

Note No. #1

File no. 8B/HP/01/48/2020/FC

Online no. FP/HP/HYD/39428/2019

Diversion of 4.016 ha of forest land in favour of Ashapuri Hydro Powers Private Limited, village Tharas, PO Hurla, Tehsil Bhunter, Distt. Kullu, HP for the Construction of Hurla Top Small HEP (3.5 MW), within the jurisdiction of Parvati Forest Division, Distt. Kullu, Himachal Pradesh (Online No. FP/HP/HYD/39428/2019).

A proposal was received from Govt. of Himachal Pradesh vide their letter no. Ft.48-3915/2019 (FCA) dated 09.06.2020, seeking diversion of 4.016 ha of forest land in favour of Ashapuri Hydro Powers Private Limited, village Tharas, PO Hurla, Tehsil Bhunter, Distt. Kullu, HP for the Construction of Hurla Top Small HEP (3.5 MW), within the jurisdiction of Parvati Forest Division, Distt. Kullu, Himachal Pradesh.

The details of the proposal are as under:-

1. Location	
i. State	Himachal Pradesh
ii. District	Kullu
2. Particulars of forest	
i. Name of Forest Division 1	Parvati Forest Division
ii. Forest Area involved (ha) & Legal Status	4.016 ha RF
3. Total number of trees to be felled	21 trees (at pg. 53/p)
4. Whether forms part of a National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor, etc. (if so, the details of the area, and comments of the Chief Wildlife Warden)	No
5. Whether any rare/endorsed/unique species of flora and fauna found in the area? If so, details thereof.	No
6. Whether any protected archaeological/heritage site/defence site/ defence establishment or any other important monument is located in the area. If so, the details thereof with NOC from competent authority.	No
7. Violation of Forest (Conservation) Act, 1980. If so, the details thereof.	No
8. Whether the forest land proposed for diversion is located within eco-sensitive zone (ESZ) of the Protected Area notified under Wildlife (Protection) Act,1972 (Note: In case, ESZ of a Protected Area is not notified,then,10kms distance from boundary of the Protected Area should be treated as ESZ).	Yes, 2.20 KM from nearest Kanawar WLS. The comments of CWLW have already been provided in this regard. (p-131)
9. Compensatory Afforestation	Pg. 59-64
i. CA/ Plantation site with area	1/32 Shillagarh Forest

		of Jhuni Beat of Hurla Forest Range of Parvati Forest Division, Area-8.032 ha (p-66)
	ii. Total amount for CA (Rs.)	Rs. 1841840/-
10.	Total amount of NPV	Rs. 1403592/- @6.99 lakhs, Density-4.48 (Open Forest) & Eco-class VI (at page no. 80)
11.	Project Specific Details	
	i. Purpose-wise breakup of total land required	Pg. 102-103
	ii. Muck dumping	Pg. 71/p (Enclosed)
	iii. Reclamation Plan	Pg. 68/p
	iv. Implementation Agreement	Pg. 113/p
	v. Techno-Economic clearance	Pg. 114/p
	vi. CAT Plan	NIL
12.	Transmission Line Details (33 KV)	Pg. 154/c
	i. Total Length	1928.4 m
	ii. Total length passing through forest land	1928.4 m
	iii. Total length passing through non-forest land	NIL
	iv. Total of Towers to be erected	21
	v. RoW	15.62 m
	vi. Height of T/L	8 m
13.	Certificate issued by Collector-cum-District Commissioner of district concerned that no claim under the Scheduled Tribes and others Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 exists or pending in respect of the forest area proposed diversion.	Provided (Page No. 41-51/p)
14.	Geo-referenced Digital Map of area proposed for diversion and Compensatory Afforestation.	Submitted (for diversion at pg. 20/p and for CA at pg. 58/p).

The said proposal was discussed in the Regional Empowered Committee (REC) meeting of Regional Office (North Central) held on dated 25-03-2021 with above facts. Further it is also pertinent to be mentioned here that the proposed project is concerning to the catchment of Beas Basin, for which Cumulative Impact Assessment and Carrying Capacity study (CIA & CCS) is already been done by the IA Division of MoEF & CC, GoI. The Hydel Projects up to 25 MW does not cover under the provisions of EIA notification, 2006, hence may not involved preparation of EMPs. However it is incorporated as an additional condition that the State Government/User Agency shall ensure adherence to stipulated E-flow, as recommended by the Govt. of Himachal Pradesh, NGT, MoEF & CC,

GoI and may 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 recommended the proposal to the MoEF & CC, Govt. of India for approval subject to fulfilment of the following conditions:-

1. The smallest unit of the area is 'Karam' in H.P. and the 11 Karam is being taken up for RoW of transmission line which comes out to be 15.62 m, therefore comments/ classification is required in this regard from the Competent Revenue Authority of H.P. (Pg. no. 166).
2. State Govt. may submit the separate tree enumeration list for the trees standing in the area proposed for Muck Dumping (Pg. no. 166).
3. Regarding to the part no. 06 of this office EDS dated [19-06-2020](#) (Pg. no. 148), the State Government may submit the comments, which were missing in their letter earlier. (Pg. no. 166)

With reference to this office proceedings of REC dated [25-03-2021](#), the State Government has submitted point wise reply of the observation as raised by REC, vide letter no. dated [28-09-2021](#) (Pg. no. 182) & [09-06-2021](#) which is as under:-

- i. As per the statement of SDM Kullu, settlement of the area, where the project is proposed has not been done as yet and after the settlement of this area, local unit (Karam) will be converted into SI units. At present Revenue Department is still using local unit i.e. Karam for land measurement. ([Report enclosed](#) Pg. no. 182).
- ii. The [DFO has reported](#) that no trees are coming in the alignment of 06 nos. proposed dumping site. (Report endorsed at Pg. no. 173 of folder).
- iii. In response of point no. 3, the State Government enclosed certificate regarding the area proposed for the diversion is not touching the continues of Very Dense Forest duly signed by the DFO ([Report enclosed](#) Pg. no. 174 of folder).

In view of the above, the proposal is recommended & submitted for consideration for grant of 'In-Principle' approval by the Competent Authority in the MoEF & CC, Govt. of India for Diversion of 4.016 ha of forest land in favour of Ashapuri Hydro Powers Private Limited, village Tharas, PO Hurla, Tehsil Bhunter, Distt. Kullu, HP for the Construction of Hurla Top Small HEP (3.5 MW), within the jurisdiction of Parvati Forest Division, Distt. Kullu, Himachal Pradesh on following terms and conditions as under:-

- i. Legal status of the diverted forest land shall remain unchanged.
- ii. Forest land will be handed over only after the non-forest land required for the project is handed over to the user agency.

1. Compensatory Afforestation:

- a. Compensatory afforestation will be done on the degraded forest land twice the proposed forest land i.e. 8.032 hectare, 1/32 Shillagarh Forest of Jhuni Beat of Hurla Forest Range of Parvati Forest Division. As far as practicable, local indigenous species should be planted and single species plantation should be avoided.
- b. On compensatory afforestation land, if required, the cost of compensatory afforestation and survey, demarcation and erecting at prevailing wage rates as per the Compensatory Afforestation Scheme shall be deposited by the User Agency in advance to the Forest Department. Compensatory Afforestation will be maintained for 10 years. The plan may include appropriate provisions for anticipated cost escalation for future scheduled works.

- c. The State Government shall ensure that the KML files of the area to be diverted, the CA areas, the proposed SMC work, the proposed Catchment Area Treatment area and the WLMP area shall be uploaded on the e-Green watch portal with all requisite details before issuing working permission towards linear projects or submitting compliance report for seeking Stage-II approval, as the case may be.

2. Net Present Value (NPV):

(a) The State Government shall charge the Net Present Value (NPV) of the forest land being diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India WP (c) no. 202/1995, IA no. 556 dated 30.10.2002, 01.08.2003, 28.03.2008, 24.04.2008 and 09.05.2008 and the guidelines issued by this Ministry vide its letter No. 5-1/1998-FCA (Pt. 2) dated 18.09.2003, 5-2/2006-FCA dated 03.10.2006 and 5-3/2007-FCA dated 05.02.2009 in this regard state govt. will charge the NPV from the user agency for the diversion of 4.326053 ha of forest land.

(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 govt. from the user agency. The user agency shall furnish an undertaking to this effect.

4. In the Present FCA cases, the diversion of forest land will be prohibited as directed under the IA No. 3840 in WP (c) no. 202/1995 by Hon'ble Supreme Court. Hence, the State Government will issue the approval after the decision taken by Hon'ble Supreme Court, New Delhi.
5. At the time of payment of the Net Present Value (NPV) at the then prevailing 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.
6. All the funds received from the user agency under the project, except the funds realized for regeneration/demarcation of safety zone, shall be transferred to Ad-hoc CAMPA in the Saving Bank Account pertaining to the State Concerned.
7. No labour camp shall be established on the forest land.
8. 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;
9. The State Government/User Agency shall ensure adherence to stipulated E-flow, as recommended by the Govt. of Himachal Pradesh, NGT, MoEF & CC, GoI and may other regulatory authority, for the conservation and development of aquatic flora and fauna.
10. 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.
11. The forest land shall not be used for any purpose other than that specified in the proposal;
12. The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government.
13. Full compliance of FRA, 2006 will be ensured through a prescribed certificate from the District Collector concerned.

14. Felling of trees on the forest land being diverted shall be reduced to the bare minimum and not more than 21 trees shall be felled under strict supervision of the State Forest Department.
15. The boundary of the forest land being diverted shall be demarcated on ground at the project cost, using four feet high RCC pillars, each pillar inscribed with the serial number, DGPS coordinates, forward and backward bearings and distance from pillar to pillar etc.
16. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.
17. The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
18. The user agency shall submit the annual self-compliance report in respect of the above conditions to the State Government and to the concerned Regional Office of the Ministry regularly.
19. State Govt. shall ensure that the user agency shall comply the provisions of all Rules, Regulations and Guidelines issued for laying transmission line in forest areas for the time being in force, as applicable to the project.
20. Any other condition that the concerned Regional Office of this Ministry may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife; and the User Agency and the State Government shall ensure compliance to provisions of all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project.
21. The user agency shall carry out muck disposal at pre-designated sites in such a manner so as to avoid its rolling down. The dumping area for muck disposal shall be stabilized and reclaimed by planting suitable species by the user agency at the cost of project under the supervision of State Forest Department. Retaining walls/terracing shall be carried out to hold the dumping material in place. Stabilization and reclamation of such dumping sites shall be completed before handing over the same to the State Forest Department in a time bound manner as per plan. Tree felling is not permitted in the muck disposal area.
22. The funds received from the user agency under the project will be transferred / deposited only through the e-portal (<https://parivesh.nic.in/>) to the Compensatory Afforestation Fund Management and Planning Authority.
23. 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/Guidelines File No. 11-42 / 2017-FC dated 29.01.2018.
24. Compliance report will be uploaded on e-portal (<https://parivesh.nic.in/>).

If approved the proposal can be forwarded to MoEF&CC for stage -1 approval.

 **Hurla HEP Reference Notesheet.pdf**

25/10/2021 11:33 AM

JOGINDER KUMAR
(SENIOR DRAUGHTSMAN)

Note No. #2

May refer the above Note#1 pls. In view of the above, the proposal is recommended for consideration of **Stage-I** approval of the competent authority.

25/10/2021 3:38 PM

SATYA PRAKASH NEGI
(REGIONAL OFFICER)

Note No. #3

25/10/2021 5:10 PM

SOUMITRA DASGUPTA
(ADDITIONAL DIRECTOR GENERALS OF FORESTS)

Note No. #4

25/10/2021 5:47 PM

RAMESH KUMAR PANDEY
(INSPECTOR GENERALS OF FORESTS)

Note No. #5

25/10/2021 7:02 PM

DHARMDEO RAI
(DY INSPECTOR GENERAL OF FOREST)

Note No. #6

File is submitted for consideration as per provisions provided in OM dated dated 21.10.2021 attached below.

 **Avoiding afresh examination of IRO proposals by MoEFCC.pdf**

27/10/2021 4:14 PM

CHARAN JEET SINGH
(SCIENTIST D)

Note No. #7

In view of the OM dt.21.10.2021 this is ensured that the facts and figures provided in the proposals are correct under the provisions of FCA 1980 and has already been discussed in the REC prior recommendation. This is submitted for further necessary action please.

02/11/2021 11:18 AM

TAPISH CHANDRA NAUTIYAL
(DIGF(C))

Note No. #8

Please refer above note #7. Submitted again for necessary action, please.

02/11/2021 3:42 PM

SATYA PRAKASH NEGI
(REGIONAL OFFICER)

Note No. #9

03/11/2021 10:57 AM

SOUMITRA DASGUPTA
(ADDITIONAL DIRECTOR GENERALS OF FORESTS)

Note No. #10

How many such small Hydroelectric projects are under consideration in the same landscape. Is there any direction/ policy guidelines in respect of such projects in the State or Central Government? IRO may please clarify.

08/11/2021 6:06 PM

DGF&SS
(DGF&SS)

Note No. #11

09/11/2021 10:24 AM

SOUMITRA DASGUPTA
(ADDITIONAL DIRECTOR GENERALS OF FORESTS)

Note No. #12

Please refer the above Note#10. May seek clarifications from the State Government.

09/11/2021 3:10 PM

SATYA PRAKASH NEGI
(REGIONAL OFFICER)

Note No. #13

17/11/2021 10:26 AM

TAPISH CHANDRA NAUTIYAL
(DIGF(C))

Note No. #14

As per query mentioned at [Note # 10](#) and directions given in Note # 12 and Note # 13, EDS letter has been prepared for kind approval and E-sign please.

27/11/2021 2:54 PM

AJAY KUMAR
(SENIOR TECHINCAL ASSISTANT)

Note No. #15

Approved and e-signed. Please dispatch and upload on the web-portal. Send by e-mail as well.

27/11/2021 4:32 PM

SATYA PRAKASH NEGI
(REGIONAL OFFICER)

Note No. #16

Sent for further processing

02/06/2022 11:57 AM

AJAY KUMAR
(SENIOR TECHINCAL ASSISTANT)

Note No. #17

Query was raised by MoEF&CC and accordingly EDS was raised by this office [vide letter dated 27.11.2021](#) and the reply of the State Government has been received [vide letter dated 9.05.2022](#). The analysis of the reply received is presented below:

Query: How many such small Hydro Electric Projects (HEP) are under consideration in the same landscape? The State Government may provide documents regarding direction/policy guidelines in respect of such projects in the State or Central Government.

Reply: The State Govt. has submitted that altogether 6 HEPs are under different stages in the landscapes. Regarding direction/policy guidelines in respect of such projects in the State or Central Government the State Govt. has submitted that these projects have been allotted under the [Hydro Policy-2006](#) . The details of the answer and documents provided from the State Government are available in the file from page 187-198.

The details of the HEPs in the Landscape are as follows:

Following HEPs are **under consideration** on the landscape:

- a. Hurla Top SHEP (3.5 MW)
- b. Pancha Nallah SHEP (1.5 MW)
- c. Ursu SHEP (5 MW)
- d. Najan SHEP (5 MW)

Following HEP is **under construction**:

- a. Parvati Stage-II

Following HEP has been **completed and commissioned**:

- a. Manihar SHEP (2 MW)

From the above analysis it can be concluded that the compliance of all the EDS raised by the Ministry is complete and therefore the case may be sent back to Ministry for further necessary action.

03/06/2022 11:29 AM

ANUP KUMAR DAS
(SCIENTIST 'B')

Note No. #18

Perused. Please re-examine for other shortcoming/s keeping in mind the suggestions of the MoEF&CC regarding hydel projects of HP vide Ministry's OM dated 13.05.2022.

06/06/2022 12:58 PM

SATYA PRAKASH NEGI
(REGIONAL OFFICER)

Note No. #1

Attachment:Hurla HEP Reference Notesheet.pdf



**Government of India,
Ministry Of Environment & Forests**

FILE NUMBER : 8B/HP/01/48/2020/FC

MINISTRY FILE NUMBER : 7-UTB048/2020-LUC

Filing

1.Name of the Proposal *Hurla Top Small Hydro Power Project*

2.Category *Hydel*

3.State Govt. Letter Number *Ft.48-3915/2019(FCA)*

4.Date of application *15/06/2020*

5.Date of receipt *19/06/2020*

6.District *KULLU*

7.State *HP*

8.Regional Office Letter Number *8B/HP/01/48/2020/FC*

9.Regional Office Letter number(old) *NA*

10.Year *2020*

Processing

1. LOCATION

- a) Village *NA*
- b) Location *NA*

2. PARTICULAR OF FOREST

- a) Name of Forest Div. *Parbati*
- b) Forest Area Involved in ha. *4.016*
- c) Map *Yes*
- d) Legal Status :- *i) RF : 4.016* *ii) PF : 0* *iii) Van Panchyat : 0*
- iv) Civil Swyam : 0* *v) PF for Management Purpose : 0* *vi) Others: 0*

3.IN CASE OF ROAD/ CANAL/ RAILWAY LINE/ TRANSMISSION LINE

- a) Total Length(in Kms.) *0*
- b) Total Width(in Mtrs.) *0*
- c) Total Area(in Ha.) *0*

4. VEGETATION DENSITY *.1*

5. NUMBER OF TREES TO BE FELLED *21*

6.WHETHER ANY RARE/ENDANGERED/UNIQUE SPECIES OF FLORA & FAUNA FOUND IN THE AREA.

No *If so details thereof* *NA*

7.WHETHER THE AREA IS W/L SANCTUARY OR NATIONAL PARK

No *If yes consent of IBWL* *NA*

8. WHETHER THE PROPOSED FOREST LAND IS UNAVADIABLE & BAREST MINIMUM.

Yes

9. COMPENSATORY AFFORESTATION

- a) Particulars of forest land *NFL*
- b) Map *Yes*
- c) Comprehensive Scheme *Submitted*
- d) Area in ha. *4.016*
- e) Planting Trees *210*
- f) Land Suitability Certificate

10. VIOLATION IF ANY.. *No*

- a) If yes justification of condonation
- b) Penal CA

- i) Particulars of forest land*
- ii) Map*
- iii) Comprehensive Scheme*

- iv) Area in ha. 0*
- v) Tree Planting 0*

Note No. #1

Attachment:Hurla HEP Reference Notesheet.pdf



Government Of India,
Ministry Of Environment & Forests

FILE NUMBER : 8B/HP/01/48/2020/FC

MINISTRY FILE NUMBER : 7-UTB048/2020-LUC

11. CATCHMENT AREA TREATMENT

a) Map NA

b) Comprehensive Scheme NA

12. REHABILITATION

a) Particulars of Land NA

b) Map NA

c) Comprehensive Scheme NA

d) Land Use Plan NA

13. GEOLOGIST REPORT

Not Required

14. COST BENEFIT ANALYSIS

Not Required

15. RECOMMENDATION OF

a) DFO Yes

b) PCCF/NO Yes

c) Government Yes

d) Local Body Yes

e) Others

16) Site Inspection Report By DFO / CF :**Remarks** NO REMARK ENTERED**Recommendation****Recommended for**

EDS for following informations

Submitted to CCF for order.

Proposal No. FP/HP/HYD/39428/2019

Govt. of India
Ministry of Environment, Forest and Climate Change
Regional Office, Dehradun

Sub: Diversion of 4.016 ha of forest land in favour of Ashapuri Hydro Powers Private Limited for the construction of Hurla Top Small Hydro Power Project within the jurisdiction of Parbati forest division in Distt. Kullu, Himachal Pradesh.

A proposal on the above-mentioned subject has been received on 10.06.2020 from Nodal Officer-cum- APCCF (FCA), Govt. of Himachal Pradesh. Examining the proposal with main documents submitted and online observations thereon:-

S.no	Name of the Document (s)	Page no.	Online upload	Observations
1	Diversion area			
	KML file	--	yes	Kml file is uploaded
	Toposheet		yes	
	Digital map		yes	
	Land schedule & area calculation		yes	4.016 Reserved Forest
2	CA details			
	KML file	---	yes	
	Toposheet		yes	
	Digital map		yes	
	CA scheme		yes	Rs. 1841840.00
	Site Suitability certificate		no	
3.	Bar Chart/Layout of the project site.		no	
4.	Justification for locating the project in forest area C/s by DFO		yes	
5.	Tree enumeration		yes	21 trees
6.	NPV		no	Rs.
7.	FRA		yes	
8	NoC of villages	---	---	

Note No. #1

Attachment: Hurla HEP Reference Notesheet.pdf

Proposal No. FP/HP/HYD/39428/2019

Sub: Diversion of 4.016 ha of forest land in favour of Ashapuri Hydro Powers Private Limited for the construction of Hurla Top Small Hydro Power Project within the jurisdiction of Parbati forest division in Distt. Kullu, Himachal Pradesh.

9	DFO's SIR		yes	
10.	CF's SIR	---	no	
11.	Muck Disposal Plan		no	
12.	C/B analysis (if more than 5 ha)	---	no	
13.	Administrative details	---	no	
14.	Violation details	---	yes	No violation.
15.	Distance from wildlife area/sanctuary		yes	

(DEO)

DSS Cell

DSS report is placed in file. Diversion area polygon is found 'Inviolate' in 'VDF rule' under decision rule 1. Final result of DSS analysis of diversion area polygon is found 'Inviolate'. Out of total 7 grid 4 grids ~~are~~ have score above 70.00. As per DSS analysis no VDF or MDF is found in EA area.

T.O (Y.G.)

Rupa
15/06/2020

The proposal carefully examined in view of information provided in online portal as well as in the hard copy of the proposal. The following shortcomings are found:-

- (1) The employment details at para E (iii) may be asked in the form of mandays.
- (2) There is a discrepancy in the area.

P.T.O

Note No. #1

Attachment: Hurla HEP Reference Notesheet.pdf
Proposal No. FP/HP/HYD/5428/201

Sub: Diversion of 4.016 ha of forest land in favour of Ashapuri Hydro Powers Private Limited for the construction of Hurla Top Small Hydro Power Project within the jurisdiction of Parbati forest division in Distt. Kullu, Himachal Pradesh.

F.L.L

diminishing details provide regarding components at pg (103) in which the length of proposed 33 kv T/L is given as 1928.4m and width 15.62m while at pg (96) of the proposal folder the length comes 1920.14 m and width 15m needs to be clarified and corrected.

(3) Khassa No. / Compartment no. can be asked for CA area.

(4) Certificate from the DFO that no plantation works have been done in the past over the area proposed for CA under any scheme / plan.

(5) The whole proposal in one PDF file can also be asked. With above clarification the case can be discussed in next REC. and regarding 'X' from previous page it is brings to your notice that the issue already been discussed in REC where the AD, FSI Mr. Meenavathi Joshi was elaborated & clarified that applicability of the rule meant only for the big / large cases having area more than 100 ha. However the comments of DFO can be asked on the matter if required.

15/6/20

Case (M.S.N)

As proposed.

17/6

ANCPA

EDS हेतु प्राचल प्रस्तुत करें। प्रस्तावित क्षेत्र में VDF से संबंधित फुल्ट हेतु संबंधित अ.सं.अ. रजिस्टर में दर्ज कर रिपोर्ट प्रस्तुत करें।

T.O. (Y.G.)

18/6/20

O/o APCCF (NCZ)	
Dy. No. 808	
Date 18.6.20	

Proposal No. FP/HP/HYD/39428/2019

Sub: Diversion of 4.016 ha of forest land in favour of Ashapuri Hydro Powers Private Limited for the construction of Hurla Top Small Hydro Power Project within the jurisdiction of Parbati forest division in Distt. Kullu, Himachal Pradesh.

F.P.

गणपत महोदय महोदय एल
19/6/20

APCCF
Shalini

19/6/20



स्वच्छ पान हस्तक्षेप हे महोदय

TO(F)

Shalini
19/6/20

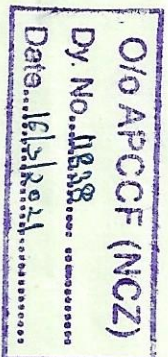
उम संख्या 412 से निविदा

19/06/2020

Uploaded.

22/06/2020

Vide letter dt. 3/3/2021 the reply has been submitted by the state Govt again to this office EDS dt. 19/6/2020. After exami the same it is observed that all corrections have been made and with following clarification the case can be discussed in next REC.



- (1) However it is evidence that the smallest unit of area in Karan in HP and the 11 Karan is being taken up for Row of T/L which comes 15.62 m but as per guideline it should be 15 m therefore comments/clarification can be taken in this regard from same competent revenue authority of HP.
- (2) with regard to point-6 of this office EDS dt. 19.6.20 comments of Nodal is not given but the annexure is being attached with the reply saying that there is no such continuous patch of VBF and only 21 ha is proposed to felled in this case which is a dumping sites and power house. no separate enumeration of dumping sites can be asked.

Aty atw

APCCF अगला REC में शामिल करें

तथा संबंधित DFO/user agency को

इस पर प्रतिक्रिया देना है।

T.O. (Y.G.)

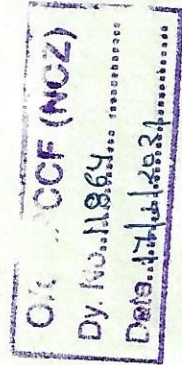
16/3/21

Note No. #1

Attachment: Hurla HEP Reference Notesheet.pdf

Proposal No. FP/HP/HYD/39428/2019

Sub: Diversion of 4.016 ha of forest land in favour of Ashapuri Hydro Powers Private Limited for the construction of Hurla Top Small Hydro Power Project within the jurisdiction of Parbati forest division in Distt. Kullu, Himachal Pradesh.



f.r.l

पानप अडगो हार्ल टॉप

APCCF

17/3/21

Shalixi

17/3/21

खरबे प्रती हस्ताक्षर हेतु प्रस्तुत है।

Shalixi
17/3/21

TO (F)

18/3/21

पान टेराम 215 से मिली किमी

18/3/2021

uploaded

Fact sheet is put up for appl as the case will be discussed in REC on 25/3/21.

22/3/21

AIG
22/3/21

TO (Y)

With reference to this office proceedings of of REC dt. 25/3/21 the state Govt may provide reply on point-1 and 2. Regarding reply over point-1 the state Govt may take cognizance as mentioned below:

- (1) With regard to choose ROW of 15.62 m rather 15.0 m the state Govt has cited the practice of use local units. In modern times, when system of SI units which have evolved though last century, inability to follow the same by the state does not seem to be acceptable and convincing.

P. to

Note No. #1

Attachment: Hurla HEP Reference Notesheet.pdf
Proposal No. FP/HP/HYD/39428/2019

Sub: Diversion of 4.016 ha of forest land in favour of Ashapuri Hydro Powers Private Limited for the construction of Hurla Top Small Hydro Power Project within the jurisdiction of Parbati forest division in Distt. Kullu, Himachal Pradesh.

F.P.O

the detailed clarification in this regard may be issued.

Amul
8/8/21

AIG

Changing the entire system of land measurement in such a short span of time may not be feasible. Therefore the concept of nearest integer may be applied.

Shy
12/6/21

Apcef उपरोक्त लिंक पर मंत्रालय द्वारा भी आपत्ति ली गई है। अतः REC में हुई चर्चा अनुसार पूर्ण जानकारी प्राप्त की जाये।

T.O.(P.G.)

प्रमुख सचिव/सहायक सचिव

Sh
12/6/21

Amul
13/6/21

AIG
Shy
13/6/21

Apcef

Shalini

स्वच्छ प्रति हस्ताक्षर हेतु सादर प्रेषित है।

Sh
18/6/21

T.O.(P.G.)

Gidder
21/06/21

AIG

Amul
22/6/21

Shy
22/6/21

uploaded

Proposal No. FP/HP/HYD/39428/2019

Sub: Diversion of 4.016 ha of forest land in favour of Ashapuri Hydro Powers Pvt. Ltd. for the Construction of Hurla Top Small Hydro Power Project within the jurisdiction of Parbati Forest Division, Distt. Kullu, Himachal Pradesh.

The Matter was discussed in REC meeting, which is held on 25/3/21 at IRO, Dehradun, minutes of meeting enclosed P/No. 158-170 in the folder. After detailed discussion on various aspects of the proposal, the Committee decided to recommend the proposal to Govt. of India, to MoEF & CE, New Delhi for approval, subject to fulfillment of the following conditions:

- (i) the smallest unit of the area is 'Karam' in H.P. and the 11 Karam is being taken up for Row of P/L which comes out to be 15.62 m. Therefore comments / clarification is required in this regard from competent revenue authority of H.P. (C P/No. 166)
- (ii) State Govt. may submit the separate tree enumeration list for the trees standing in the area proposed for wheel dumping. (P/No. 166)
- (iii) Regarding to the point No. 06 of this office EDS Dt. 19.6.2020. (CP/148) State Govt. may submit the comments, which were missing in their letter earlier. P/No. 166)

With reference to this office proceedings of REC Dt. 29/3/21, the State Govt. has submitted pointwise reply of the observation as raised by REC, vide letter No. Dt. 28/4/21 (P/No. 182) & 9.6.2021, ^{which is} as below:-

- (1) As per the statement of SDM Kullu, ^{not} fulfillment of the area where the project is proposed has been done as yet, and after

Sub: Diversion of 4.016 ha of forest land in favour of Ashapuri Hydro Powers Pvt. Ltd. for the Construction of Hurla Top Small Hydro Power Project within the jurisdiction of Parbati Forest Division, Distt. Kullu, Himachal Pradesh.

FDD

The settlement of this area, local unit (Karam) will be converted into SI unit. As present Revenue Dept. is still using local unit i.e. Karam for the land measurement. Report enclosed P/182.

(ii) The DFO has reported that no trees are coming in the alignment of G No. 8. proposed dumping sites. Report enclosed at P/No. 173 of folder).

(iii) In response of point no. 3, the State Govt enclosed certificate regarding the area proposed for the diversion is not touching the contours of very dense forest duly signed by the DFO. (Report enclosed P/No. 174 of folder).

After examined the reply by the State Govt. as on above observation are found satisfactory. therefore in view of the above conditions laid out by REC has been fulfilled by State Govt, so proposal can be forwarded for approval by MoEFCE with detailed note preparation and scanning copy of file can be executed.

12/10/2021

Regional officer

माना प्रमुख

Sr.DM

12/10/2021

12/10/2021

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

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

Dated: 21st October, 2021

OFFICE MEMORANDUM

Sub: Re-examination of proposals of IROs in Ministry – Reg.

The undersigned is directed to refer to the above mentioned subject and to inform that it has been observed in the Ministry that many of the proposals from IROs (in case of mining, hydroelectric and encroachment regularisation proposals seeking approval of competent authority in Ministry) are found to have been recommended without exercising due diligence. This necessitates the Ministry to re-examine the proposals in its concerned Divisions. This not only prolongs overall processing time of a proposal, but also the practice defeats the very purpose and spirit of delegation of powers to IROs.

The matter was deliberated in the Ministry and accordingly following has been decided to be complied by all concerned with immediate effect.

1. There should not be any routine afresh examination of the proposals forwarded by IROs in the Ministry, except where any policy/ legal issue is involved.
2. Whenever, a query, explanation or clarification is desired by a higher authority, file will be returned to the concerned IRO seeking such information/clarification.
3. IROs concerned shall exercise due diligence as per the powers delegated to them under the provisions of Forest (Conservation) Rules, 2003 for proper scrutiny/ examination of the proposals. It shall be the responsibility of the Regional Officer to ensure correctness of the facts and figures in the recommended proposals submitted for the approval of the competent authority.

This issues with the approval of the competent authority of the Ministry.

Sd/-
(Charan Jeet Singh)
Scientist 'D'

To

Regional Officer,
All Integrated Regional Offices,
Ministry of Environment, Forest and Climate Change

Copy to:

1. PPS to DGF&SS/Addl. DGF (FC)/IGF(FC)/IGF(ROHQ)/DIGF(RoHQ)
2. DIG (ROHQ)/All AIGs/Scientist/TOs of the FC Division and ROHQ Division