

KIND ATTENTION : Shri R. P. VERMA

F. No. 8-41/2009 - FC  
 Government of India  
 Ministry of Environment, Forests and Climate Change  
 (Forest Conservation Division)

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Indira Paryavaran Bhawan,  
 Aligarj, Jorbagh Road  
 New Delhi-110 003  
 Dated 20<sup>th</sup> February, 2015

To,

The Principal Secretary (Forests)  
 Government of Himachal Pradesh  
 Shimla

**Sub: Diversion of 909.00 ha (Originally proposed 901.00 ha) of forest land for construction of Renukaji Dam project in favour of M/s Himachal Pradesh Power Corporation Limited in Sirmour District of Himachal Pradesh.**

Sir,

I am directed to refer to the State Government of Himachal Pradesh letter No. FFE - B - F / (2) / 34 / 2009 dated 30.04.2009 and letter no. Ft. 48-1775/2008 (FCA) dated 10.02.2014 on the above subject and letter no. Ft. 48-1775/2008 (FCA) dated 11.12.2014 wherein additional information as sought by this Ministry vide its letter of even number dated 26<sup>th</sup> August, 2014 August, 2014 were submitted by the State Government and to say that the said proposal has been examined by the Forest Advisory Committee constituted by the Central Government under Section-3 of the aforesaid Act.

After careful consideration of the proposal of the State Government, information as sought by the Ministry and furnished by the State Government vide its letter dated 11.12.2014 and on the basis of the recommendations of the Forest Advisory Committee, the Central Government hereby accords 'in-principle' approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 for diversion of 909.00 ha (Originally proposed 901.00 ha) of forest land for construction of Renukaji Dam project in favour of M/s Himachal Pradesh Power Corporation Limited in Sirmour District of Himachal Pradesh, subject to the fulfillment of the following conditions:

- (i) Legal status of the diverted forest land shall remain unchanged;
- (ii) Compensatory afforestation over the degraded forest land on the mountain slopes along the River Giri downstream of the proposed Dam, twice in extent to the forest land being diverted, shall be raised and maintained by the State Forest Department at the cost of the User Agency. This area is estimated at 939 ha and therefore Compensatory Afforestation is required over 1878 ha.
- (iii) The land identified for the purpose of CA shall be clearly depicted on a Survey of India toposheet of 1:50,000 scale;
- (iv) The User Agency shall transfer the cost of raising and maintaining the compensatory afforestation, at the current wage rate, to the State Forest



Department. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years:

- (v) 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 dated 28.03.2008, 24.04.2008 and 09.05.2008 in Writ Petition (Civil) No. 202/1995 and the guidelines issued by this Ministry vide its letter No. 5-3/2007-FC dated 05.02.2009 in this regard;
- (vi) 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;
- (vii) 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;
- (viii) The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- (ix) *No labour camp shall be established on the forest land.*
- (x) 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;
- (xi) The boundary of the diverted forest land shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, forward and back bearing and distance from pillar to pillar;
- (xii) The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
- (xiii) The forest land shall not be used for any purpose other than that specified in the proposal;
- (xiv) 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;
- (xv) No damage to the flora and fauna of the adjoining area shall be caused;
- (xvi) Felling of trees on the forest land being diverted shall be reduced to the bare minimum and the trees shall be felled under strict supervision of the State Forest Department;
- (xvii) The user agency shall undertake afforestation along the periphery of the reservoir and canals (as applicable).
- (xviii) A Catchment area treatment plan shall be implemented by/or under the supervision of State Forest Department at the project cost;
- (xix) The user agency shall carry out muck disposal at pre-designated sites in such a manner so as to avoid its rolling down.



- (xx) 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.
- (xxi) The User agency shall consult organization(s) having experience in construction of roads in hilly areas to avoid frequent road blockade due to landslides etc and shall provide breast walls and retaining walls wherever necessary.
- (xxii) The State Government and the user agency shall ensure that the trees available between full reservoir level (FRL) and FRL - 4 meters are not felled.
- (xxiii) The user agency shall provide free water for the forestry related projects.
- (xxiv) The user agency shall set up Ecological Monitoring Unit to monitor the impact of the project on flora and fauna of the area.
- (xxv) *Directions contained in Hon'ble Supreme Court of India's order dated 17.11.2006 shall be complied with.*
- (xxvi) *Following conditions recommended by the Standing Committee of the NBWL shall be complied with:*
- a. *Submerged area of the project would be included in the sanctuary bringing the total area of the sanctuary to 1597.6 ha.*
  - b. *The road that is presently bifurcating the sanctuary should be closed to traffic and an alternative road would be provided bypassing the sanctuary area. However, till the new road is constructed the existing road may be allowed to be used.*
  - c. *The entire submergence area of the reservoir would be notified as a sanctuary with a view to provide protection to the migratory species and birds in the reservoir area.*
  - d. *After forest clearance and on completion of land acquisition, revenue papers for the entire submergence area would be submitted to HP Forest Deptt. GoHP for notifying the same as a Wildlife sanctuary.*
  - e. *5% of the project cost should be deposited by the Project Authorities in the compensatory afforestation fund for development and management of the Sanctuary.*
  - f. *The project Authorities should ensure adequate flow of water throughout the year in the Giri river which is the habitat of several varieties of fish for centuries. Appropriately designed fish ladder should be provided at Renuka Dam and Dadahu Barrage.*
  - g. *A comprehensive environment management plan for the conservation and the protection of the Remikaji wildlife Sanctuary will be prepared and implemented.*
  - h. *The project authorities will enter the sanctuary area for the construction activity after obtaining prior permission from the concerned authorities of the forest.*



*Department. On grant of approval under FC Act, necessary permission will be obtained from HP Forest Department before starting work in the sanctuary area.*

- (xxvii) 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
- (xxviii) 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
- (xxix) The User Agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project.


After receipt of the compliance report on fulfilment of the conditions mentioned above, the proposal shall be considered for final approval under Section-2 of the Forest (Conservation) Act, 1980. The transfer of forest land to the User Agency shall not be affected by the State Government till formal orders approving the diversion of forest land are issued by the Central Government.

Yours faithfully,

(T. C. Nautiyal)  
Assistant Inspector General of Forests

Copy to:-

1. The Principal Chief Conservation of Forests, Government of Himachal Pradesh, Shimla.
2. The Nodal Officer, O/o the PCCF, Government of Himachal Pradesh, Shimla.
3. The Addl Pr chief Conservator of Forests (Central), Regional Office, Dehradun.
4. User Agency.
5. Monitoring Cell of FC Section.

  
(T. C. Nautiyal)  
Assistant Inspector General of Forests