1 Fla-B 27-5-2011

Government of Himachal Pradesh Department of Forests.

8. FFE-B-C(15)-3/2005-III

Dated: Shimla-171002 the 26 May 2016

#### NOTIFICATION

The Governor of Himachal Pradesh is pleased to notify the "HP Forest Department Revised Eco-Tourism Policy (Amended) - 2016 enclosed as Annexure -I (14-pages) approved by the State Cabinet vide Memorandum under Item No. 109 on dated 11-05-2016.

By Order

(R.D.Dhiman)
Pr. Secretary (Forests) to the
Government of Himachal Pradesh

Endst. No. as above

Dated Shimla-171002

May 2016

Copy forwarded for information and n/a to:-

- 1 The ACS to the Hon'ble Chief Minister, HP
- 2 The Private Secretary to Hon'ble Chief Minister, HP.
- 3 The Private Secretary to Hon'ble Forest Minister, HP.
- 4 The Private Secretary to the Chief Secretary to the GoHP.
- 5 All the ACS/Pr. Secretaries/ Secretaries to the GoHP.
- 6 The Principal Chief Conservator of Forests(HoFF) HP, Shimla-1.
- 7 The Principal Chief Conservator of Forests(WL) HP, Shimla-1:
- 8 The Managing Director, HPSFC Ltd. Shimla-171009.
- 9 The Accountant General, H.P.Shimla-4.
- 10 The Sr. Dy. Accountant General, H.P. Shimla-4.
- 11 All the Deputy Commissioners in HP.
- 12 All the Conservators of Forests, Himachal Pradesh.
- 13 All the DFOs in Himachal Pradesh.
- 14 The Controller, Printing and Stationary Department, HP Shimla 171005 with a request to publish the Notification in Extra Ordinary Gazette at early date with 5 extra copies.
- 15 GAD Section, HP Secretariat w.r.t. the cabinet decision dated 11-05-2016.
- 16 Guard file (100) spare copies.

17 SIO,NIC,HP. It is requested to upload the above notification on official web portal under Acts & Rules link.

The Arath Sources of the

Dt.02/06/2016

(Sat Pal Dhiman) 2 6-35-2 Deputy Secretary (Forests) to the Government of Himachal Pradesh

# HIMACHAL PRADESH FOREST DEPARTMENT REVISED POLICY

ON

### DEVELOPMENT OF ECO-TOURISM IN HIMACHAL PRADESH

2016

### 1. PREAMBLE

Himachal Pradesh, known for its rich natural heritage, is amongst the top tourist destinations in the country, both for national as well as international visitors. Recent estimates, place the number at about 160 lakh visitors -more than twice the State 5 population. However, much of the tourism related activity is concentrated in four major locations, Shimla, Manali, Dharamshala and Dalhousie. A majority of the visitors do not get an opportunity to experience the rich bio-cultural diversity contained in the many Forest areas, Sanctuaries and National Parks that comprise such a large part of Himachal Pradesh. The Forest Department of Himachal Pradesh framed an Eco-Tourism Policy during 2005 to enable tourists to experience this natural heritage. This policy now needs revision, mainly due to the procedural requirements of obtaining clearance of Eco-Tourism sites under Forest Conservation Act, 1980 as per recent guidelines of the Ministry of Environment, Forests and Climate Change (MoEF&CC), Government of India. Some changes in the existing policy document have also been necessitated in the context of the evolving understanding of Eco-Tourism concepts and principles.

The Revised Eco-Tourism Policy 2016 aims at bringing the wilderness and virgin ecosystems of Himachal Pradesh closer to visitors and at the same time ensure adequate safeguards and systems for the protection and conservation of these natural resources. By involving local communities, the policy would help in increased livelihood opportunities as well as their involvement in awareness building, protection and conservation. It also envisages generation of financial returns which can be ploughed back into proper up keep and maintenance of the environment. It shall also promote greater understanding and appreciation for natural and cultural heritage.

The ongoing Eco-Tourism projects also need to be re-looked at and reviewed in view of the Central Ministry's guidelines on Eco-Tourism. It may be necessary to evaluate the on-going projects in order to decide on their further continuation after the culmination of the term of these projects.

### 2. CONCEPT

'Eco-tourism', in a very broad sense, means venturing into and enjoying nature in such a

way as to assure that negative impacts on the cultural and natural environment are minimized and mitigated. It is, therefore, 'responsible' tourism, which, besides being ecologically and culturally sensitive, helps the local communities in realizing social and economic benefits.

This Policy is based on the understanding that involvement of local communities in ecotourism would support their livelihood needs and consequently create a stake for them in the conservation of local culture, ecology, and environment.

#### 3. VISION & OBJECTIVES

The vision is to preserve and protect the natural (both flora and fauna) and cultural heritage of Himachal Pradesh, provide opportunities to enhance livelihood of local people, generate resources for sustainable development and promote greater understanding and appreciation for this heritage through authentic Eco-Tourism initiatives.

The Eco-Tourism Policy would encourage a partnership between civil society (local communities, NGOs, academic institutions) as well as private enterprises/businesses and the State Government Departments of Forest, Tourism, Fisheries, I&PH, Power & PWD.

#### 4. MISSION STATEMENT

To make Himachal Pradesh a leading Eco-tourism destination, with Eco-Tourism attracting at least 10% of overall tourists visiting the State by the year 2030.

#### 5. PRINCIPLES

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Eco-Tourism can be one of the most viable options for conservation of natural resources and sustainable development in a mountain State like Himachal Pradesh. It has to be executed mindfully, with the minimum impact to inspire cultural awareness, tolerance, and commitment to natural resource conservation. The following Eco-Tourism principles will form the basis of this policy:

- · Design, construct and operate low-impact facilities.
- Provide a positive experience for both visitors and hosts.
- Build environmental and cultural awareness and respect.

- Minimize physical, social and behavioral impacts.
- · Provide direct financial benefits for conservation and livelihood opportunities to local communities
- Deliver memorable interpretative experiences to visitors
- Recognize the rights and spiritual beliefs of the local People

### 6. STRATEGY

The principles outlined above will be pursued through an appropriate strategy that comprises the following components:-

### A. Institutional Arrangements:

- Forest Department has created a Special Purpose Vehicle in the form of 'Himachal Pradesh Ecotourism Society' (HP ECOSOC), registered vide No.422 dated 30-06-2006 under the Registration rules of Societies Act 1860 to assist in delivering the mission and objectives of the Policy. (ii)
- HP ECOSOC covers the entire State. It will work with eco-tourism Societies at Divisional level to facilitate PPP initiatives at identified locations and provide guidance in furtherance of the principles underlying this policy. The Division level societies shall be chaired by the concerned Conservator of Forests/Chief Conservator of Forests of the Forest Circle concerned. The Local Divisional Forest Officer will be the Chief Executive Officer of the Society and a member of the Governing Body. The District Tourism Development Officer and representative of Deputy Commissioner as well as representatives from the Zilla Parishad, Panchayat Samiti, Nagar and Gram Panchayats will be members of the Governing Body. In case of creation of new Societies, the Circle Level Societies shall be constituted in respective circles to avoid creation of large number of these societies at Division level. The Circle Level Societies can meet on quarterly basis to review, monitor and evaluate the implementation of various activities of all Ecotourism projects in a Circle. The constitution is suggested as under:
  - (i) Chairman
  - (ii) CEO-cum- Member Secretary
  - (iii) Representative of Deputy Commissioner
  - (iv) Representative of Zilla- Parishad
  - (v) Representative of Gram Panchayats

CF/CCF concerned DFO (HQ) of Circle

Member Member

Member

(vi) Representative of BDC

(vii) Representative of Tourism Dept.

Member Member

(viii) All DFOs of the Circle

Member Member

(ix) NGO/ CBO working in the field within the Circle

Member

This Governing body will be responsible for approving the annual budgets, action plan. The society will have an Executive Committee headed by the concerned DFO or DFO (HQ) as the case may be which will be responsible for all the day to day operations and preparing the budget and annual plan etc. for approval of the Governing Body.

(iii) These Division/Circle level societies will send their proposals for fresh eco-tourism sites to HP ECOSOC for securing Government approval and further action for getting project proposals prepared and securing partners for their operation, by following the procedure laid down in this policy.

## B. Creating awareness and capacity building of the principal stakeholders:

- (i) HP ECOSOC will concentrate on capacity building through experience sharing, workshops, training programmes and field visits etc., either in-house or through carefully selected organizations /entities.
- (ii) To inculcate the spirit of environmental awareness at an early age, the Division level Societies would engage students at various levels beginning at the primary level.
- (iii) HP ECOSOC will develop appropriate training modules (continuous, practical & participatory) and training material/case studies for the various stakeholders and ensure that emergence of appropriate technologies is to be advanced.
- (iv) Training programmes for nature guides, appreciation of flora/ fauna shall be organized. It shall be the endeavour of the Division level Societies to train a pool of certified nature guides and provide them livelihood opportunities.
- (v) Division level Societies shall liaise with Community Based Organizations (CBOs) working in the field of Natural Resource Management for providing them training and other material relevant for eco-tourism.
- (vi) For their education and awareness activities, HP ECOSOC and Division level Societies shall leverage funds through the Externally Aided Projects, the CAT Plans, Capacity Building programmes of H.P. State Tourism Development Board and resources generated from projects developed under PPP mode.

## C. Community Involvement

- The endeavour would be to extend maximum benefit to the local community either in the form of employment or resource generation. Local communities will be encouraged to come forward to take up various economic or promotional activities in their areas for furthering the vision and objectives of this policy.
- Such local communities could be in the form of PRIs, CBOs, User Groups, Mahila (ii) Mandal, Yuvak Mandals, Forest Development Committees, watershed development committees etc. (iii)
- Members of the local community will be represented in the Division level societies.

### D. Coordination with partner Departments (i)

- Necessary linkages and synergies in the policies and programmes of all concerned departments/agencies will be aimed at by establishing effective coordination mechanisms at the State and the District levels.
- Linkages with other partner Departments shall be established in the HP ECOSOC (ii)(at the level of Governing Body and Executive Committee) and other societies.
- Linkages with other policies/programs of the State Government will be (iii) established, such as the State Forest Policy and the New Sustainable Tourism Development Policy 2013, etc. E. Marketing

- HP ECOSOC shall provide a platform for effective marketing through website and (i) website linkages, which shall provide information for online booking of facilities
- Tie ups shall be facilitated with organizations/ entities/tour operators/ travel agents (ii) engaged in tourism promotion. (iii)
- HP ECOSOC shall utilize the services of Publicity Wing of Forest Department for popularizing the eco-tourism destinations during fairs and festivals.
- The services of print and electronic media shall be utilized for dissemination of (iv) eco-tourism hot spots and potential sites so as to lure the 'discerning tourist'
- Forest Rest Houses included under eco-tourism, shall be used for marketing of eco-(V) tourism products like camps/ nature walks/ trekking etc. F. Important Stakeholders and their functions:

- a) Visitors: Responsible travel to natural areas and making available financial contribution for conservation of natural heritage and empowerment of local people.
- b) Local Communities: Provide positive experiences for the visitors
- c) HP ECOSOC (Special Purpose Vehicle): Practice and promote ecotourism according to the principles of ecotourism; Capacity building of stakeholders; key interface for ensuring FCA clearance and PPP partners.
- d) Division/Circle level Societies: Managing all operations for responsible ecotourism at ground level.
- e) Government Departments (Forests, Tourism, PWD,I&PH,Rural Development, Revenue): Provide positive experiences for the visitors; Minimize impact; Build environmental, cultural awareness and respect. By implementing and educating others about ecotourism, contribute to the positive and more sustainable development of the tourism industry.
- f) Concerned Panchayat, BDC and Zilla Parishad: Provide positive experiences for the visitors.
- g) Partners managing sites: Practice and promote ecotourism according to the principles of ecotourism.

### G. Development & Management of Eco-Tourism Assets

- (i) The State already boasts of a few van vihars and nature awareness centres. It shall be the endeavour to bring all the facets of such nature tourism related assets into a common fold under the aegis of the institutional arrangements envisaged in this policy.
- Development of nature parks/ van vihars, nature trails etc., that are important from eco-tourism point of view shall be carried out so that not only the tourists outside State have access to nature. State dwellers shall also have an opportunity for nature appreciation and recreation. Decisions with respect to utilization and management of these assets shall be taken by the Divisional/Circle level Societies.
- (iii) Eco-tourism circuits shall be created, which will allow the visitors to access the existing infrastructure of Forest Rest Houses/Eco-Tourism camping sites.

- HP ECOSOC shall facilitate selection of partners for Eco- Tourism sites in FPP mode (IV) after taking approval of Government of HP. The guidelines about the management of existing Eco-Tourism sites are also provided in this policy document. Adherence to guidelines will be overseen by the division level societies. (V)
- Trekking routes shall be popularized and arrangements shall be worked out to offer trekking packages to the discerning tourist, who may like to visit rural and interior areas of the State.
- Eco-Tourism societies at division level shall endeavour to tie up with school groups (vi) and colleges for organizing camps in selected Forest Rest Houses /Eco-Tourism
- Eco Circuits shall be created by these societies to link the potential sites. (vii)

# H. Development of New Eco-Tourism Projects in Public Private Partnership mode

New Eco-Tourism Sites shall be developed and managed through Public Private Partnership (PPP) mode. A constructive and mutually beneficial partnership between the public and the private sector would be worked out for development of New Eco-Tourism Projects under Public Private Partnership mode as per the provisions made under Himachal Pradesh Infrastructure Development Act, 2001.

As per Ministry of Environment, Forests & Climate Change, GOI guidelines, an Eco-Tourism project implemented in PPP mode, shall require prior approval of Central Government under the Forest Conservation Act, 1983, if it involves all or one or more of the following, namely, (i) (ii)

- De -notification of Forest land or apportion thereof.
- Breaking up or clearing of a forest land or portion thereof.
- Assigning any forest land or any portion thereof by way of lease or otherwise to any (iii) private person or to any authority, corporation, agency or any other owned, managed or controlled by Government.
- Clearing of trees which have grown naturally in a forest land or a portion, for the

In case an activity requires prior approval of Central Government under the Forest Conservation Act, 1980, period of diversion, payment of NPV and eco-restoration to reclaim

the site are governed by the provisions of the Rules and guidelines framed under the Forest Conservation  $Act\ 1980$  and orders passed by various courts of law from time to time.

Such projects shall be allotted to the private sector through a transparent and competitive process. Guidelines issued by Ministry of Finance, Government of India for Formulation, Appraisal and Approval of Public Private Partnership Projects shall be broadly followed for greater transparency. The following stepwise procedure shall be followed.

### a) Step-I: Project Identification- Selection of new sites

New Eco-Tourism Projects proposed to be taken up through PPPs may be identified through various channels and forwarded to the HP ECOSOC by Division level societies. The forest land to be leased out for each project shall be maximum upto one (1) hectare and no felling of trees should be involved. HP ECOSOC will assess prima facie feasibility keeping in view relevant parameters of access, infrastructure, attractions, etc. and secure government approval to proceed further in the matter. This will involve engaging of consultants for project formulation, preparation of bidding documents and assisting in this process. The Himachal Pradesh Infrastructure Development Board (HPIDB) shall be asked to assist in this process as envisaged in the HP IDB Act and as per the instructions of the Finance Department issued from time to time.

### b) Step-II: Approval of HPIDB to Final Project Proposal:

The HP ECOSOC through the Administrative Department shall secure approval of the HPIDB to the final shape of the project including the terms of concession agreement and period of concession. The project period be kept for 10 years which shall be reckoned from the date of commercial operations of the Project since at least a period of 6-12 months would be spent in getting all the clearances. The documents that would need to be prepared would, *inter-olia*, include the various agreements to be entered into with the concessionaire detailing the terms of the concession and the rights and obligations of the various parties. Typically, a PPP will involve the concession agreement that will specify the terms of the concession granted to the private party and will include the rights and obligations of all parties. There could be associated agreements based on specific requirements. The proposed RFP from prospective parties will also be got approved from the HPIDE.

### Step-III: Approval of the project under Forest Conservation Act, 1980: C)

After the approval of the final project proposal by the HPIDB, HP ECOSOC shall get the diversion proposal prepared through concerned Divisional level/Circle level societies and seek prior approval of the competent authority under the Forest Conservation Act, 1980 in view of the MoEF & CC's guidelines in this regard. Payment of all the costs like Net Present Value (NPV), Compensatory Afforestation (CA) and other charges so required shall be borne by the HP ECOSOC for which the funds shall be sought initially as advance from the Government by the HP ECOSOC. Subsequently these funds shall be reimbursed by the HP ECOSOC to the H.P.Government in due course on finalization of the award and during period of commercial operations of the project. d)

# Step-IV: Invitation of Bids and Bid Criteria:

Financial bids will be invited after approval of the project under FCA, 1980 has been obtained. An appropriate Concession Fee (reserve price) will be fixed as bidding parameter for the selection of best bidder. The qualified bidder who quotes the highest bid/price shall be selected for award of the project. Eligibility conditions for bidders will be as specified in the RFP as per criteria enclosed at Annexure-A. For eligibility criteria, preference will be given to Himachalis.

### Step-V: Eco-restoration

- Sites that shall be offered for Eco-Tourism projects shall be returned back by the (i) entrepreneur after the project period as envisaged in the Concession Agreement is over. The entrepreneur shall pay eco-restoration charges as specified in the Concession agreements and any subsequent agreements mutually arrived at thereafter.
- Eco-restoration refers to the scientific practice of ecological restoration, which is the practice of renewing and restoring degraded, damaged, or destroyed <u>ecosystems</u> and <u>habitats</u> in <u>environment</u> by active human intervention and action.
- The idea is to bring back the site to its original condition (or as near to original as possible), through interventions designed to (a) mitigate the impacts caused by humans on forest lands and (b) allow/ supplement process of natural rejuvenation.
- Step-VI: Distribution of Revenues generated through Eco Tourism:

- HP ECOSOC and Divisional Level Eco-Tourism Societies shall act as the repository of (i) all possible sources of funding, like grants from State Tourism Department, Tourism Department of GoI, HP State CAMPA and other such sources.
- HP ECOSOC and Divisional Level Eco-Tourism Societies shall generate resources (ii) from (a) levy of user charges/concession fee on eco tourism sites in PPP mode, (b) lees from van vihars, camps, treks, trails, film shooting, rest houses etc.
- Distribution of Revenue generated through Eco-tourism sites and use of (iii) government assets such as rest houses shall be as under:
  - a) State Government Share: 20% of the total revenue realized shall be deposited in
  - b) HP ECOSOC Share: 20% of the total revenue realized shall go to the HP ECOSOC
  - c) Divisional Level Eco-Tourism Society Share: Remaining 60% revenue shall remain with the Divisional Level Eco-Tourism Society to implement the action plans and also for further sharing with the local Gram Panchayats/communities. Appropriate guidelines will be framed for this purpose.
- Impact assessment studies, research and 'do not disturb' practices: f) (i)
- Impact assessment studies would be carried out at periodic intervals so as to ascertain impacts of eco-tourism on environment and remedial measures taken.
- Impact assessment studies would also be carried out to gauge the efforts being made (ii) for education and awareness about nature and ecology through eco-tourism.
- The number of tourists permissible shall be kept within limits. The carrying capacity concept will be the cornerstone of the State's Eco-Tourism Policy. shall be determined for various eco-tourism products. Carrying capacity
- Eco-tourism would aim to have low impact on environment and minimal infrastructure requirements.
- Regulatory measures to ensure social, cultural and environmental sustainability as well as safety and security of tourists shall be enforced through appropriate instruments.
- There would be conscious effect towards poverty alleviation, employment generation and environmental regeneration.
- (vii) A set of 'do not disturb' guidelines would be issued for educating tourists, private enterprises so as to inculcate the right eco-tourism spirit, to minimize the use of resources

for recreation and for general protection of nature.

(viii) Research shall be undertaken in various facets of eco-tourism, with a view encourage eco-tourism, minimize negative impacts, eco-restoration techniques  $\epsilon$ technologies and to offer better eco-tourism products including their marketing.

# h) Status of Existing Eco-Tourism Sites and their future Management

a) Current Status: The details of current status of existing sites each having an area

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	usie Dev Da, HP. (Reg Soft Park Sada	velopers, Pvt. Ltd. gd.) Office-5,	27-01-2009 [82,000]	27-1-2			4,25,000	3,43,000

12

-		Date of	Date of	Current	Variation	
Name of Management Contractor	Date of Initial Allotment & Rent Per annum (INR)	Date	next	cessation of allotment	Rent Per annum (INR) 7,05,333	in Rent (INR)
Contract		21 02 2006	08-10-	31-01-2016		
Mr Ajit Butail, Management Contractor	01-02-2003 [5,33,333]	01-02-2006 [6,13,333]	2007 [7,05,333]			

### b) Basis of Renewal of these Sites

Renewal of operational sites was accorded on the basis of annual assessment reports of concerned Divisional Forest Officers which confirmed that a particular ecotourism project was being carried out in accordance with the agreement and there was no damage to the forest land. Escalation in license fee was worked out as per the following formula:

NPV + Enhancement + CA +ECOSOC expense

= Base Price

Base Price+ Premium Ecolocation Charge (PELC)

= Final Escalated Price

Base Price (payable over a five year period)

Renewal for a period of next five years in the year 2014 was accorded by Executive Committee of HP ECOSOC to five operational sites which were initially allotted on PPP mode in the year 2009. Potter Hill Site under Potter's Van Vihar Eco Tourism Society was initially given to a contractor under Management Contract Agreement and further renewed from time to time with escalation of 10-15% with the approval of Government.

## c) Future Policy for Existing Sites - Impact Assessment Studies:

Impact assessment studies to evaluate the on-going projects shall be carried out immediately. Based on that, fresh project formulation is proposed by following the same process as already specified for new sites. The only difference will be in selection of PPF partner.

Swiss Challenge method will be used for allotment on the culmination of the term of th project. This will allow the existing partners (subject to their meeting eligibility conditions) match a higher financial bid by any other-person, subject to any minimum conditions of original conditions or original conditions origina bid amount specified in the RFP.

# 'Eco Tourism Project in Himachal Pradesh'

Minimum Eligibility Criteria: (SUGGESTIVE)

To be considered as technically qualified, a Bidder shall fulfil the following minimum eligibility criteria (the " Minimum eligibility Criteria"):

- A. Technical Capacity: For demonstrating technical capacity and experience (the "Technical Capacity"), the Bidder shall, over the past 1(one) financial year preceding the Bid Due Date, have operated in India, any travel & tourism or entertainment project with minimum turnover/income of ......(2 x Project Cost). Provided further that in case of Himachali entrepreneurs, this shall be 1.5 x Project Cost.
- B. Financial Capacity: The Bidder shall have Net Worth (the "Financial Capacity") of 0.5 of Project Cost in absolute amount at the close of preceding financial year. Provided further that in case of Himachali entrepreneurs, this shall be 0.3 of Project Cost.

# Definition of Travel & Tourism or Entertainment Project:

- Eco Tourism activities as per Central/ State Govt. guidelines Hotel & restaurant
- Resorts
- 4 Heritage or Historical Monuments 5
- Museum & Galleries 6
- Lodging & Catering
- Transport
- 8 Tour Operators
- Travel Agents
- 10 Information & Guiding 1.1
- Adventure
- 12 Wildlife Attractions
- 13 Castles
- 14 Leisure Parks
- 15 Sports Complex
- 16 Event Management
- 17 Multiplex
- Shopping Mall & Festival 18
- 19 Banquets
- 20 Cinema & Film
- 21 Theatre
- 22 Circus
- 23 Fairs & Exhibitions