

CGM (T) / GM (C) / GM (SP) / GM (MS) / AM (MPS)

[Signature]
29.05.2013

To D.

CMD - *[Signature]*
29.05.2013

F. No. 8-65/2009-FC
Government of India
Ministry of Environment & Forests
(FC Division)

Paryavaran Bhawan,
CGO Complex,
Lodhi Road, New Delhi-110 003
Dated: 28th May, 2013

[Signature]
1/5/13
SM (L) (M)
SM (C) (S2)
SM (U)

To,
The Principal Secretary (Forests)
Forest and Revenue Department,
Government of Uttarakhand,
Dehradun.

Sub: Diversion of 80.507 ha of forest land in favour of the Tehri Hydro Development Corporation (THDC) for 30 years for construction of 444 MW Vishnugarh-Pipalkoti Hydroelectric Project in district Chamoli, Uttarakhand.

Sir,

I am directed to refer to the Addl. Principal Chief Conservator of Forests & the Nodal Officer, Forest (Conservation) Act, 1980, Government of Uttarakhand's letter No. 695/1G-2521 (Chamoli) dated 02.09.2009 on the above mentioned subject, wherein prior approval of the Central Government for diversion of 80.507 ha of forest land in favour of the Tehri Hydro Development Corporation (THDC) for 30 years for construction of 444 MW Vishnugarh-Pipalkoti Hydroelectric Project in district Chamoli, Uttarakhand, was sought, in accordance with Section-2 of the Forest (Conservation) Act, 1980. After careful consideration of the proposal by the Forest Advisory Committee constituted by the Central Government under Section-3 of the said Act, in-principle approval for the said diversion was granted vide this Ministry's letter of even number dated 3rd June 2011, subject to fulfilment of certain conditions. The State Government has furnished compliance report in respect of the conditions stipulated in the in-principle approval and has requested the Central Government to grant final approval.

2. In this connection, I am directed to say that on the basis of the compliance report furnished by the Addl. Principal Chief Conservator of Forests & the Nodal Officer, Forest (Conservation) Act, 1980, Government of Uttarakhand vide letters No. 1386/1 G- 2710 (Chamoli) dated 30.12.2011, No. 2202/1G-2710 (Chamoli) dated 11.04.2012 and No. 535/ IG-2710 (Chamoli) dated 31.08.2012, approval of the Central Government is hereby granted under Section-2 of the Forest (Conservation) Act, 1980 for diversion of 80.507 ha of forest land in favour of the Tehri Hydro Development Corporation (THDC) for 30 years for construction of 444 MW Vishnugarh-Pipalkoti Hydroelectric Project in district Chamoli, Uttarakhand, subject to fulfilment of the following conditions:

- (i) Legal status of the diverted forest land shall remain unchanged;

no. 7517 दिनांक 2/6/13
माध्यमिक (परियोजना) कार्यालय
टीएचडीसी इण्डिया लिमिटेड
धूपसूय, टी

निदेशक तस्वीकी सचिवालय
टी.एच.डी.सी.लि. / इण्डिया
पत्रांक 8867 दिनांक 29/5/13

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- (ii) Compensatory afforestation over the non-forest land equal in extent to the diverted forest land transferred and mutated in favour of the State Forest Department shall be raised and maintained by the State Forest Department from the funds realised from the user agency;
- (iii) The non-forest land which is transferred and mutated in favour of the State Forest Department for the purpose of compensatory afforestation, shall be declared as Reserved Forest under Section-4 or Protected Forest under Section-29 of the Indian Forest Act, 1927 or under the relevant Section(s) of the local Forest Act. The Nodal Officer, Forest (Conservation) Act, 1980, State Government of Uttarakhand shall report compliance within six months;
- (iv) The State Government shall realize the additional NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India and transfer the same to the ad-hoc CAMPA with intimation to this Ministry;
- (v) The user agency and the State Government shall comply with the recommendation of the Standing committee of the NBWL and the user agency shall provide funds required for execution of the mitigative measures, if any, to be suggested by the Standing Committee of the NBWL;
- (vi) The user agency shall incorporate appropriate features in design of the dam to ensure that minimum discharge from the dam into the downstream stretch of the river at any time is not less than the minimum environment flow as recommended in the study undertaken by the IIT, Roorkee;
- (vii) The user agency in consultation with the WII, Dehradun shall undertake 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.;
- (viii) The recommendations of the WII on monitoring and protection of wildlife and habitats and the recommendations of the IIT, Roorkee regarding the flows of rivers are to be implemented;
- (ix) No labour camp shall be established on the forest land;
- (x) Felling of trees on the forest land being diverted shall be reduced to the bare minimum and the trees should be felled under strict supervision of the State Forest Department;
- (xi) The user agency shall undertake afforestation along the periphery of the reservoir;
- (xii) Catchment area treatment plan shall be implemented under the supervision of State Forest Department at the project cost;
- (xiii) The State Government of the Uttarakhand and the user agency shall ensure that the trees available between full reservoir level (FRL) and FRL - 4 meters are not felled;
- (xiv) The user agency shall provide free water for the forestry related projects;

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- (xv) The State Government of the Uttarakhand and the user agency shall undertake Rehabilitation and Resettlement (R & R) of the project affected families, in a time bound and transparent manner;
- (xvi) Alternate fuel shall be provided by the user agency to the labourers to avoid pressure on the adjoining forests;
- (xvii) The user agency shall ensure that no damage is caused to the wildlife available in the area because of this project;
- (xviii) The forest land being diverted for execution of the project shall be demarcated on ground at the project cost, by using four feet high RCC pillars, each pillar inscribed with the serial number, DGPS coordinates, forward and backward bearings and distance from the adjoining pillars etc.;
- (xix) The forest land shall not be used for any purpose other than that specified in the proposal;
- (xx) Any other condition that the Addl. Principal Chief Conservator of Forests (Central), Regional Office, Lucknow may stipulate from time to time for protection and improvement of flora and fauna in and around the forest land being diverted;
- (xoi) User agency shall submit annual report on compliance to conditions stipulated in this approval to the State Government and the concerned Regional Office of this Ministry; and
- (xxii) The user agency and the State Government of the Uttarakhand shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project.

Yours faithfully

H.C.

(H.C. Chaudhary)

Assistant Inspector General of Forests

Copy to:

1. The Principal Chief Conservator of Forests, Government of Uttarakhand, Dehradun.
2. The Nodal Officer, Forest Department, Government of Uttarakhand, Dehradun.
3. The Addl. Principal Chief Conservator of Forest, Regional Office (Central Zone), Lucknow
4. User Agency
5. Monitoring Cell, Ministry of Environment and Forests.
6. Guard File.

H.C.
(H. C. Chaudhary)

Assistant Inspector General of Forests