



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

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F.No. FC-II/MH-81/2018-NGP/5051

Date: 01.03.2019

✓ To,

The Secretary (Forests),
Revenue and Forest Department,
Hutatma Rajguru Chowk
Madam Cama Marg
Mantralaya, Mumbai - 400032.

Sub: Diversion of 18.9295 ha. of Forest land in favour of MSETCL, Nagpur for laying of 132 KV D/C Transmission Line from Lakhandur to Arjuni Moregaon Substation of Gondia and Bhandara District in the State of Maharashtra - Regarding.

Sir,

The undersigned is directed to refer to State Government of Maharashtra letter no. FLD-2018/C.R.187/F-10 dated 06.07.2018 and APCCF & Nodal Officer (FCA), Maharashtra letter No. Desk-17/NC/I.I.D-/421/18-19 dated 23.05.2018 on the above subject seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 and Nodal Officer (FCA), Maharashtra letter no. Desk-17/NC/I.I.D- 19127/1411/18-19 dated 16.10.2018, letter no. Desk-17/NC/RS-I/ID-12556/1608/18-19 dated 16.11.2018, letter no. Desk-17/NC/I.I.D- 19127/1794/18-19 dated 26.12.2018 and letter No. Desk-17/NC/RS-I/ID-12556/2183/18-19 dated 18.02.2019 forwarding additional information as sought by this Office vide letter of even number dated 08.08.2018, 04.09.2018, 09.11.2018, 29.11.2018, and 01.02.2019 and to say that the said proposal has been examined and approved by the Regional Empowered Committee constituted under Section - 4 of the Forest (Conservation) Act, 1980.

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 18.9295 ha. of Forest land in favour of MSETCL, Nagpur for laying of 132 KV D/C Transmission Line from Lakhandur to Arjuni Moregaon Substation of Gondia and Bhandara District 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 39.00 ha 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. No approach road shall be constructed in the forest area for transportation of steel and other material required for the transmission line. As far as possible the User Agency shall use the existing road and the proposed RoW for the transportation of the material and in the event of non-availability of such facilities, the User Agency shall transport material manually without construction of any path;
- x. 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;
- xi. 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;
- xii. The forest land shall not be used for any purpose other than that specified in the proposal;
- xiii. The User Agency shall ensure that because of this project, no damage is caused to the wildlife available in the area;
- xiv. The User Agency shall provide insulated transmission wires in the stretch of transmission line passing through the forest area located within a distance of 10 Km from the National Parks/ Wildlife Sanctuaries;
- xv. Width of Right of Way for the transmission line shall be limited to 27 meters;
- 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. Felling of trees shall be restricted to 983 trees throughout the length of transmission line, while remaining 3114 trees will be kept intact by the User Agency. Any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;
- xx. To minimize the felling for construction of transmission line, user agency shall comply with the following guidelines:
- (a) Below each conductor, width clearance of 3.0 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 of 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 4.0 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 submit the same along with Stage- I compliance;
 - (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;
- xxi. 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 and submit the scheme along with Stage- I compliance;
- xxii. The State Government shall ensure that process of settlement of rights, in terms of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any, on the forest land to be diverted has been completed in accordance with the Guidelines issued by the MoEF&CC in this regard;
- xxiii. 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;
- xxiv. 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;
- xxv. 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;
- xxvi. The User Agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations, Guidelines and Court/ Tribunal directions for the time being in force, as applicable to the project; and
- xxvii. Working permission, if considered by the State Government in accordance with the MoEF&CC's Guidelines dated 28.08.2015, should be accorded only after ensuring



complete compliance of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.

After receipt of a satisfactory compliance report from the State Government in respect of conditions no. (iii), (iv), (vi), (xx) (d), (xxi), (xxii), and undertakings in respect of all other conditions, duly authenticated by the competent authority in the State Government, the proposal will be considered for grant of Stage-II approval under the Forest (Conservation) Act, 1980.

Yours faithfully,



(Dr. E Arockia Lenin)
Scientist 'C'

Copy to:

- i. The PCCF, Government of Maharashtra, Nagpur.
- ii. The Addl. PCCF & Nodal Officer (FCA), Government of Maharashtra, Nagpur.
- iii. Director (RoHQ), Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jorbagh Road, Aliganj, New Delhi.
- iv. User agency.
- v. Guard file.



(Dr. E Arockia Lenin)
Scientist 'C'