

ANNEXURE-1

255

No. Ft. 48-3711/2018 (FCA),
Forest Department, Himachal Pradesh

Registered

From: Nodal Officer-cum-APCCF (FCA),
O/o Pr.CCF(HoFF),H.P. Shimla-1.

To: The Addl. Pr. Chief Conservator of Forests (Central),
Govt. of India, Ministry of Environment & Forests,
Regional Office, (North-Central Zone) 25, Subhash Road, Dehradun-
248001(Uttarakhand).



Dated Shimla-1, the 14 SEP 2018

Subject: **Diversion of 8.9899 ha of forest land in favour of Manali Ropeways Pvt. Ltd. Solang Valley, Tehsil Manali, Distt. Kullu HP for the construction of Manali Ropeway project, within the jurisdiction of Kullu Forest Division, Distt. Kullu, H.P.**

Sir,

I am directed by the State Government to enclose herewith a proposal for diversion of 8.9899 hectare of forest land in favour of Manali Ropeways Pvt.Ltd., for construction of Manali Ropeway project, duly recommended by the State Govt. in Part-V of the main form. The land proposed to be diverted forms a part of UPF&DPF, which falls under the jurisdiction of Kullu Forest Division, Distt. Kullu, H.P. In all 1355 trees and 1299 saplings of different species-total 2654 are standing over the forest land proposed for diversion. The user agency has given an undertaking that not more than 550 trees will be cut down from the diverted forest land required for the construction of Manali Ropeway project. The comments of Chief Wild life Warden-cum-PCCF Wild Life regarding distance from the nearest sanctuary/protected area have been placed at page No. 244 of the proposal folder.

2. Compensatory Afforestation has been proposed over 18.00 ha of forest land in Dughilag-III in an identified land Bank.

3. As the proposal attracts the provisions of the Forest (Conservation) Act, 1980, the same is presented to you for consideration and approval please.

Encl: As above.

Yours faithfully,

Achane

Nodal Officer-cum-APCCF (FCA)
O/o Pr. CCF(HoFF), H.P.Shimla-1

T.O. (F)
[Signature]
17/9/18

**MINUTES OF THE 37th MEETING OF THE REGIONAL EMPOWERED COMMITTEE
OF REGIONAL OFFICE, NORTH CENTRAL ZONE, DEHRADUN
HELD ON 05 APRIL, 2019**

The 37th meeting of the Regional Empowered Committee (REC) of the Regional Office (North Central Zone) Dehradun was held on 05 April, 2019 in the Meeting Room of the Regional Office, MoEF&CC, Dehradun under the Chairmanship of Shri. Pankaj Agrawal, IFS, Addl. PCCF, Regional Office, Dehradun.

Following official/non-official members & the special invitees were present in the meeting.

S.No	Name	Designation
1	Shri. Pankaj Agrawal, IFS, Addl. PCCF, Regional Office, Dehradun.	Chairman
2	Dr. R B S Rawat, IFS	Non-official Member
3	Dr. R. S. Bisht, IFS	Non-official Member
4	Dr. S. D. Bhardwaj	Non-official Member
5	Shri Ajay Shrivastav	APCCF-cum-Nodal Officer (HP)
6	Shri D. J. K. Sharma	APCCF-cum-Nodal Officer (UK)
7	Representatives of the User Agencies	

Following proposals seeking diversion of forest land for non-forestry purpose pertaining to the state of Himachal Pradesh and Uttarakhand were discussed in detail and the case wise decision taken by REC is as under:

HIMACHAL PRADESH

Agenda Item No. 01: Diversion of 53.5242 ha of forest land for the two/four laning of Bajoura to Manali (Kms. 248.300 to 310) section of NH-21 under NDP-IVB in favour of NHAI, within the jurisdiction of Kullu & Parvati Forest Division, Distt. Kullu, Himachal Pradesh. (Online Proposal No. FP/HP/ROAD/21272/2016)

The REC was informed that the present proposal was already approved under the provisions of FCA, 1980 vide this office letter dated 15.09.2017 for diversion of 53.5242 ha forest land for two/four laning of Bajoura to Manali (Kms. 248.300 to 310) section of NH-21 under NDP-IVB with felling permission of 5282 trees and 3546 saplings (total: 8828) and vide addendum dated 09.01.2019 felling permission of additional 10 trees has also been accorded in the Kullu forest division.

The committee was apprised that the State Govt. vide their letter dated 15.02.2019 has also asked for felling of additional 20 trees in Parvati forest division. It was also informed that there is no change in the approved alignment and revised enumeration is accompanied with the proposal.

After detailed discussion on various aspects of the proposal, the REC decided to accord felling permission of additional 20 trees with advisory that the State Govt. will ensure that there should be no change in proposed alignment and the khasras for which diversion has been accorded by this office letter dated 15.09.2017 and rest of the conditions will remain same.

Agenda Item No. 02: Diversion of 5.76 ha of forest land in favour of HPPWD for the construction of road from Farsh to Suakhari (Kms. 0/0 to 9/185), within the jurisdiction of Mandi Forest Division, Distt. Mandi, Himachal Pradesh. (Online Proposal No. FP/HP/ROAD/25670/2017).

Regional Empowered Committee discussed the proposal seeking diversion of 5.76 ha of forest land for the construction of road from Farsh to Suakhari (Kms. 0/0 to 9/185). The committee noted that 1277 trees and 976 saplings (total: 2253) are proposed to be felled in the project; 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. It is noted that there is violation of FCA, 1980 for 0.72 ha area has been reported by the State Government. But, there are still some queries that need to be cleared by the State Government.

After detailed discussion on various aspects of the proposal, the REC decided to defer the proposal to next meeting and desired that the State Govt. may be requested to submit the following documents/information / clarifications:

1. The State Govt may mark the villages along the proposed alignment, in the KML, which are benefited directly by the proposed road. The population details of these villages may also be provided to this office.
2. The broken area of 0.72 ha may also be marked over the portion of the proposed alignment in the KML.
3. The undertaking and calculation for the penal NPV may also be furnished to this office.
4. The committee was of the view that user agency may also be asked to present this case in the next meeting.

Agenda Item No. 06: Diversion of 3.0851 ha of forest land for construction of Bhang Small HEP (9MW) in favour of Bhang Hydel Power LLP, Sai Bhawan, Sector-4, New Shimla-171009 (H.P.) within the jurisdiction of Kullu Forest Division, Distt. Kullu, Himanchal Pradesh. (Online Proposal No.- FP/HP/HYD/30034/2017)

Regional Empowered Committee discussed the proposal seeking diversion of 3.0851 ha of forest land for construction of Bhang Small HEP (9MW). The committee noted that 1461 trees are proposed to be felled in the project. 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. Observations conveyed vide this office letter dt. 05.03.2019 but the reply is awaited. The observations are as follows:

1. FRA certificate along with all the annexure have not been submitted and at para B 2.3 Village wise breakup in online Part I names of three villages (Kulang, Burna and Bahang) have been mentioned. Thus, State Government may submit original copy of NOCs and Village Level Committee meeting proceedings under FRA for these three villages.

After detailed discussion on various aspects of the proposal, the committee decided to recommend the proposal to Govt. of India for approval subject to fulfillment of following conditions:

1. The State Govt will submit the reply on observation raised vide this office letter dated 05.03.2019.

Agenda Item No. 07: Diversion of 8.9899 ha of forest land in favour of Manali Ropeways Pvt. Ltd. Solang Valley, Tehsil Manali, Distt. Kullu, H.P. for the construction of Manali Ropeway project, within the jurisdiction of Kullu Forest Division, Distt. Kullu, Himachal Pradesh. (Online Proposal No. FP/HP/Others/31593/2018)

Regional Empowered Committee discussed the proposal seeking diversion of 8.9899 ha of forest land for the construction of Manali Ropeway project. The committee noted that 1355 trees and 1299 saplings (total: 2654) are enumerated out of which 550 trees will be felled in the project. Comments of CWLW are provided in respect of whether the proposal forms part of a National park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor, etc. that there will be no adverse impact on the wildlife in the adjoining area and no animal passage will get affected. 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 that the observations conveyed vide this office letter dated: 15.02.2019 are complied by the State Govt vide their letter dated 11.03.2019 and found satisfactory.

After detailed discussion on various aspects of the proposal, the REC decided to accord in-principle approval for diversion of forest land.

Agenda Item No. 08: Diversion of 2.2926 ha of forest land for construction of Banu SHEP (5MW) in favour of Leond Hydro Power Private Limited within the jurisdiction of Palampur Forest Division, Distt. Kangra, Himachal Pradesh. (Online Proposal No. FP/HP/HYD/31910/2018)

Regional Empowered Committee discussed the proposal seeking diversion of 2.2926 ha of forest land for construction of Banu SHEP (5MW). The committee noted that 87 trees are proposed to be felled in the project. 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.

After detailed discussion on various aspects of the proposal, the committee decided to recommend the proposal to Govt. of India, MoEF & CC, New Delhi for approval.

UTTARAKHAND

Agenda Item No. 01: Diversion of 7.2855 ha of forest land for construction of Saliyakot to Anrpa Motor Road in favour of PMGSY within the jurisdiction of Nainital Forest Division District Nainital, Uttarakhand (Online Proposal No. FP/UK/ROAD/26369/2017).

Regional Empowered Committee discussed the proposal seeking diversion of 7.2855 ha of forest land for construction of Saliyakot to Anrpa Motor Road. The committee noted that 328 trees are proposed to be felled in the project. 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.

After detailed discussion on various aspects of the proposal, the REC decided to accord in-principle approval for diversion of forest land.

भारत सरकार
पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय
क्षेत्रीय कार्यालय (उत्तर-मध्य क्षेत्र)
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पत्र सं० 08बी/एच.पी./09/64/2018/एफ.सी./112

दिनांक: 24/04/2019

सेवा में,
अतिरिक्त मुख्य सचिव (वन)
हिमाचल प्रदेश सरकार,
आसर्मडेल बिल्डिंग, शिमला।

विषय : Diversion of 8.9899 ha of forest land in favour of Manali Ropeways Pvt. Ltd. Solang Valley, Tehsil Manali, Distt. Kullu HP, for the construction of Manali Ropeway Project, within the jurisdiction of Kullu Forest Division, Distt. Kullu, H.P.

सन्दर्भ : नोडल अधिकारी एवम् अपर प्रमुख मुख्य वन संरक्षक (एफ.सी.ए.), हि0प्र0 के पत्रांक एफ.टी. 48-3711/2018 (एफ.सी.ए.) दिनांक 14.09.2018

महोदय,

उपरोक्त विषय पर ऑनलाइन प्रस्ताव संख्या- FP/HP/Others/31593/2018 तथा नोडल अधिकारी एवम् अपर प्रमुख मुख्य वन संरक्षक (एफ.सी.ए.), हि0प्र0 के संदर्भित पत्र का अवलोकन करने का कष्ट करें जिसके द्वारा विषयांकित प्रस्ताव पर केन्द्र सरकार से वन (संरक्षण) अधिनियम, 1980 की धारा-2 के तहत स्वीकृति मांगी थी।

इस विषय में मुझे यह सूचित करने का निर्देश हुआ है कि प्रश्नगत प्रकरण पर समय-समय पर राज्य सरकार से आवश्यक जानकारियां/दस्तावेज मंगवाये जाते रहे हैं, जिनके प्राप्त होने के उपरान्त तथा प्रस्ताव पर Regional Empowered Committee (REC) की दिनांक 05, अप्रैल 2019 को हुई बैठक में संस्तुति होने के उपरान्त केन्द्र सरकार **Diversion of 8.9899 ha of forest land in favour of Manali Ropeways Pvt. Ltd. Solang Valley, Tehsil Manali, Distt. Kullu HP, for the construction of Manali Ropeway Project, within the jurisdiction of Kullu Forest Division, Distt. Kullu, H.P.** हेतु सैद्धान्तिक स्वीकृति निम्नलिखित शर्तों पर प्रदान की जाती है:-

1. वन विभाग द्वारा guideline para 3.2 (vi) के अन्तर्गत प्रस्तावित वन भूमि के दुगुने वन भूमि पर अर्थात् 18.00 है0 Dughilag -III पर प्रतिपूरक वृक्षारोपण एवं उसके 07-10 वर्षों तक रखरखाव हेतु (वर्तमान दरों को समाहित करते हुए यथासंशोधित) प्रयोक्ता अभिकरण से आवश्यक धनराशि जमा कराई जायेगी।
2. प्रयोक्ता अभिकरण द्वारा भारत सरकार के पत्र संख्या 5-3/2007-एफ.सी. दिनांक 05.02.2009 के तहत दिये गये आदेशानुसार शुद्ध वर्तमान मूल्य (एन.पी.वी.) की निर्धारित राशि जमा की जायेगी।
3. शुद्ध वर्तमान मूल्य की दर में अगर बढ़ोतरी होती है, तो बढ़ी हुई दर के अनुसार अतिरिक्त धनराशि प्रयोक्ता अभिकरण द्वारा जमा की जायेगी। इस आशय की प्रयोक्ता अभिकरण द्वारा वचन बद्धता प्रस्तुत की जाए।
4. प्रयोक्ता अभिकरण द्वारा यह सुनिश्चित करें कि जमा की गयी सभी निधियां (CA cost, NPV etc.) को वेब पोर्टल पर **Online Generate** किए गए चालान के माध्यम द्वारा उचित ऑनलाइन बैंक में जमा किए जाए, अन्य माध्यमों से जमा की गयी धनराशि सैद्धान्तिक स्वीकृति की अनुपालना के रूप में मान्य नहीं होगी।
5. निर्माण कार्यों के पूर्ण होने के पश्चात् जहां-जहां सभंभ हो, परियोजना क्षेत्र के रिक्त स्थानों पर प्रयोक्ता अभिकरण द्वारा अपने व्यय पर वन विभाग की देख-रेख में उपयुक्त प्रजाति के पौधों का रोपण किया जायेगा। इस आशय की वचन बद्धता प्रेषित करनी होगी।

उपरोक्त सभी शर्तों के परिपूर्ण एवं बिन्दुवार सुस्पष्ट परिपालन आख्या प्राप्त होने पर ही वन (संरक्षण) अधिनियम, 1980 के तहत विधिवत् स्वीकृति जारी की जायेगी। कृपया अपूर्ण परिपालना आख्या इस कार्यालय को प्रेषित न की जाये। राज्य सरकार द्वारा विधिवत् स्वीकृति तथा प्रयोक्ता अभिकरण को वन भूमि हस्तान्तरण की

कार्यवाही तब तक नहीं की जायेगी जब तक वन भूमि हस्तान्तरण की विधिवत् स्वीकृति भारत सरकार द्वारा जारी नहीं की जाती।

राज्य सरकार द्वारा सैद्धान्तिक स्वीकृति की अनुपालन आख्या प्रेषित करने के पश्चात् विधिवत् स्वीकृति अन्य आवश्यक शर्तों सहित निम्नलिखित शर्तों के साथ प्रदान की जायेगी:—

1. वन भूमि की विधिक परिस्थिति नहीं बदली जाएगी।
2. एन.पी.वी. की दरों में अगर बढ़ोतरी होती है तो प्रयोक्ता अभिकरण बढ़ी दरों पर एन.पी.वी. देने के लिए बाध्य होगा।
3. प्रयोक्ता अभिकरण द्वारा प्रस्तावित वन क्षेत्र के आस-पास मजदूरों/स्टॉफ के लिये किसी भी प्रकार का लेबर कैम्प नहीं लगाया जायेगा।
4. प्रयोक्ता अभिकरण के द्वारा निर्माण कार्य के दौरान स्थल पर कार्यरत मजदूरों एवं स्टॉफ के लिये रसोई गैस/कैरोसिन तेल की आपूर्ति की जायेगी, जिससे निकटवर्ती वनों को क्षति न पहुँचे।
5. 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।
6. निर्माण कार्यों के पूर्ण होने के पश्चात् जहां-जहां संभव हो, परियोजना क्षेत्र के रिक्त स्थानों पर प्रयोक्ता अभिकरण द्वारा अपने व्यय पर वन विभाग की देख-रेख में उपयुक्त प्रजाति के पौधों का रोपण किया जायेगा।
7. वन भूमि का प्रयोग प्रस्ताव में दिये गये layout plan में दर्शाये गये उद्देश्य के अलावा अन्य किसी उद्देश्य के लिए नहीं किया जायेगा।
8. कम से कम वृक्षों का कटान/पातन किया जाएगा, जिनकी संख्या प्रस्ताव के अनुसार 550 वृक्षों से अधिक न हो।
9. प्रयोक्ता अभिकरण वन विभाग की देख-रेख में प्रत्यावर्तित भूमि का R.C.C Pillars लगाकर सीमांकन करेगा जिन forward and back bearing भी अंकित किया जाएगा।
10. प्रयोक्ता अभिकरण द्वारा इस प्रोजेक्ट के लिए सक्षम अधिकारी/प्राधिकरण से आवश्यक पर्यावरण मंजूरी, यदि लागू है तो, लेना आवश्यक होगा।
11. 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।
12. यदि कोई अन्य सम्बन्धित अधिनियम/अनुच्छेद/नियम/न्यायालय आदेश/अनुदेश आदि इस प्रस्ताव पर लागू होते हैं तो उनके अधीन जरूरी अनुमति लेना राज्य सरकार/प्रयोक्त एजेंसी की जिम्मेवारी होगी।
13. ऐसी अन्य कोई भी शर्त जो कि भारत सरकार भविष्य में पर्यावरण, वन एवं वन्य जीवों के संरक्षण हेतु आवश्यक समझें।

यदि विधिवत् स्वीकृति में दी गई शर्तों का संतोषजनक अनुपालन नहीं किया जाता है तो स्वीकृति को तत्काल प्रभाव से निरस्त किया जा सकता है।

भवदीय,

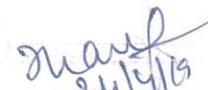
o/c


(डा० योगेश गैरोला)
तकनीकी अधिकारी

प्रतिलिपि सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:

1. अपर वन महानिदेशक (एफ०सी०), पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, इन्दिरा पर्यावरण भवन, जोरबाग रोड, अलीगंज, नई दिल्ली।
2. नोडल अधिकारी एवं मुख्य वन संरक्षक (एफ.सी.ए.) हिमाचल प्रदेश सरकार, वन विभाग, टालैंड, शिमला।
3. आदेश पत्रावली।

o/c


(डा० योगेश गैरोला)
तकनीकी अधिकारी