



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

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F. No. FC-III/MH-05/2015-NGP/135

Dated: 29<sup>th</sup> February, 2016

To

The Secretary,  
Govt. of Maharashtra,  
Revenue & Forest Department,  
Mantralaya, Mumbai-400032

**Sub: Diversion of 145.795 ha of forest land (Reserved Forest , Private Forests land and pending enquiry land under Maharashtra Private Forests (Acquisition) Act, 1975) in favour of Power Grid Corporation of India Limited (PGCIL) for construction of 765 (Hexa) Aurangabad-Padghe Transmission line passing through Ahmednagar, Pune and Thane Districts in the State of Maharashtra – regarding.**

Sir,

I am directed to refer to the State Government of Maharashtra's letter no. FLD-1815/CR-300/F-10 dated 6.10.2015 on the above subject seeking prior approval of the Central Government, in accordance with Section-2 of the Forest (Conservation) Act, 1980, and to say that the said proposal has been examined by the Regional Empowered Committee constituted by the Central Government under Section-4 of the aforesaid Act.

After careful examination of the proposal of the State Government and on the basis of the approval of the proposal by the Regional Empowered Committee, the Central Government hereby accords 'in-principle' under Section -2 of the Forest (Conservation) Act, 1980 for diversion of 145.795 ha of forest land (Reserved Forest , Private Forests land and pending enquiry land under Maharashtra Private Forests (Acquisition) Act, 1975) in favour of Power Grid Corporation of India Limited (PGCIL) for construction of 765 (Hexa) Aurangabad-Padghe Transmission line passing through Ahmednagar, Pune and Thane Districts in the State of Maharashtra subject to the fulfilment of the following conditions:

- (i) Legal status of the diverted forest land shall remain unchanged;
- (ii) Compensatory afforestation over 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) 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;
- (iv) 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;

- (v) 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;
- (vi) 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;
- (vii) The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- (viii) No labour camp shall be established on the forest land;
- (ix) 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;
- (x) 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;
- (xi) The forest land shall not be used for any purpose other than that specified in the proposal;
- (xii) The User Agency shall ensure that because of this project, no damage is caused to the wildlife available in the area;
- (xiii) Width of right of way for the transmission line shall be limited to 67 meters;
- (xiv) The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
- (xv) 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;
- (xvi) The user agency shall install circuit breakers at suitable places besides maintain necessary ground clearance to prevent electrocution of wild animals;
- (xvii) Any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;
- (xviii) 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 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 9.0 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 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;
- (xix) 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;
- (xx) User agency shall provide a vehicle to the Regional Office (West Central Zone) to carry out the monitoring of the compliance of conditions stipulated in the approvals accorded to various projects of the user agency/agencies under the Forest (Conservation) Act, 1980.
- (xxi) Keeping in view the fact that substantial forest land is being diverted for non-forestry purposes in the Maharashtra, the user agency shall spend 10-15% of their CSR capital budget every year in the Maharashtra region on the activities related to development of urban forestry (such as development of plantation in the Government owned premises supported by appropriate schemes to improve the aesthetic of the urban setup vis-a-vis sustainable environment development in the region in consultation with the Regional Office, Nagpur.
- (xxii) 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;
- (xxiii) 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
- (xxiv) 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,



(Charan Jeet Singh)  
Scientist 'C'

Copy to:

1. The PCCF, Government of Maharashtra, Nagpur
2. The Nodal Officer FCA, O/o of the PCCF, Government of Maharashtra, Nagpur.
3. The Director (ROHQ), MoEF&CC, Indira Paryavaran Bhawan, Jorbagh Road, Aliganj, New Delhi.
4. User Agency (M/s Power Grid Corporation of India Limited, Nagpur).
5. Guard File.



(Charan Jeet Singh)  
Scientist 'C'