

F. No. 8-102/2014-FC
Government of India
Ministry of Environment, Forests and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan
Aliganj, Jorbagh Road
New Delhi - 110003
Dated: 4th February, 2015

To,
The Principal Secretary (Forests),
Government of Madhya Pradesh,
Bhopal.


Sub: Diversion of 77.80 hectares of forest land in favour of M/s. Power Grid Corporation of India Ltd. for construction of 765 KV Gwalior-Jaipur Double Circuit Transmission Line in Gwalior and Murena Districts, Madhya Pradesh.

Sir,

I am directed to refer to the Addl. Principal Chief Conservator of Forests (Land Management) and Nodal Officer, Forest (Conservation) Act, 1980, Government of Madhya Pradesh's letter No. F-4/6/8/ 2014/10-11/ Vidhyut/ 2394 dated 4th September 2014 on the above-mentioned subject, seeking prior approval of the Central Government under Section 2 of the Forest (Conservation) Act, 1980, and to say that the said proposal has been examined by the Forest Advisory Committee constituted by the Central Government under section-3 of the aforesaid Act.

2. After careful consideration of the proposal of the State Government of Madhya Pradesh and on the basis of the recommendations of the Forest Advisory Committee, the Central Government hereby agrees to accord **stage-I approval under the Forest (Conservation) act, 1980** for the diversion of 77.80 hectares of forest land in favour of M/s. Power Grid Corporation of India Ltd. for construction of 765 KV Gwalior-Jaipur Double Circuit Transmission Line in Gwalior and Murena Districts, Madhya Pradesh, subject to the following conditions:-

- (i) Legal status of the diverted forest land shall remain unchanged;
- (ii) Compensatory afforestation over the degraded forest land double in extent to the forest land proposed to be diverted shall be raised and maintained by the State Forest Department at the cost of the user agency;
- (iii) User agency shall transfer the cost of raising and maintaining the compensatory afforestation, at the current wage rate, to the State Forest Department;
- (iv) The State Government shall charge the Net Present Value (NPV) of the forest area 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;
- (v) At the time of payment of the Net Present Value (NPV) at the present 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;


2 6/1/2015

- (vi) All the funds received from the User Agency under the project shall be transferred to Ad-hoc CAMPA in the concerned saving Bank Account in Corporation Bank in Lodi Road, New Delhi -110003;
- (vii) The user agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- (viii) To minimize the felling of for construction of transmission line, user agency shall comply with the following guidelines:
- (a) Below each conductor, width clearance of 7 mts. would be permitted for taking the tension stringing equipment. The trees on such strips would have to be felled but after stringing work is completed, the natural regeneration will be allowed to come up.
 - (b) One outer strip shall be left clear to permit maintenance of the transmission line;
 - (c) In the remaining width the right of way felling/pollarding/pruning of trees will be done with the permission of the local forest officer whenever necessary to maintain the electrical clearance, trees shall be allowed to be felled or lopped to the extent required, for preventing electrical hazards by maintaining the minimum clearance, as may be stipulated by the Central Electricity Authority (CEA), between conductors and trees. The sag and swing of the conductors are to be kept in view while working out the minimum clearance mentioned as above;
 - (d) 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, and provide funds for execution of the said scheme by the State Forest Department; and
 - (e) In case a portion of the transmission lines to be constructed is located in hilly areas, where adequate clearance is already available, trees shall not be cut.
- (ix) No labour camp shall be established on the forest land;
- (x) User agency shall provide alternate fuel to the labourers and the staff working at the site so as to avoid any damage and pressure on the adjacent forest areas;
- (xi) The user agency shall provide a vehicle of an appropriate model to facilitate the Ministry to undertake field visits to monitor and ascertain status of compliance to conditions stipulated in approvals accorded under the FC Act for diversion of forest land required for projects of the Power Grid Corporation of India Limited and other user agencies
- (xii) The boundary of the forest land being diverted shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, DGPS coordinates, forward and back bearing and distance from pillar to pillar;
- (xiii) The forest land shall not be used for any purpose other than that specified in the proposal;

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- (xiv) 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;
- (xv) User agency in consultation with the State Forest Department shall create and maintain alternate habitat/ home for the avifauna, whose nesting trees are to be cleared in this project. Bird nests artificially made out of eco-friendly materials shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project;
- (xvi) Any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;
- (xvii) State Government shall complete settlement of rights, in term of the Scheduled Tribes and Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any, on the forest land to be diverted and submit the documentary evidence as prescribed by this Ministry in it's letter No. 11-9/1998-FC (pt.) dated 03.08.2009, in support thereof; and
- (xviii) Any other condition that this Ministry and its Regional Office (Western Zone), Bhopal may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife.

3. After receipt of the report on compliance to the conditions stipulated in the paragraph-2 above, from the State Government of Madhya Pradesh, final/ stage-II approval for diversion of the said forest under Section-2 of the Forest (Conservation) Act, 1980 will be issued by this Ministry. Transfer of to the said forest land to the user agency shall not be affected by the State Government of Madhya Pradesh till final/ stage-II approval for its diversion is issued by this Ministry

Yours faithfully,


(H.C. Chaudhary)
Director

Copy to:-

- 1 The Principal Chief Conservator of Forests, Government of Madhya Pradesh, Bhopal.
- 2 The Nodal Officer, the Forest (Conservation) Act, 1980, Government of Madhya Pradesh, Bhopal.
- 3 The Addl. Principal Chief Conservator of Forests (Central), Regional Office (Western Zone), Bhopal.
- 4 User Agency.
- 5 Monitoring Cell, FC Division, MoEF, New Delhi.
- 6 Guard File.


(H.C. Chaudhary)
Director