



Government of India

MINISTRY OF ENVIRONMENT FOREST & CLIMATE CHANGE

Regional Office, Gandhinagar



Online Proposal No.: **FP/GJ/TRANS/405881/2022**



Dated: **26/01/2024**

To,

**The Additional Chief Secretary (Forests)
Govt. of Gujarat
Block No. 14, 8th Floor, New Sachivalaya
Gandhinagar, Gujarat.**

Subject: Proposal for diversion of 6.8503 ha (6.3524 ha +0.4979 ha) Forest land construction of 400 KV/DC Magarwada- Kala transmission line in District Valsad in favour of Powergrid Corporation of India Limited (Proposal No. FP/GJ/TRANS/405881/2022).

Sir/Madam,

This is reference to the online proposal no. FP/GJ/TRANS/405881/2022 on the above-mentioned subject seeking prior approval of the Central Government in accordance with section '2' of the VAN (SANRAKSHAN EVAM SAMVARDHAN) ADHINIYAM, 1980 and to say that the proposal has been examined by the 16th Regional Empowered Committee (REC) held on 18.01.2024, after the examination, I am directed to convey the **"In-Principle/Stage-I"** approval of the Central Government under section-2 of the VAN (SANRAKSHAN EVAM SAMVARDHAN) ADHINIYAM, 1980 for the Proposal for non-forestry use of 6.8503 ha (6.3524 ha + 0.4979 ha) Forest Land for construction of 400 KV D/C Magarwada- Kala transmission line in District Valsad in favour of Powergrid Corporation of India Limited subject to the fulfillment of the following conditions:

1. General Conditions

S. No	Conditions
1.1	Legal status of the diverted forest land shall remain unchanged
1.2	The land identified for the purpose of CA shall be clearly depicted on a Survey of India toposheet of 1:50,000 scale
1.3	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

S. No	Conditions
1.4	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
1.5	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
1.6	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 Savings Bank Account pertaining to the State concerned
1.7	The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required
1.8	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
1.9	The User agency, if required, will undertake comprehensive soil conservation measures in the area being diverted at the project cost in consultation with the State Forest Department. A scheme of the same may be submitted along with the compliance report
1.10	No labour camp shall be established on the forest land
1.11	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
1.12	The forest land shall not be used for any purpose other than that specified in the proposal
1.13	The layout plan of the proposal shall not be changed without the prior approval of the Central Government
1.14	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
1.15	No damage to the flora and fauna of the adjoining area shall be caused
1.16	The State Government shall complete settlement of rights, in terms of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any, on the forest land to be diverted in accordance with the relevant guidelines issued by the MoEF
1.17	The user agency in consultation with the State Government shall create and maintain alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project. Bird's nests artificially made out of eco-friendly material shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project
1.18	The User Agency shall submit six monthly self-compliance reports as on 1st January and 1st July of

S. No	Conditions
	every year to this office as well as to the Nodal Officer of the State
1.19	The State Government shall monitor compliance of conditions of Forest Clearance and shall submit in this regard yearly report as on 31st December of every year
1.20	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
1.21	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
1.22	Grant of working permission to the extant proposal may be considered by the State Government in accordance with the provisions as contained in the MoEF&CC's Guidelines dated 28.08.2015
1.23	The KML file of the area to be diverted and the CA areas shall be uploaded on the e-Green watch portal with all requisite details.
1.24	User Agency shall be obtained Wildlife Clearance as per the provisions of the extant, rules and regulation. If required.
1.25	Compensatory afforestation shall be taken up by the Forest Department over 14.00 ha degraded forest land, Survey No. 203/p, Village- Dighali, Range- RDF Khedbrahma, Taluka- Khedbrahma, District- Sabarkantha of Gujarat at the cost of the user agency. As far as possible, a mixture of local indigenous species shall be planted and mono-culture of any species may be avoided.

2. Standard conditions

S. No	Conditions
2.1	The user agency shall install circuit breakers at suitable places besides maintain necessary ground clearance to prevent electrocution of wild animals;
2.2	No approach road shall be constructed in the forest area for transportation of steel and other material required for the transmission line. As far as possible the User Agency shall use the existing road and the proposed RoW for the transportation of the material and in the event of non-availability of such facilities, the User Agency shall transport material manually without construction of any path.
2.3	The User Agency shall comply with the guidelines for laying transmission lines through forest areas issued by Ministry vide letter no. 7-25/2012-FC dated 05/05/2014 & 19/11/2014.
2.4	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 before working permission as in case of linear projects.
2.5	The User Agency shall comply with the Hon'ble NGT order for transmission line dated 07.03.2012.

S. No	Conditions
2.6	The user agency at its cost shall provide bird deflectors, which are to be fixed on upper conductor of transmission line at suitable intervals to avoid bird hits.
2.7	The User Agency shall comply with the guideline for laying transmission lines through forest areas issued by Ministry vide Chapter 10 of Consolidated Guidelines and Clarifications issued under VAN (SANRAKSHAN EVAM SAMVARDHAN) ADHINIYAM, 1980 and VAN (SANRAKSHAN EVAM SAMVARDHAN) ADHINIYAM) Rules, 2023

3. Specific Conditions

S. No	Conditions
3.1	The User Agency shall construct 6 feet high wall along the boundary of the proposed CA land at its cost.
3.2	The User Agency shall provide at its cost required number of Solar Pumps as given by the Forest Department for irrigating the CA plantation.
3.3	Only 298 trees are to be felled out of 838 trees marked in ROW including the transmission towers.

After receipt of compliance report on fulfillment of all of the above conditions from the State Government, proposal will be considered for final approval under Section-2 of the VAN (SANRAKSHAN EVAM SAMVARDHAN) ADHINIYAM, 1980. The User Agency shall take up the work as per the guidelines in force and after ensuring that all necessary clearances for the entire stretch are in place. Working permission, if any issued, shall be intimated to RO, Gandhinagar. Transfer of forest land shall not be affected till final approval is granted by the Central Government in this regard. Further, it may also be noted that this In-principle / Stage-I approval shall be valid for a period of 2 years from the date of issue of this letter. In the event of non-compliance of the above conditions, this In-Principle approval shall be revoked after two (02) years.

Copy To

1. The Inspector General of Forests (Central), ROHQ Division, Ministry of Environment Forest and Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi- 110003.
2. The APCCF & Nodal Officer, Aranya Bhawan, Sector- 10A, Gandhinagar, Gujarat.
3. The Deputy Conservator of Forests, Forest Division Valsad (South), Valsad, Gujarat.
4. The Deputy Conservator of Forests, Social Forestry Division Valsad, Valsad, Gujarat.
5. The concerned User Agency.
6. Guard File.

Your's faithfully
(Shrawan Kumar Verma)

