



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

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F. No. 8-63/2013-FC/3108

Dated: 12th January, 2018

To

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

Sub: Diversion of 56.860 ha of reserve forest, protected forest and Sec 22A restored private forest land in favour of M/s Power Grid Corporation of India Limited (PGCIL) for laying of 400 KV D/C Navsari-Boisar Transmission Line in Thane District in the State of Maharashtra – regarding.

Sir,

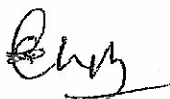
I am directed to refer to the State Government's letter No. FLD-1214/CR-165/F-10 dated 25.07.2014 on above mentioned subject seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 and the Addl. PCCF & Nodal Officer (FCA), Government of Maharashtra's letter no Desk-17/NC/III/I.D. 12345/CR-53/1667/14-15 dated 22.12.2014 and letter no. Desk-17/NC/III/I.D. 12345/(53)/2013/15-16 dated 28.01.2016 forwarding information/documents, as sought by the Ministry vide its letter of even number dated 28.10.2014 and 17.11.2015, respectively. After careful examination of the proposal of the State Government, 'in-principle' approval was accorded by the Central Government vide its letter of even number dated 15.03.2016. The Addl. PCCF & Nodal Officer (FCA), Government of Maharashtra has now submitted a report on the compliance of conditions stipulated in the 'in-principle' approval and requested the State Government to grant final approval to the proposal.

In this connection, I am directed to say that on the basis of compliance report submitted by the Addl. PCCF & Nodal Officer (FCA), Government of Maharashtra vide his letter no. Desk-17/NC/III/I.D. 12345/(53)/1734/16-17 dated 13.12.2016, Desk-17/NC/III/I.D. 12345/(53)/16-17 and 15.02.2017 and letter no. Desk-17/NC/III/I.D. 12345/(53)/2067/17-18 dated 29.11.2017, the Central Government hereby accords final approval under Section – 2 of the Forest (Conservation) Act, 1980 for diversion of 56.860 ha of reserve forest, protected forest and Sec 22A restored private forest land in favour of M/s Power Grid Corporation of India Limited (PGCIL) for laying of 400 KV D/C Navsari-Boisar Transmission Line in Thane District in the State of Maharashtra subject to 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 being diverted shall be raised and maintained by the State Forest Department from the funds already provided by the User Agency;
- (iii) The compensatory afforestation scheme proposed to be implemented shall include appropriate provisions for the protection of the compensatory afforestation plantation and anticipated cost increase for works scheduled for subsequent years;
- (iv) The State Government has realized 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. The NPV, if any becomes due in future, shall be realized by the State Government, if so determined, as per the final decision of the Hon'ble Supreme Court of India;

- (v) The User Agency shall pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
- (vi) Compensatory levies, if any realized from the User Agency in future, under the project shall be transferred through e-challan to Ad-hoc Compensatory Afforestation Fund Management & Planning Agency (CAMPA) 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 46 m;
- (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 5 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 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 implement the provisions of approved 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) The State Government shall ensure that settlement of rights, in terms of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any, have been completed in accordance with the Guidelines issued by the MoEF&CC in this regard;
- (xxi) The User Agency shall submit six monthly self-compliance reports as on 1st January and 1st July of every year to this office as well as to the Nodal Officer of the State;
- (xxii) The State Government shall monitor compliance of conditions of Forest Clearance and shall submit in this regard yearly report as on 31st December of every year;
- (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 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;

Yours faithfully



(Charan Jeet Singh)
Scientist 'C'

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 Director (ROHQ), MoEF&CC, Indira Paryavaran Bhawan, Jorbagh Road, Aliganj, New Delhi.
4. User Agency (Power Grid Corporation of India)
5. Guard File.



(Charan Jeet Singh)
Scientist 'C'