

F. No. 8-78/2010-FC  
Government of India  
Ministry of Environment & Forests  
(FC Division)

Paryavaran Bhawan,  
C.G.O Complex, Lodhi Road,  
New Delhi - 110510.  
Dated: 22 March 2011

To

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

**Sub: Diversion of 63.5015 ha of forest land for construction of 402 MW Shongtong-Karcham Hydro Electric Project in favour of Himachal Pradesh Power Corporation Limited (HPSEB) in Kinnaur Forest Division in Kinnaur district of Himachal Pradesh.**

Sir,

I am directed to refer to the State Government's letter no. Ft.48-1942/2009 (FCA) dated 04.02.2010 on the subject mentioned above seeking prior approval of the Central Government under section-2 of the Forest (Conservation) Act, 1980, and to say that the proposal has been examined by the Forest Advisory Committee constituted by the Central Government under section-3 of the said Act.

After careful examination of the proposal of the State Government, the Central Government hereby conveys the recommendations of the Forest Advisory Committee for diversion of 63.5015 ha of forest land for construction of 402 MW Shongtong-Karcham Hydro Electric Project in favour of Himachal Pradesh Power Corporation Limited (HPSEB) in Kinnaur Forest Division in Kinnaur district of Himachal Pradesh subject to fulfillment of the following conditions -

1. (i) The Compensatory Afforestation (CA) will be raised and maintained over double the area proposed for diversion in a degraded forest land (i.e. 128 ha) at the cost of User Agency.
  - (ii) The area identified for Compensatory Afforestation shall be clearly depicted on SOI toposheet of 1:50,000 scale.
  - (iii) The User Agency shall transfer the cost (incorporating the current wage structure) of raising and maintaining Compensatory Afforestation to the State Forest Department.
2. The State Government shall charge the Net Present Value of the forest area diverted under this proposal from the User Agency as per the Judgement of the Hon'ble Supreme Court of India dated 28.03.2008 & 09.05.2008 in IA No. 566 in WP (C) No. 202/1995 and as per the guidelines issued by this Ministry vide letter No. 5-3/2007-FC dated 05.02.2009 in this regard.

3. The User Agency shall furnish an undertaking to pay the additional NPV, if so determined, as per the final decision of Hon'ble Supreme Court of India.
4. All the funds received from the User Agency under the project shall be transferred to Ad-hoc CAMPA in account number CA 1595 of Corporation Bank, Block-11, CGO Complex, Phase-1, Lodhi Road, New Delhi - 110 003.
5. The State Government shall ensure that minimum flow of 15% is maintained at all time.
6. The user agency shall set up Ecological Monitoring Unit to monitor the impact of the project on flora and fauna of the area.
7. The user agency shall keep the effect of camping labourers on the flora and fauna during the construction phase of 48 months at minimum by providing alternate fuel for cooking and heating.
8. The entire reservoir created due to submergence shall be declared Reserve Forest under Indian Forest Act, 1927. However, regulated fishing shall be allowed.
9. Catchment Area Treatment Plan should be implemented at the project cost under the supervision of the State Government.
10. Green belt of adequate width shall be raised by the user agency around the reservoir at the cost of the project.
11. The user agency shall facilitate a basin level study on the impact of HEPs on the flora & fauna of the as per the TOR submitted to MoEF.
12. The user agency shall carry out muck disposal at pre-designated sites in such a manner so as to avoid its rolling down.
13. 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 and 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.
14. The User agency to consult other companies having experience in construction of roads in hilly areas such as BRO to avoid frequent road blockade due to land slides etc and shall provide breast walls and retaining walls wherever necessary.
15. The user agency will obtain the clearance under the provisions of ST&OTFD (Recognition of Forest Rights) Act, 2006 before the final approval and will submit certificate towards the settlement of all claims and rights over the proposed forest land under the Act along with the as per the advisory dated

03.08.2009 issued by MoEF.

16. Other standard conditions as applicable to proposals relating to Hydro Electric Projects will be applicable in this case also.
17. As an additional condition, the user agency shall regenerate equivalent amount of degraded forest area, in addition to the condition no. 1(i).

After receipt of the compliance report on fulfillment of the conditions mentioned above, the Central Government shall consider the handing over of forest land for non-forestry purposes under section-2 of the Forest (Conservation) Act, 1980.

Yours faithfully,



(Rajesh Sharma)  
Assistant Inspector General of Forests

Copy to:-

1. The Principal Chief Conservator of Forests, Himachal Pradesh, Shimla.
2. The Nodal Officer (FCA), Forest Department, Himachal Pradesh, Shimla.
3. The Conservator of Forests (Central), Northern Regional Office, Chandigarh.
4. User Agency.
5. Monitoring Cell of FC Section.
6. Guard File.

(Rajesh Sharma)  
Assistant Inspector General of Forests