

सत्यमेव जयते

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

क्षेत्रीय कार्यालय, पश्चिम क्षेत्र
Regional Office, Western Region
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No.6-GJB 030/2017-BHO/917

To,

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

Dated 05/12/2017

Sub: Diversion of 1.742 ha Protected forest land for construction of 765 KV Double Circuit Banaskantha-Chhittorgarh Transmission line of Banaskantha, Mahesana, Sabarkantha and Patan Districts in favour of Chief Manager, Power Grid Corporation of India Ltd Palanpur.

Sir,

I am directed to refer to your letter No. FCA-1017/3-04/17/S.F-100/F dated 21/07/2017 and even letter dated 27/10/2017 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 above proposal of the State Government the undersigned, on behalf of the Central Government is hereby directed to convey **In-Principle Approval** for diversion of 1.742 ha Protected forest land for construction of 765 KV Double Circuit Banaskantha-Chhittorgarh Transmission line of Banaskantha, Mahesana, Sabarkantha and Patan Districts in favour of Chief Manager, Power Grid Corporation of India Ltd Palanpur of 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 ensuring that the User Agency has got possession 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 5.00 ha in degraded forest land on following patches at the cost of the User Agency. As far as possible a mixture of local indigenous species will be planted and monoculture of a species has to be avoided.
 - i. 1.00 ha Kabola F.S No. 34, Village- Khetavada, Tal- Malpur, District-Aravali.
 - ii. 1.00 ha Comptt/ Survey No. 600 Pt, Village-Sabalvad, Tal- Idar, District-Sabarkantha.
 - iii. 2.00 ha Kabola F.S. No.3, Village- Kabola, Tal- Modasa, District- Aravali.
 - iv. 1.00 ha Kabola F.S. No. 34, Village-Khetavada, Tal-Malpur, District- Aravali.

1.742ha
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- 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 shall be recorded along with GPS reading of Geo-Coordinates (Latitudes & Longitudes).
4. The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars, if required 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 provision for anticipated cost increase for works scheduled for subsequent years.
5. NPV:
- a) The State Government shall charge the Net Present Value(NPV) for the 1.742 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.
6. All the funds received from the user agency under the project shall be transferred/ deposited in CAMPA fund only through *e.portal*.
7. Project shall restrict the felling of trees upto 184 numbers in the diverted forest land under strict control of the State Forest Department. The number of trees to be removed shall be kept at the barest minimum during the execution of the project.
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. The User Agency shall obtain a fresh FRA certificate for linear project in accordance to MoEF&CC guideline 11-9/98-FC(pt.) dated 15/01/2014.
10. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.
11. 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 thereunder and amended from time to time regarding use of fly ash shall be fully complied with.
12. The user agency shall install circuit breakers at suitable places besides maintaining necessary ground clearances to prevent electrocution of Wild Animal.
13. 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.
14. No labour camp shall be established on the forest land.
15. Sufficient firewood, preferably 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.

1.742 ha
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5/12/17

16. 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.
17. Proposed labour camps outside the forest area are to be dismantled and removed and the labourers shall be sent back immediately after the completion of the work.
18. 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.
19. The boundary of the diverted forest land shall be demarcated on ground at the project cost.
20. The layout plan of the proposal shall not be changed without prior approval of the Central Government.
21. The forest land shall not be used for any purpose other than that specified in the project proposal.
22. Muck disposal, if required, shall be taken up as per the scheme approved by the Forest Department.
23. Soil conservation measures, if required, shall be taken up by the user agency.
24. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
25. The user agency shall ensure that because of this project, no damage is caused to the Wildlife.
26. 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 earlier.
27. The User Agency shall submit compliance report as on 1st January of every year to the Nodal Officer of the State.
28. 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.
29. The User Agency and the State Government shall ensure compliance of the provisions of all the Acts, rules, regulations and guidelines for the time being in force as applicable to the project.
30. The compliance report shall be uploaded on *e.portal* (<http://forestsclearance.nic.in/>).

After receipt of compliance report on fulfilment of the condition nos 4, 5, 6, 9 & 30 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 for diversion of forest land is issued by this office.

Yours faithfully



(B. Abhay Bhaskar)

Dy. Conservator of Forests(C)

1.742 ha

DGCL

Copy to :-

1. Director, ROHQ, , Govt. of India, Ministry of Environment, Forests and Climate Change, Agni, C-wing, 3rd Floor, Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, New Delhi – 110003.
2. The Addl. Principal Conservator of Forests & Nodal Officer, FCA, Aranya Bhavan, Block No. A/3, Near "Ch" Circle, Opposite St. Xaviers High School, Sector -10A, Gandhinagar, Gujarat.
3. The Dy. Conservator of Forests, Social Forestry Division Palanpur, District-Banaskantha, Gujarat.
4. The Dy. Conservator of Forests, Social Forestry Division Mehsana, District-Mehsana, Gujarat.
5. The Dy. Conservator of Forests, Forest Division Patan, District-Patan, Gujarat.
6. The Dy. Conservator of Forests, Extension Division North Sabarkantha, Himatnagar, District-Sabarkantha, Gujarat.
7. The Dy. Conservator of Forests, Aravalli Forest Division Modasa, District-Aravalli, Gujarat.
8. The Chief Engineer, Power Grid Corporation of India Ltd., 765/400/200 KV substation & transmission line, construction office, A-5, Akshatam-2, Akesan Road, Palanpur, District-Sabarkantha-38500, Gujarat.
9. Order file.

1.742hs

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(B. Abhay Bhaskar)

Dy. Conservator of Forests(C)