

F. No. 8-92/2014-FC
Government of India
Ministry of Environment, Forests and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Aliganj, Jor Bag Road,
New Delhi - 110003.
Dated: 11 June, 2015

To

The Principal Secretary (Forests),
Government of Maharashtra,
Mantralaya Mumbai.

Sub: Diversion of 295.425 ha of forest land for construction of 765 KV D/C transmission line-II from Raipur to Wardha in favour Power Grid Corporation of India in District Gadchiroli, Chandrapur, Gondia and Nagpur in the State of Maharashtra.

Sir,

I am directed to refer to the State Government's letter No. FLD-36A14/CR-199/F-10 dated 12.09.2014 on above mentioned subject seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 and to say that the proposal has been examined by the Forest Advisory Committee constituted by the Central Government under Section-3 of the said Act.

After careful examination of the proposal of the State Government and on the basis of the recommendation of the Forest Advisory Committee, the Central Government hereby conveys the 'in-principle' approval for diversion of 295.425 ha of forest land for construction of 765 KV D/C transmission line-II from Raipur to Wardha in favour Power Grid Corporation of India in District Gadchiroli, Chandrapur, Gondia and Nagpur in the State of Maharashtra subject to fulfilment of the following conditions:

- (i) Legal status of the diverted forest land shall remain unchanged;
- (ii) Compensatory afforestation over the degraded forest land, twice in extent to the forest land being diverted, shall be raised and maintained by the State Forest Department at the cost of the User Agency;
- (iii) *While preparing Compensatory Afforestation scheme it should be ensured that CA should be of mixture of local indigenous species and not the monoculture.*
- (iv) The land identified for the purpose of CA shall be clearly depicted on a Survey of India toposheet of 1:50,000 scale;
- (v) 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;
- (vi) 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;



- (vii) 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;
- (viii) 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 Saving Bank Account pertaining to the State concerned;
- (ix) The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- (x) No labour camp shall be established on the forest land;
- (xi) The User Agency shall provide firewood 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;
- (xii) 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;
- (xiii) The forest land shall not be used for any purpose other than that specified in the proposal;
- (xiv) The User Agency shall ensure that because of this project, no damage is caused to the wildlife available in the area;
- (xv) Width of right of way for the transmission line shall be limited to 67 m;
- (xvi) The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
- (xvii) 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;
- (xviii) The user agency shall install circuit breakers at suitable places besides maintain necessary ground clearance to prevent electrocution of wild animals;
- (xix) In Bedgaon and Purada Range of Wadsa Forest Division where the hill range is coming across the transmission line proper soil conservation plan shall be prepared and implemented by the state government at the project cost to check the soil erosion.
- (xx) Felling of trees shall be restricted to 11831 trees only. If required pruning of rest of the trees can be permitted by the state government. Any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;
- (xxi) To minimize the felling for construction of transmission line, user agency shall comply with the following guidelines:
 - (a) Below each conductor, width clearance of 10 mts would be permitted for carrying the tension stringing equipment. The trees on such strips may be felled but after stringing work is completed, the natural regeneration will be allowed to come up.
 - (b) One outer strip may 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

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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 5.5 meter clearance 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 prepare a detailed scheme for creation and maintenance of plantation of local dwarf species (preferably medicinal plants) in right of way under the transmission line, and provide funds for execution of the said scheme to 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;
- (xxii) 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:
- (xxiii) 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;
- (xxiv) The User agency shall submit the annual self compliance report in respect of the above conditions to the State Government and to the concerned Regional Office of the Ministry regularly; and
- (xxv) 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.

After receipt of the compliance report on fulfilment of the conditions mentioned above, the proposal shall be considered for final approval under Section-2 of the Forest (Conservation) Act, 1980. The transfer of forest land to the User Agency shall not be affected by the State Government till formal orders approving the diversion of forest land are issued by the Central Government.

Yours faithfully,


(B.K. Singh)
Director (Forest Conservation)

Copy to:

1. The Principal Chief Conservator Forests, Government of Maharashtra, Nagpur
2. The Nodal Officer, O/o the PCCF, Government of Maharashtra, Nagpur.
3. The Addl. PCCF (Central), Regional Office, Bhopal, MoEF.
4. User Agency: Chief Manager, Power Grid Corporation Limited, Brahmपुरi
5. Monitoring Cell, FC Division, MoEF, New Delhi.
6. Guard File.


(B.K. Singh)
Director (Forest Conservation)