


**MINUTES OF 7th MEETING OF REGIONAL EMPOWERED COMMITTEE OF
INTEGRATED REGIONAL OFFICE, SHIMLA**

HELD ON 13th May, 2022

The 7th meeting of the Regional Empowered Committee (REC) of the Integrated Regional Office Shimla was held on 13th May, 2022 under the Chairmanship of Shri Satya Prakash Negi, IFS, Regional Officer, Integrated Regional Office, Shimla to discuss FCA proposals pertaining to Himachal Pradesh State.

Following official/non-official members and Special Invitee were present in the meeting either in person or through video conferencing.

S. no.	Name	Designation
01	Shri Satya Prakash Negi, IFS, Regional Officer, Integrated Regional Office, Shimla.	Chairman
02	Dr. R. S. Bisht, Retd. IFS	Non-official Member
03	Prof. S. D. Bhardwaj	Non-official Member
04	Shri T. C. Nautiyal, IFS, DIGF (C), Integrated Regional Office, Shimla.	Member Secretary
05	Shri R. K. Gupta, IFS HPSFD	Nodal Officer-cum-APCCF(FCA)
06	Dr. Yogesh Gairola, Integrated Regional Office, Dehradun.	Technical Officer (Special Invitee)
07	Sh. Joginder Kumar, Integrated Regional Office, Shimla	Technical Officer (i/c)
08	Sh. Ajay Kumar, Integrated Regional Office, Shimla	Technical Officer (i/c)
09	Sh. Aman Kumar, Integrated Regional Office, Shimla	Technical Officer (on contract)
10	Representatives of the User Agencies and State Forest department	---



Agenda item no. 1:- Diversion of 6.168 ha of forest land in favour of HPPWD, for the construction of Patarna Kainchi to Mishta Road Kms 0/0 to 9/600 Kms, within the Jurisdiction of Ani Forest Division, Distt. Kullu, Himachal Pradesh. (Online No. FP/HP/ROAD/42875/2019).

The proposal was presented by the DFO Ani as well as the representative from User Agency in detail. After detailed discussion, the Committee observed that the alignment upto village 'Satehon' appears justified, however the rest of the villages at the end of the proposed road can be connected from other side if approaches to these villages are required. The alignment beyond the village Satehon onwards appears considerably in dense forest and as informed by the DFO Ani that it comprises 48 numbers of trees in this section which is considerably on higher side. The REC was of opinion that the felling of the trees beyond the village 'Satehon' can be avoided. Further, it was enquired by the REC in its previous meeting to present the case with proper justification which has not been done by the State Government representatives.

After detailed discussion on various aspects of the proposal, the Committee decided to defer the proposal to the next REC meeting with following directions:-

1. The User Agency and DFO concerned will re-examine the requirement of alignment beyond village 'Satehon' along with the possibility to reduce the numbers of trees to be affected and present the case properly with adequate justification in-person before the members in the next REC.
2. The FRA certificate along with the copy of records of all consultations and meetings with Gram Sabha and FRC of all the 09 villages mentioned in the proposal is required to be submitted.

Agenda item no. 2:- Diversion of 2.4589 ha of forest land in favour of National Highway Authority of India, in village Kathali from RD 127/450 to 128/250 for four laning of Solan-Kaithlight Section of NH-22 (Now NH-05) from Kms 106.139 to Km 129.05, within the jurisdiction of Shimla Forest Division Distt. Shimla HP. (Online Proposal No. FP/HP/ Road/120302/2021).

Regional Empowered Committee discussed the proposal seeking diversion of 2.4589 ha Forest land in village Kathali from RD 127/450 to 128/250 for four laning of Solan-Kaithlight Section of NH-22 (Now NH-05) from Kms 106.139 to Km 129.05, within the

jurisdiction of Shimla Forest Division Distt. Shimla. The Committee noted that 1155 trees including 978 saplings are proposed to be affected in the project. It is noted that the forest land proposed for diversion is not part of any Protected Area and no rare and endangered species of flora and fauna have been reported in the area proposed for diversion. Further, no violation of FCA has been reported by the State Government. The Committee apprised by the User Agency that the aforesaid alignment is a part of original alignment from Parwanoo to Shoghi section of NH-22 from km 67.00 to 129.00 km within the jurisdiction of Solan Forest Division which is already been approved under FCA on dated 03.12.2015 (Proposal no. FP/HP/Road/4132/2013). The Committee noted that the said piece of land is a forest land in records of forest department and in the name of private owners in revenue records. Therefore, due to this dispute the case is sub-judice in Civil Judge Court of Kandaghat, Dist. Solan. It was informed to the committee that NHAI has already obtained a relief from Hon'ble High Court of HP on dated 08.12.2020 wherein it has been directed that NHAI will submit the FC case to the MoEF&CC till disputed land is decided by Kandaghat Court. The Committee was also apprised that NHAI has submitted an undertaking for the payment of compensation to the DC Solan that in the event the said land is decided in the favour of land owners, NHAI will have to bear the compensation amount for making payments to the owner.

After detailed discussion on various aspects of the proposal, the Committee decided to accord In-principle approval in this case subject to submission of documents/ clarification/ information on following points:

1. The DFO, SDM concerned and Project Director NHAI Shimla will visit the site for ascertaining that there is no change in the alignment proposed with the proposal no. FP/HP/ROAD/120302/2021 and this is the same alignment which was proposed and approved by the Government of India with the proposal no. FP/HP/ROAD/14132/2013 vide dt. 03-12-2015. A certificate in this regard be submitted to the IRO Shimla.
2. This is ascertained that the piece of land which is being asked for diversion now was part of the alignment approved in 2015 by the government of India and was listed as non-forest land in the proposal approved earlier. This is also assumed that the enumeration of the whole alignment has already been done in the past for the approved project. Therefore, no new enumeration should be done in this




instant case. Clarity and certificate in this regard is required by the concerned DFO.

3. The KML file showing all components in forest and non-forest land in distinct colours for the complete original alignment from Parwanoo to Shogi section (Proposal no. FP/HP/Road/4132/2013) superimposing the KML of present proposal (Proposal No. FP/HP/ Road/120302/2021) is required to be submitted.
4. The DFO concerned and User Agency will find out the possibilities to reduce the number of trees (especially Oaks) to be affected.
5. The User Agency will explore the possibility of translocating ecologically important saplings of tree species especially Oaks being affected atleast on experimental basis.
6. The FRA certificate along with all prescribed annexures is required to be submitted before Stage-II (final) approval.
7. Since the proposed diversion area is a disputed land and the matter is sub-judice in Kandaghat Court, Solan, therefore, diversion of the disputed land is subject to the final decision of the Court.

Agenda item no. 3:- Diversion of 0.5684 ha of forest land in favour of M/s O.H.P. Project Pvt. Ltd., Village Tadoli Chamba, HP, for the construction of Chaned SHEP (1 MW), within the jurisdiction of Dalhousie Forest Division, Distt. Chamba, Himachal Pradesh (Online Proposal No. FP/HP/HYD/ 138838/2021)

Regional Empowered Committee discussed the proposal seeking diversion of 0.5684 ha of forest land in favour of M/s O.H.P. Project Pvt. Ltd., Village Tadoli Chamba, HP, for the construction of Chaned SHEP (1 MW), within the jurisdiction of Dalhousie Forest Division, Distt. Chamba, The Committee noted that 39 trees are proposed to be affected in the project. There are no trees in dumping site. It is noted that the forest land proposed for diversion is not a part of any Protected Area and no rare and endangered species of flora and fauna have been reported in the area proposed for diversion. Further, no violation of FCA has been reported by the State Government. The Committee was apprised that the detail of 02 projects in the landscape along with the distance from nearest protected area has been furnished by the User Agency. Concerned User Agency



was present in meeting through online mode. The evacuation of power generated in this project is proposed to be transmitted through overhead cable of 11 KV from project site to Bhanota sub-station for which 7 m RoW has been taken by the project proponent. The project proponent has informed to the committee that Transmission Line is proposed to be passed along the road component. Further, the committee was apprised that details of project in line with the proposed project is submitted by the State Government with the distance of the project from nearest Protected Areas. The committee noted that the project is outside of the notified ESZ of Kalatop-Khajjiar Wildlife Sanctuary i.e. 500m. The PCCF (Wildlife) has reported the distance of the project from the ESZ in 4.12 Km. The project upto 25 MW does not cover under the provision of EIA if outside the ESZ of any Protected Areas. However, additional condition to ensure the adherence to stipulated e-flow as recommended by the State of Himachal Pradesh & other regulatory authority for the conservation & development of aquatic flora and fauna. Further, the User Agency also ensured that they will abide by all conditions if imposed in near future by the State Government of the Government of India for environmental concern.

After detailed discussion on various aspects of the proposal, the Committee decided to recommend the proposal to MoEF&CC for approval subject to submission of documents/ clarification/ information on following points:

1. **The State Govt. shall re-confirm the number of projects proposed, under construction, commissioned etc. in the landscape and there impacts on the hydrology and ecosystem. The digital map showing location of all these HEPs and their evacuation /transmission detail, and distance of these HEPs from the nearest PAs and their finally /draft notified ESZs may be provided**
2. The KML file and Geo-referenced map of 1ha area proposed for CA is required to be uploaded in the web portal.
3. The Certificate mentioning that 11 KV transmission line is technically sufficient for evacuation of power in the project as informed by the User Agency before the Committee is required to be submitted



Agenda item no. 4:- Diversion of 2.8913 ha of forest land in favour of Kalmia Hydro Power Pvt. Ltd C/o Chaman Lal Village Aleo, P.O. and Tehsil Kullu, District Kullu, for the construction of Shanag Top Hydro Electric Project (4.20 MW) HEP, within the jurisdiction of Kullu Forest Division, Distt. Kullu, Himachal Pradesh (Online Proposal No. FP/HP/HYD/41965/2019)

Regional Empowered Committee discussed the proposal seeking diversion of 2.8913 ha of forest land in favour of Kalmia Hydro Power Pvt. Ltd C/o Chaman Lal Village Aleo, P.O. and Tehsil Kullu, District Kullu, for the construction of Shanag Top Hydro Electric Project (4.20 MW) HEP within the jurisdiction of Kullu Forest Division. The Committee noted that 76 trees enumerated, however 67 are to be felled and 9 in 7 dumping site not to be felled in the project. It is noted that the forest land proposed for diversion is not a part of any Protected Area and no rare and endangered species of flora and fauna have been reported in the area proposed for diversion. The aerial distance of proposed project site from proposed ESZ of Manali WLS is 2.20 km. Further, no violation of FCA has been reported by the State Government. Concerned User agency was present in the meeting through Video conferencing. The REC noted that the final notification is not yet issued therefore the ESZ may be considered as 10 KM for the said project and provisions of EIA 2006 and clearance of NBWL may be taken up accordingly. The State Govt has already been provided the comment of PCCF (Wildlife) in the proposal. Since the matter of ESZ notification is being dealt by the ministry, necessary condition deemed fit to this case may be considered while processing the case for approval.

Further, the project is of capacity of only 4.2 MW therefore the requirement of TEC can be made as an additional condition while considering the case for stage-I approval. However, the representative of the project proponent ensured that the TEC will be made available at the earliest. It was submitted that the DSS of CA area has been carried out and part of it was found MDF. REC was informed by the project proponent that the said CA site was visited by the official from the State Forest Department prior recommending for CA in this project and found it suitable for plantation. The REC desired that the site visit report in this regard may be submitted to this office prior to forwarding the case to the ministry. Further, the rivulet is part of "Beas" river basin for which study has already been carried out by the IA Division of the MoEF&CC, New Delhi.



The necessary comments may be taken from the concerned division, if required in this matter. However, it is incorporated as an additional condition which was suggested in cases approved by Hon'ble MEF that user agency shall ensure adherence to stipulated e-flow as recommended by the State of HP and other regulatory authority for the conservation and development of aquatic flora and fauna.

After detailed discussion on various aspects of the proposal, the Committee decided to recommend the proposal to MoEF & CC for approval subject to submission of documents/clarification/ information on following points:

1. A list of number of such small HEPs which is commissioned, proposed and under construction in the area/landscape and their impacts on the hydrology and the ecosystem. The digital map showing location of all HEPs and their evacuation/transmission plans and the distance of those HEPs from nearest PAs and their finally/draft notified ESZs may be provided.
2. Undertaking to transfer the land under the component wise breakup sites (Sr. No. 1,3,5,7,11,13,14,15,16,19,20,22,23) after the completion of project with reclamation of these sites to concerned Forest Division.
3. All records of consultations and meeting with Gram Sabha(s) of all concerned villages needs to be submitted before Stage-II approval.
4. The concerned DFO shall review and submit the certificate that the proposed 03 ha CA land (out of 06 ha) is not falling in Moderate Dense Forest (MDF) category and CA sites are suitable for plantation. If, CA site is in MDF category, new CA suitable site may be provided having density less than 40%.
5. The revised NPV calculations in consonance with MoEF & CC letter dated 06.01.2022 is required to be submitted.
6. TEC is required to be submitted before Stage-II approval.

Agenda item no.5:- Diversion of 12.9338 ha of forest land (including 11.3974 ha for Transmission Line) M/s KU Hydro Power Pvt. Ltd. Dharamshala, for the construction of 25 MW Lambadug Hydro Electric Project and 132 KV Transmission Line from Lambadug Project to HPSEB Sub Station at Bassi, under Hamirpur Wildlife Division Distt. Hampirpur and Jogindernagar Forest Division, Distt. Mandi, Himachal Pradesh.

Regional Empowered Committee discussed the proposal seeking felling permission of 34 no. more trees of already final (Stage-II) approved project of proposal diversion (of 12.9338 ha of forest land (including 11.3974 ha for Transmission Line) M/s KU Hydro Power Pvt. Ltd. Dharamshala, for the construction of 25 MW Lambadug Hydro Electric Project and 132 KV Transmission Line from Lambadug Project to HPSEB Sub Station at Bassi, under Hamirpur Wildlife Division Distt. Hamirpur and JoginderNagar Forest Division, Distt. Mandi). In this proposal, Final approval has been granted vide letter dated 25.08.2010, in which out of 2773 enumerated list of trees, felling permission only 1242 trees was granted and 1531 trees retained/remain intact. Further State Government, desired to fell 281 trees out of total enumeration list i.e. 2773 and GoI permitted felling for the same vide letter dated 10.07.2018. Now the State Government again sought permission for felling of 34 more no. of trees. Concerned User agency was present in the meeting.

Discussion on following points were carried out:

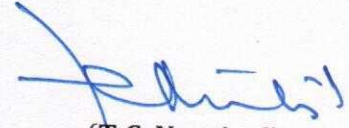
1. Justification needs to be provided by State Govt./DFO, for felling of 34 trees.
2. The status of progress of CA land needs to be provided along with the KML for the same.
3. Undertaking, duly authenticated by DFO, regarding No change in Layout Plan and no further request for felling of trees will be made in future after felling of these 34 trees.

After detailed discussion on various aspects of the proposal, the Committee decided to recommend the proposal to MoEF&CC for approval subject to submission of documents/clarification/ information on following points:

1. Felling permission for 34 no. of trees has been requested. However, Committee is of the view that this no. (34 no.) should be reduced by branch cutting/lopping/topping/pruning etc. especially of ecologically important tree species and exact number of trees to be lopped/pruned/topped and felled may be provided.
2. Undertaking by User Agency, duly authenticated by DFO, regarding No change in Layout Plan.

3. Undertaking by User Agency, duly authenticated by DFO that no felling permission be requested in future for this project.
4. The up to date KML file of approved DA along with geo-referenced map showing all components in distinct colors needs to be required.

The meeting ended with thanks to the Chair and by the Chair to the members and other participants.



(T.C. Nautiyal)

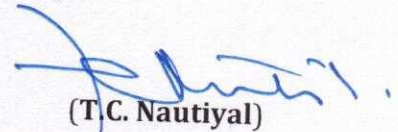
DIGF-cum-Member Secretary, REC

File. No.: 14-4/IRO/REC/2021/1/243

Dated: 18 May, 2022

Distribution:

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2. Dr. S. D. Bhardwaj, (Member, REC), 33-Sai Niwas, Scientist Colony, Post Office Shanti, Tehsil & Distt. Solan- 173 212, Himachal Pradesh. (Email: shrwandev@yahoo.co.in)
3. Shri T. C. Nautiyal, IFS, DIGF (C) (Member REC), Integrated Regional Office, Dehradun. (Email:tcnautiyal@gmail.com)
4. The Addl. Chief Secretary (Forest), Govt. of Himachal Pradesh, Armsdale Building, Shimla.
(Email:forestsecy-hp@nic.in)
5. The APCCF-cum-Nodal Officer (FCA), Forest Department, Govt. of Himachal Pradesh, Talland, Shimla, H.P. for information. He is requested to take action on the decisions taken in the REC meeting (Project wise) & ensure submission of compliance to this office for further necessary action. (Email:nodalcahp@yahoo.com)



(T.C. Nautiyal)

DIGF-cum-Member Secretary, REC