

हिमाचल प्रदेश सरकार
वन विभाग

File No.- FFE-B-F(2)-2/2021

Dated
Order

-01-2021 Shimla-171002, the

Sub :- Proposal for the diversion of 57.7365 hectares of forest land for construction of 66 MW Dhaulasidh HEP in favour of M/s Satluj Jal Vidyut Nigam Limited (SJVN) (A Joint Venture of Government of India) within the jurisdiction of Palampur, Hamirpur and Dehra Forest Division, District Kangra & Hamirpur, Himachal Pradesh (Online Proposal No. FP/HP/HYD/965/2011).

Consequent upon the final approval granted by the Ministry of Environment Forests & Climate Change, Govt. of India vide their letter No.8-80/2011FC dated 11th August, 2020, the Governor, Himachal Pradesh is pleased to issue final approval under Section - 2 of the Forest (Conservation) Act, 1980 for the diversion of 57.7365 hectares of forest land for construction of 66 MW Dhaulasidh HEP in favour of M/s Satluj Jal Vidyut Nigam Limited (SJVN) (A Joint Venture of Government of India) within the jurisdiction of Palampur, Hamirpur and Dehra Forest Divisions, Districts Kangra & Hamirpur, Himachal Pradesh subject to the fulfilment of following conditions:-

1. Legal status of the forest land shall remain unchanged;
2. The proposed forest land i.e. 57.7365 ha shall be handed over to the User Agency only after the User Agency has acquired the required non-forest land, if any, for the project;
3. The Compensatory afforestation shall be taken up by the Forest Department over 118.32 ha degraded forest land (in Districts- Dehra, Hamirpur and Palampur =118.32 ha. to CA area) at the cost already deposited by User Agency. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided; The Forest Department shall ensure that no plantation/afforestation under any scheme/programme was taken up earlier in the degraded forest area identified for compensatory afforestation.
4. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector;

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5. User Agency shall restrict the felling of trees to minimum numbers in the diverted forest land and trees shall be felled under strict supervision of the State Forest Department.
6. The felling of trees shall be restricted to FRL-4 meter only and shall be carried out by the State Forest Department. Number of trees to be removed shall be kept at barest minimum during the execution of the project;
7. The Catchment Area Treatment Plan (CAT) shall be implemented as per approved scheme;
8. User agency shall undertake afforestation along the periphery of the reservoir.
9. The User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;
10. The layout plan of the proposal shall not be changed without prior approval of Central Government;
11. No labour camp shall be established on the forest land;
12. 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;
13. The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer;
14. No additional or new path, which is not a part of approved land use, will be constructed inside the forest area for transportation of construction materials for execution of the project work;
15. 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;
16. The User Agency and the Forest Department shall ensure compliance of all the Court orders, provisions, rules, regulations and guidelines for the time being in force as applicable to the project;
17. The forest land shall not be used for any purpose other than that specified in the project proposal;
18. The user agency shall provide free water for the forestry related projects;



19. 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;
20. 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;
21. The State Government/ State Forest Department shall ensure that the instant proposal is the last proposal on the Beas River System to be considered till the cumulative impact assessment is taken up and completed by the State;
22. The User Agency to take up protection & conservation measures for wildlife found in areas in consultation with State Forest Department;
23. The State Government shall ensure that appropriate measures to mitigate/minimize the adverse impact of the project on fish population in general and fish migration in particular. Such measures may include installation and operation of fish passes, fish ladder, fish lift, fish hatcheries etc.
24. 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 Ministry F.No.5-2/2017-FC dated 28th March, 2019;
25. Any other condition that the Ministry of Environment, Forests & Climate Change may stipulated from time to time in the interest of conservation, protection and development of forests & wildlife shall be carried with by the State Forest Department and user agency;
26. A lease- deed of the forest land shall be executed by the User Agency with Collector- cum- Deputy Commissioner, District Kangra & Hamirpur, H.P.
27. This final order is being issued as per the directions/orders of the Hon'ble Supreme Court of India delivered on 20-01-2021 in I.A. No. 129471/2020 and I.A.No.124637/2020 in I.A NO. 3840(Disposed of) in WP(C) No.-202/1995 titled as T.N.Godavarman Thirumulpad vs. UoI & Ors.

उपरोक्त शर्तों में से किसी भी शर्त का कार्यान्वयन सन्तोषप्रद नहीं पाए जाने पर, मन्त्रालय इस स्वीकृति को स्थगित / रद्द कर सकता है। वन विभाग हि0 प्र0 के माध्यम से इन शर्तों की अनुपालना सुनिश्चित की जायेगी।



आदेश अनुसार
अतिरिक्त मुख्य सचिव (वन)
हिमाचल प्रदेश सरकार शिमला -2

Contd./-4

Endst. No **FFE-B-F(2)-2/2021** Dated, Shimla-171001 the, **27-01-2021**

Copy is forwarded for information and necessary action to :-

1. Additional Director General of Forests, MoEF, Indira Paryavaran Bhawan, Aliganj, Jorbagh Road, New Delhi - 110003.
2. Asstt. Inspector General (Forests), Ministry of Environment, Forests & CC, Integrated Regional Office, Shimla, First & Second Floor, C.G.O Complex Longwood, Shimla-171001 Himachal Pradesh.
3. The Pr.CCF (HoFF) with the request to ensure compliance of all conditions contained in the above order.
4. The Nodal Officer-cum- APCCF(FCA) O/o HPFD HQ Talland Shimla for similar necessary action.
5. The Deputy Commissioner, Kangra, Distt., Kangra, Himachal Pradesh.
6. The Deputy Commissioner, Hamirpur, Distt., Hamirpur, Himachal Pradesh.
7. DFO Palampur Forest Division, Distt., Kangra H.P.
8. DFO Dehra Forest Division, Distt., Kangra H.P.
9. DFO Hamirpur Forest Division, Distt., Hamirpur H.P.
10. The Satluj Jal Vidyut Nigam Limited (SJVN) (A Joint Venture of Government of India) BCS New Shimla.
11. Guard File.

(Sat Pal Bhiman) 27-1-2021
Joint Secretary (Forests) to the
Government of Himachal Pradesh.

S/FCA

APCCF(FCA)

28/11



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हिमाचल प्रदेश सरकार
वन विभाग

File No.- FFE-B-F(2)-2/2021

Dated Shimla-171002, the 27-01-2021

Order

Sub :- Diversion of 4.0315 ha of forest land in favour of HP Power Transmission Corporation Limited for the construction of 220 KV D/C Transmission line from 132/220 KV GIS Sub-Station at Dehan (Patti) in District Kangra to 400 KV PGCIL Sub Station Kankari in Distt. Hamirpur, within the jurisdiction of Palampur Forest Division, Distt. Kangra, H.P.(Online No. FP/HP/TRANS/38343/2019).

भारत सरकार पर्यावरण, वन एवं जलवायु परिवर्तन मन्त्रालय क्षेत्रीय कार्यालय देहरादून द्वारा वन (संरक्षण) अधिनियम 1980 की धारा-2 के अन्तर्गत जारी स्वीकृति पत्र संख्या **8B/HP/04/68/2019/FC/2301** dated 16-01-2020 के परिणामस्वरूप, राज्यपाल, हिमाचल प्रदेश उपरोक्त विषय में दर्शित 4.0315 हैक्टेयर वन भूमि को **HP Power Transmission Corporation Limited**, को उपयोग के लिए स्वीकृति निम्नलिखित शर्तें पूरी करने पर प्रदान करते हैं:-

- 1 वन भूमि की विधिक परिस्थिति नहीं बदली जाएगी।
- 2 प्रतिपूर्ति पौधारोपण प्रस्ताव के अनुसार 8.50 है० प्रतिपूर्ति पौधारोपण U-25B.Ban Deol C-4 एवं ट्रांसमिशन लाइन के नीचे बौने पौधे (मुख्यतः औषधीय पौधे) पौधारोपण इस पत्र में जारी होने की तिथि से एक से दो वर्षों के अन्दर पूर्ण किया जाना चाहिए।
- 3 This final order is being issued as per the directions/orders of the Hon'ble Supreme Court of India delivered on 20-01-2021 in I.A. No. 111184/2020 in WP(C) No. 202/1995 titled as T. N. Godavarman Thirumulpad vs. Uol & Ors.
- 4 Below each conductor or conductor bundle, 3m width clearance would be permitted for stringing purpose within the approved RoW.
- 5 The Trees on such strips would have to be felled but after stringing work is completed, natural regeneration will be allowed to come up. Felling/pollarding/pruning of trees will be done with the permission of the local forest officer, wherever necessary, to maintain the electrical clearance. One outer strip shall be left clear to permit maintenance of the transmission line.

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- 6 During construction of transmission line, pollarding /pruning of trees located outside the above width of the strips, whose branches/parts infringe with conductor stringing, shall be permitted to the extent necessary, as may be decided by local forest officer.
- 7 Pruning of trees for taking construction/stringing equipments through existing approach/access routes in forest areas shall also be permitted to the extent necessary, as may be decided by local forest officer. Construction of new approach/access route will however, require prior approval under the Act.
- 8 In the remaining width of right of way trees will be felled or lopped within the RoW to the extent required, for preventing electrical hazards by maintaining minimum 4.6 m clearance between conductor and trees. The sag and swing of the conductors are to be kept in view while working out this minimum clearance.
- 9 In the case of transmission lines to be constructed in hilly areas, where adequate clearance is already available, trees will not be cut except those minimum required to be cut for stringing of conductors.
- 10 एन.पी.वी. की दरों में अगर बढ़ोतरी होती है तो प्रयोक्ता अभिकरण बढ़ी हुई दरों पर एन.पी.वी. देने के लिए बाध्य होगा।
- 11 प्रयोक्ता अभिकरण द्वारा प्रस्तावित वन क्षेत्र के आस-पास मजदूरों /स्टॉफ के लिये किसी भी प्रकार का लेबर कैम्प नहीं लगाया जायेगा।
- 12 प्रयोक्ता अभिकरण के द्वारा निर्माण कार्य के दौरान स्थल पर कार्यरत मजदूरों एवं स्टॉफ के लिए रसोई गैस / कैरोसिन तेल की आपूर्ति की जायेगी, जिससे निकटवर्ती वनों को क्षति न पहुँचे।
- 13 परियोजना के निर्माण व रख-रखाव के दौरान आस-पास के क्षेत्र की वनस्पतियों एवं जीव-जन्तुओं को किसी प्रकार की क्षति नहीं पहुँचायी जायेगी।
- 14 वन भूमि का प्रयोग प्रस्ताव में दर्शाये गये उद्देश्य के अलावा अन्य किसी उद्देश्य के लिए नहीं किया जायेगा।
- 15 कम से कम वृक्षों का कटान/पातन किया जाएगा, जिनकी संख्या प्रस्ताव के अनुसार 59 trees से अधिक न हो।
- 16 प्रयोक्ता अभिकरण वन विभाग की देख-रेख में प्रत्यावर्तित भूमि का RCC Pillar लगाकर सीमांकन करेगा जिन पर Pillar no., Forward तथा Back bearing भी अंकित किया जाएगा।

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- 17 परियोजना निर्माण से उत्सर्जित मलवे का निस्तारण प्रयोक्ता अभिकरण द्वारा प्रस्तुत मलवा निस्तारण योजना के अनुसार प्रभागीय वनाधिकारी की देख-रेख में किया जाएगा एवं निर्दिष्ट स्थानों के अलावा अन्यत्र मलवा नहीं फेंका जाएगा।
- 18 यदि कोई अन्य सम्बन्धित अधिनियम/अनुच्छेद/नियम/न्यायालय आदेश/अनुदेश आदि इस प्रस्ताव पर लागू होते हैं, तो उनके अधीन जरूरी अनुमति लेना वन विभाग हि० प्र०/ प्रयोक्ता एजेंसी की जिम्मेवारी होगी।
- 19 ऐसी अन्य कोई भी शर्त जो भारत सरकार भविष्य में पर्यावरण, वन एवं वन्य जीवों के संरक्षण हेतु आवश्यक समझे।
- 20 A lease-deed of the forest land shall be executed by the User Agency with Collector-cum-Dy. Commissioner, Kangra Distt. Kangra, H.P.

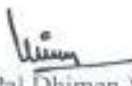
उपरोक्त शर्तों में से किसी भी शर्त का कार्यान्वयन सन्तोषप्रद नहीं पाए जाने पर, मन्त्रालय इस स्वीकृति को तत्काल प्रभाव से निरस्त कर सकता है। वन विभाग हि० प्र० के माध्यम से इन शर्तों की अनुपालना सुनिश्चित की जायेगी।

आदेश अनुसार
अतिरिक्त मुख्य सचिव (वन)
हिमाचल प्रदेश सरकार शिमला -2

Endst. No FFE-B-F(2)-2/2021 Dated, Shimla-171001 the, 27-01-2021

Copy is forwarded for information and necessary action to :-

1. Additional Director General of Forests, MoEF, Indira Paryavaran Bhawan, Aliganj, Jorbagh Road, New Delhi - 110003.
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6. The Deputy Commissioner, Hamirpur, Distt., Hamirpur, Himachal Pradesh.
7. DFO Palampur Forest Division, Distt., Kangra H.P.
8. The Managing Director HP Power Transmission Corporation Limited Shimla H.P.
9. Guard File.


(Sat Pal Dhiman) 27-1-2021
Joint Secretary (Forests) to the
Government of Himachal Pradesh.