

सत्यमेव जयते

भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FORESTS &
CLIMATE CHANGE

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Regional Office, Western Region,
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No.6-MPA 015/2015-BHO/1257

To,

१०/११/२०१५

The Principal Secretary (Forests),
Govt. of Madhya Pradesh,
Forest Department,
Vallabh Bhawan, Bhopal
(Madhya Pradesh)

Sub: Diversion of 144.202 ha Reserved & Protected Forest land for laying of 400 KV D/C Transmission line Betul-Khandwa in at Mohda production stage-II in favour of Manager, Power Grid Corporation of India Ltd. in Betul & Khandwa Districts of Madhya Pradesh.

Sir,

I am directed to invite a reference to-APCCF (LM), MP letter No. F-4/99/2015/10-11/2575 dated 14/10/2015 on the above mentioned subject seeking prior approval of the Central Government under Section - 2 of the Forest (Conservation) Act, 1980.

After due consideration of the proposal of the State Government, REC has approved the proposal in its meeting held on 30/10/2015 and the undersigned, on behalf of the Central Government conveys in-principle approval for diversion of 144.202 ha Reserved & Protected Forest land for laying of 400 KV D/C Transmission line Betul-Khandwa in at Mohda production stage-II in favour of Manager, Power Grid Corporation of India Ltd. in Betul & Khandwa Districts of Madhya Pradesh subject to the following terms and conditions:-

1. Legal status of the forest land shall remain unchanged.
2. Forest land shall be handed over to the User Agency only after the User Agency has got permission on non-forest land, if any, required for the project.
3. Compensatory afforestation:
 - a) Compensatory afforestation shall be taken up by the Forest Department over 288.586 ha degraded forest land (20.00 ha Gram Van Samiti-Jaitpur, Tehsil-Amla, District-Betul, 100.00 ha survey no. RF-80 Van Surksha Samiti-Palsud Mal, Tehsil-Punasa, District-Khandwa, 72.68 ha survey no. RF-74 Van Suraksha Samiti Bhamori, Tehsil Punasa, District Khandwa, 26.26 ha, Van Suraksha Samiti-Kashmar Khandi, District-Betul, 39.646 ha survey no. 1513, Van Suraksha

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Samiti-Chira, Tehsil-Bhesdehi, District-Betul & 30.00 ha survey no. 1460, Van Surksha Samiti-Chouhta Popti, District-Betul) at the cost of the User Agency. As far as practicable a mixture of local indigenous species will be planted and monoculture of a species has to be avoided.

- b) The land identified for the purpose of CA shall be clearly depicted on a Survey of India Toposheet of 1:50, 000. The bearing of each corner point and distances between successive points will be recorded along with GPS reading of Geo-Coordinates (Latitudes & Longitudes).
4.
 - a) The User Agency in consultation with the State Forest Department prepare a detailed scheme for creation and maintenance of plantation of dwarf species (preferably medicinal plants) in right of way under the transmission line for execution of the said scheme to the State Forest Department.
 - b) The User Agency will defray the cost of such plantation.
 - c) Cost of the same shall be transferred to CAMPA.
 5. The cost of compensatory afforestation and raising of dwarf spp /medicinal plants under the transmission line at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars on the CA land shall be deposited in advance with the Forest Department by the project authority. The CA will be maintained for 7-10 years. The scheme may include appropriate provisions for anticipated cost increase for works scheduled for subsequent years.
 6. NPV:
 - a) The State Government shall charge the Net Present Value(NPV) for the 144.202 ha forest area to be diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 30.10.2002, 01.08.2003, 28.03.2008, 24/04/2008 and 09.05.2008 in IA No. 566 in WP (C) No. 202/1995 and as per the guidelines issued by the Ministry vide letters No. 5-1/1998-FC (Pt.II) dated 18.09.2003, as well as letter No. 5-2/2006-FC dated 03/10/2006 and 5-3/2007-FC dated 05/02/2009 in this regard.
 - b) Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect.
 7. All the funds received from the user agency under the project shall be transferred to the Ad-hoc Compensatory Afforestation Fund Management & Planning Agency(CAMPA) in Saving Bank A/c No. SB 01025216 of Corporation Bank, Lodhi Complex, New Delhi- 110003.



8. Length & Width

- a) As far as possible, the route alignment through forest areas should not have any line deviation.
- b) The width of right of way for the transmission lines on forest land shall be 46 meters.
- c) Below each conductor or conductor bundle where felling may have to be resorted to, if required, 3 meter width clearance would be permitted for stringing purpose.
- d) Where stringing work is completed, natural regeneration will be allowed to come up. Felling/ pollarding/ pruning of trees will be done with the permission of the local forest officer wherever necessary to maintain the electrical clearance. One outer strip shall be left clear to permit maintenance of the transmission line.
- e) During construction of transmission line, pollarding/ pruning of trees located outside the above width of the strips, whose branches/ parts infringe with conductor stringing, shall be permitted to the extent necessary, as may be decided by local forest officer.
- f) Pruning of trees for taking construction/stringing equipments through existing approach/ access routes in forest areas shall also be permitted to the extent necessary, as may be decided by local Forest Officer. Construction of new approach/ access route will however, require prior approval under the Act.
- g) In the remaining width of right of way trees will be felled or lopped to the extent required, for preventing electrical hazards by maintaining 5.5 meters minimum clearance between conductor and trees.
- h) The maximum sag and swing of the conductors are to be kept in view while working out the minimum clearance mentioned as above.
- i) To avoid any hazard, felling/ cutting/pruning of those trees which because of their height/ location may fall on conductors shall also be permitted, as may be decided by local forest office.
- j) In the case of transmission lines to be constructed in hilly areas, where adequate clearance is already, trees will not be cut except those minimum required to be cut for stringing of conductors.
- k) Transmission lines passing through National Parks, Wildlife Sanctuaries and Wildlife Corridors, insulated conductors shall only be used to prevent electrocution of animals.
- l) In forest areas, only vertical delta configuration of 400 KV S/C shall be permitted.



9. Felling of trees :
Project shall restrict the felling of trees upto 18541 trees in the diverted forest land and the trees shall be felled under strict supervision of the State Forest Department, only required number of trees will be felled.
10. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.
11. The State Govt. shall include stipulations/conditions proposed by the Chief Wildlife Warden while issuing the order for diversion of forest land to the user agency.
12. Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourers after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.
13. 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.
14. The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less.
15. Relevant directions contained in various notifications issued by the Central Government under the provisions of the Environment (Protection) Act, 1986 and Environment (Protection) Rules, 1986 made there under and amended from time to time regarding use of fly ash shall be fully complied with.
16. The layout plan of the proposal shall not be changed without prior approval of the Central Government.
17. The user agency shall install circuit breakers at suitable places besides maintaining necessary ground clearances to prevent electrocution of Wild Animal.
18. User Agency will provide at its cost suitable bird deflectors, which are to be fixed on upper conductor of transmission line at suitable interval to avoid bird hit.
19. Muck disposal, if required, shall be taken up as per the scheme approved by the Forest Department.
20. Soil conservation measures, if required, shall be taken up by the user agency.
21. No labour camp shall be established on the forest land.

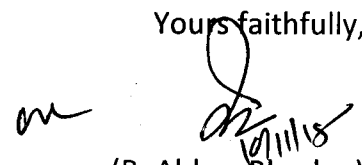


22. It will be the responsibility of the User Agency to ensure that the labourers and staff engaged in construction activity do not damage forest flora and fauna.
23. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
24. The User Agency shall ensure that because of this project, no damage is caused to the Wildlife.
25. The forest land shall not be used for any purpose other than that specified in the project proposal.
26. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Central Government.
27. Proposed labour camps outside the forest area, are to be dismantled and removed. The labourers shall be sent back immediately after the completion of the work.
28. Any other condition that the Ministry of Environment Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.
29. The User Agency shall submit compliance report as on 1st January to the Nodal Officer of the State.
30. The State Government shall monitor compliance of conditions of Forest Clearance and shall submit in this regard yearly report as on 1st July of every year.
31. The User Agency and the State Government shall ensure compliance of provisions of the all Acts, rules, regulations and guidelines for the time being in force as applicable to the project.

After receipt of compliance report on fulfillment of the condition Nos. 4(c), 5, 6 and 7 from the State Government, proposal will be considered for final approval under Section -2 of the Forest (Conservation) Act, 1980 by this office.

The order for transfer of forest land to user agency shall not be issued by the State Government till formal approval order for diversion of forest land is issued by this office.

Yours faithfully,



(B. Abhay Bhaskar)

Dy. Conservator of Forests (Central)



Copy to :-

1. Director, ROHQ, , Govt. of India, Ministry of Environment and Forests and Climate Change, Agni, C-wing, 3rd Floor, Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, New Delhi – 110003.
2. The Addl. Principal Chief Conservator of Forests and Nodal Officer Govt. of M.P., Satpura Bhawan, Bhopal, M.P.
3. The Divisional Forest Officer, Forest Division Khandwa, District-Khandwa, MP.
4. The Divisional Forest Officer, Forest Division South Betul, District-Betul, MP.
5. The Divisional Forest Officer, Forest Division West Betul, District-Betul, MP.
6. The Manager, Power Grid Corporation of India Ltd., 400/200 KV sub station Harsud road, Junapani, Khandwa, District-Khandwa, M.P.
7. Order file


(B. Abhay Bhaskar)

Dy. Conservator of Forests (Central)

