPDOE/CE(Energy)/Satluj Basin/2015-3888-96 dated 29.07.2015 by deputing special person. **(Copy Enclosed)** In pursuance to his D.O. letter No. J-11013/1/2013-IA-I dated 05.02.2015.

From the correspondence and submission of the Director, Directorate of Energy Govt. of HP, it is clear that the study regarding CC & CIA shall be conducted by Ministry of Environment & Forest, GoI, Delhi.

Thereafter, this office had apprised in detailed to the Joint Secretary, Govt. of India, MOEF & CC, New Delhi vide this office letter No. 7095 dated 26.11.2022 **(Copy Enclosed)** regarding the facts for conducting the such study with request to issue the necessary guidelines/direction in this matter and copy thereof was endorsed to Regional Officer IRO Shimla, Pr. Secretary Forests GoHP, Pr. Secretary MPP& Powers Govt. of HP, Pr. CCF (HoFF) HP, your office and all concerned DFOs/user agencies. Even, this office is writing regularly to higher ups/Govt. as well as to your office for issuing the necessary directions/guidelines in this matter, But, till yet neither any response from the Joint Secretary, Govt. of India, MOEF & CC, New Delhi nor from the other higher ups is received in this matter.

Further, it is also apprised that in compliance to the stipulations being imposed in various hydel projects this office has held up four number of following Hydro Electric Projects FCA cases due to non-availability of the cumulative study. As in absence of necessary guidelines/directions from the higher ups, this office is unable to process/recommend following FCA proposals: -

1. **Ghator Top SHEP 4.98 MW. (U.A.:- Chamba Hydro Venture, Hotel Alps, PO & Tehsil Sarol, District Chamba -176304.**
2. **Jai Bani Mata HEP (24MW) (U.A.:- Jai Banni Mata SHEP, House No. 80, Sectot-7, Panchkulla (Haryana)-134009.**
3. **Jai Kartikay HEP (2.5MW) (U.A.:- Jai Kartikey SHEP, House No. 967, Sectot-12A, Panchkulla (Haryana)-134009.**
4. **Rudraveer SHEP (5MW) (U.A.:- Rudraveer Hydro Generation Pvt. Ltd. Mohalla Sapri, Chamba, District Chamba (HP) -176310.**

Now, this office is in such a position, where neither this office can conduct the such study nor recommend the proposal of Small Hydroelectric Projects for further processing under FCA. But the concerned User Agencies are visiting this office whose cases are on hold/pending in this office due to non-availability such study.

Therefore, your self is once again requested to kindly apprise to the Pr. CCF (HoFF), HP, Pr. Secretary Forests, GoI, HP and to the Asstt. Inspector General of Forests, GoI, MOEF, FC Division, New Delhi with request to issue the necessary guidelines/directions in this matter so that the compliance to Point No. 5 of the approval letter dated 11.01.2013 read with letter dated 19.02.2013 be ensured and action accordingly the in the above proposals could be taken.


Chief Conservator of Forests,
Chamba Forest Circle, Chamba

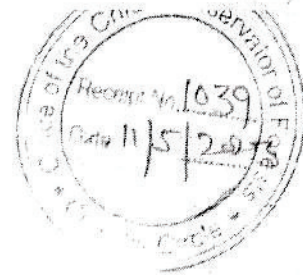
Endst. No. Even No. /G.....9067-71..... Dated 27-02-2023

Copy to the following for information and necessary action please: -

1. Regional Officer, GoI, MoEF & CC, Integrated Regional Office, Shimla, Longwood, Shimla for information and any latest direction/guidelines in this behalf. This is in reference to the stipulation No. of GoI, MoEF vide his letter dated 11.01.2013 and 19.02.2013 for "diversion of 61.4083 hectare of forest land in favour of M/s JSW Energy Ltd. for the construction of 240MW Kuther Hydro Electric Project within the jurisdiction of Bharmour Forest Division Chamba, Himachal Pradesh and this office endorsement No. 5940-53 dated 18.10.2022.
2. Pr. Secretary, Forest, Govt. of Himachal Pradesh, Shimla-171002 for information, necessary action and any necessary direction please.
3. Pr. CCF (HoFF), HP, Shimla for information and necessary action
4. DFO Bharmour for information and necessary action please.
5. The General manager, Energy (Kuther) Ltd. Kuther HEP (240 MW) Village Machhettar, PO Chanhkounta, Tehsil Bharmour, District Chamba-176309 (HP) for information and necessary action.


Chief Conservator of Forests,
Chamba Forest Circle, Chamba

No. Ft. -48-2258/2020/Hydel(FCA)
Forest Department, Himachal Pradesh



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Dated Shimla-1, the 08 MAY 2023

From : Pr. Chief Conservator of Forest(HoFF)
Himachal Pradesh, Shimla-1

To: CCF Chamba (T)
Chamba Forest Circle

Subject: River Basin Carrying Capacity and Cumulative Impact
Studies (CC & CIS) regarding.

Sir,

In The subject cited matter the Directorate of Energy, GoHP has clarified that all the studies undergoing in the State of Himachal Pradesh were handed over to MoEF & CC, GoI, New Delhi hence requested to process the FCA cases accordingly.

Reply has been submitted by Nodal Office in JSW proposal to Integrated Regional Office & Head Office Ministry of Environment Forest & Climate Change, Government of India, New Delhi and was not objected by them.

You are requested to process the cases of Hydel projects to the next authority/Nodal Officer.

Encl: As above

Pr. Chief Conservator of Forest(HoFF)
Himachal Pradesh, Shimla-1

J C Gen.

Enclt No. 1019-23... Dated 11/5/2023
D-V-18/6

copy is forwarded to all DF's in
this circle for information and necessary action.
This is in reference to this office enclt No 7096-71AD
dt 26.11.2022.

11.05.2023
Chief Conservator of Forests (T)
Chamba Forest Circle

11/5/23