



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

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No.6-GJA 17/2017-BHO/253

Dated : 01/06/2018

To,

The Addl. Chief Secretary (Forests),  
Govt. of Gujarat,  
Forest & Environment Department,  
Sachivalaya, Gandhinagar,  
(Gujarat).

Sub: Diversion of 44.224 ha Reserved/Protected forest land for construction of 400 KV D/C Mundra-Bhuj Transmission Line of Kutch District in favour of Chief Manager, Power Grid, Corporation of India Ltd., Bhuj, Gujarat.

Ref. : REC meeting minutes dated 29.05.2018.

Sir,

I am directed to invite a reference to State Govt. of Gujarat letter No. FCA-1018/3-03/18/SF-91/F dated 22.05.2018 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 29.05.2018 and the undersigned, on behalf of the Central Government conveys **in-principle** approval for diversion of 44.224 ha Reserved/Protected forest land for construction of 400 KV D/C Mundra-Bhuj Transmission Line of Kutch District in favour of Chief Manager, Power Grid, Corporation of India Ltd., Bhuj, Gujarat 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 89.00 ha degraded forest land at survey No.-618, Village-Bibar, Taluka-Nakhatrana, District-Kutch, Gujarat 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).

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4. a) The User Agency in consultation with the State Forest Department shall 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 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 **44.224 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/deposited to CAMPA fund only through e.portal (<http://forestsclearance.nic.in>).
8. 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 and 19/11/2014.
9. Felling of trees : Project shall restrict the felling of trees upto 4319 trees in the diverted forest land. The trees shall be felled under strict supervision of the State Forest Department and only those trees shall be felled which are absolutely essential for the project.
10. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.
11. 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.

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12. 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.
13. 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.
14. 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.
15. The layout plan of the proposal shall not be changed without prior approval of the Central Government.
16. The user agency shall install circuit breakers at suitable places besides maintaining necessary ground clearances to prevent electrocution of Wild Animal.
17. 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.
18. Muck disposal, if required, shall be taken up as per the scheme approved by the Forest Department.
19. Soil conservation measures, if required, shall be taken up by the user agency.
20. No labour camp shall be established on the forest land.
21. 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.
22. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
23. The User Agency shall ensure that because of this project, no damage is caused to the Wildlife.
24. The forest land shall not be used for any purpose other than that specified in the project proposal.
25. 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.
26. 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.
27. 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.
28. The User Agency shall submit compliance report as on 1st January to the Nodal Officer of the State.
29. 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.

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30. 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.

31. The compliance report shall be uploaded on e.portal (<http://forestsclearance.nic.in>).

After receipt of compliance report on fulfillment of the condition Nos. 3(a), 4, 5, 6, 7 and 31 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.

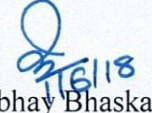


(B. Abhay Bhaskar)

Dy. Conservator of Forests (C)

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 Gujarat, Arnya Bhawan, Gandhinagar, Gujarat.
3. The Divisional Forest Officer, Kutch West Forest Division, District-Kutch, Gujarat.
4. Chief Manager, Power Grid Corporation of India Limited, 400/220 KV Bhachau Substation, Nr. Gandhidham, At/Po Bhimasar, Ta. Anjar, District-Kutch, Gujarat.
5. Order file.



(B. Abhay Bhaskar)

Dy. Conservator of Forests (C)

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