



No.5-ORC267/2015-BHU

22nd December, 2015

To
The Principal Secretary,
Forest & Environment Deptt.,
Govt. of Odisha,
Bhubaneswar.

Sub:- ~~Diversion of 18.910 ha of Revenue forest land for construction of 765 KV/DC transmission line from Pooling Station at Kenapali, Sundargarh to Darlipali Super Thermal Power Station of NTPC Ltd. by M/s Power Grid Corporation India Ltd. in Sundargarh district, Odisha.~~

Sir,
I am directed to refer to State Govt. letter No.10F(Cons)349/2015-19133/F&E dated 31.10.2015, on the above mentioned subject seeking prior approval of the Ministry of Environment, Forest & Climate Change under section 2 of Forest(Conservation) Act, 1980.

After due consideration of the proposal of the State Government and on the basis of decision of Regional Empowered Committee held on 11.12.2015, the Ministry of Environment, Forest & Climate Change hereby conveys 'in-principle' approval for diversion of 18.910 ha of Revenue forest land for construction of 765 KV/DC transmission line from Pooling Station at Kenapali, Sundargarh to Darlipali Super Thermal Power Station of NTPC Ltd. by M/s Power Grid Corporation India Ltd. in Sundargarh district, Odisha, subject to the fulfilment of the following conditions.

- i) Legal status of forest land proposed for diversion shall remain unchanged.
- ii) The State Govt. shall charge the Net Present Value (NPV) of forest area proposed to be diverted under this proposal from the user agency at the rates as per the Orders of 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.
- iii) 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.
- iv) Compensatory afforestation over 37.82 ha of degraded forest land against the area of forest land proposed to be diverted shall be raised and maintained by the State Forest Department at the cost of the user agency.
- v) The user agency shall transfer the cost of raising and maintaining the compensatory afforestation for 10 years, at the current wage rate, to the State Forest Department.
- vi) All the funds received from the user agency under the project shall be transferred to the ad-hoc CAMPA in the concerned Saving Bank Account of Ad-hoc CAMPA in Corporation Bank, CGO Complex, Lodhi Road, New Delhi-110003.
- vii) The user agency shall comply with the conditions stipulated by State Govt. vide letter No.10(Cons)349/2015-19133/F&E dated 31.10.2015.

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- viii) To minimize the felling of trees for construction of transmission line, the user agency shall comply with the following guidelines issued by Ministry vide letter No.7-25/2012-FC dated 05.05.2014.
- a) The width of right of way for transmission line on forest land shall be 67 mtr.
 - b) In forest areas, only vertical delta configuration of 400 KV/SC and delta configuration of 765 KV/SC shall be permitted.
 - c) Below each conductor or conductor bundle, width clearance of 7 meters would be permitted for taking the tension stringing equipment.
 - d) 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. Felling/pollarding/pruning of trees will be done with the permission of the local forest officer wherever necessary to maintain the electrical clearance. One outer strip shall be left clear to permit maintenance of the transmission line.
 - e) During construction of transmission line, pollarding/pruning of trees located outside the above width of the strips, whose branches/parts infringe with conductor stringing, shall be permitted to the extent necessary, as may be decided by local forest officer.
 - f) Pruning of trees for taking construction/stringing equipments through existing approach/access routes in forest area shall also be permitted to the extent necessary, as may be decided by local forest officer. Construction of new approach/access route will however, require prior approval under the Act.
 - g) In the remaining width of right of way trees will be felled or lopped to the extent required, for preventing electrical hazards by maintaining minimum 9.0 meters clearance between conductor and trees.
 - h) The maximum sag and swing of the conductor are to be kept in view while working out the minimum clearance mentioned as above.
 - i) To avoid any hazard, felling/cutting/pruning of those trees which because of their height/location may fall on conductors shall also be permitted, as may be decided by local forest officer.
 - j) 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 except those minimum required to be cut for stringing of conductors.
 - k) In case of transmission lines passing through National Park, Wildlife Sanctuaries and Wildlife Corridors, insulated conductors shall only be used to prevent electrocution of animals.
 - l) Where the forest growth consists of coconut groves or similar tall trees, widths of right of way greater than those indicated at (a) above may be permitted in consultation with CEA.
- (x) 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.
- (xi) No labour camp shall be established on the forest land.
- (xii) The 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.

- (xiii) 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.
- (xiv) The forest land shall not be used for any purpose other than that specified in the proposal and under no circumstances be transferred to any other user agency, department or person without prior approval of the Ministry of Environment, Forest & Climate Change.
- (xv) The 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 its letter No.11-9/1998-FC (pt.) dated 03.08.2009 read with letter No.11-9/1998-FC (pt.) dated 05.02.2013, in support thereof.
- (xvi) Any other conditions that Ministry of Environment, Forest & Climate Change may stipulate, from time to time, in the interest of conservation, protection and development of forests and wildlife shall be complied by the user agency.
- (xvii) 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 report on compliance to the conditions stipulated above, from the State Government of Odisha, final/Stage-II approval for diversion of the said forest land under Section 2 of Forest (Conservation) Act, 1980 will be issued by this Ministry. **Transfer of forest land to user agency shall not be effected by the State Government of Odisha till final/Stage-II approval for its diversion is issued by the Ministry of Environment, Forest & Climate Change.** However, the State Govt., if it so desires, may allow the user agency for commencement of work as per Ministry guideline issued vide letter No.11-306/2014-FC dated 28.08.2015.

Yours faithfully,



(S. Mohapatra)

Conservator of Forests (Central)

Copy to:-

1. The Inspector General of Forests (FC), Ministry of Environment, Forests & Climate Change, Indira Paryavaran Bhawan, Aliganj, Jor Bagh Road, New Delhi – 110 003.
2. The Director, ROHQ, Ministry of Environment, Forests & Climate Change, Indira Paryavaran Bhawan, Agni Block, Aliganj, Jor Bagh Road, New Delhi – 110 003.
3. The Principal Chief Conservator of Forests, Govt. of Odisha, Aranya Bhawan, Chandrasekharpur, Bhubaneswar-751023.
4. The Addl. PCCF & Nodal Officer (FC), Forest Deptt., Govt. of Odisha, Aranya Bhawan, Chandrasekharpur, Bhubaneswar-751023.
5. The Divisional Forest Officer, Sundargarh Forest Division, Sundargarh, Odisha.
6. The Chief Manager, Power Grid Corporation of India Ltd., 765/400 KV Pooling Station, At:Kenapali, PO: Kurga, Dist: Sundargarh-770 002, Odisha
7. Guard file.

Conservator of Forests (Central)