



GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE
REGIONAL OFFICE (RANCHI)
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No. FP/JH/TRANS/18253/2016 / 1213

Dated 8th May, 2017

To

The Principal Secretary,
Department of Forests, Environment & Climate Change,
Government of Jharkhand,
Nepal House, Ranchi.

Sub: Diversion of 26.814 ha of forest land for construction of 132 KV D/C Transmission Line from Simdega Sub-Station to Manoharpur Sub-Station in favour of JUSNL.

Sir,

I am directed to refer to letter No. Van Bhumi-24/2016-4430/Va.Pa. dated 23.9.2016 of the State Government on the above mentioned subject seeking prior approval of the Ministry of Environment, Forest and Climate Change under Section 2 of Forest(Conservation) Act, 1980 and letter No. Van Bhumi-24/2016-06/Va.Pa. dated 2.1.2017, letter No. Van Bhumi-24/2016-1206/Va.Pa. dated 20.3.2017 and letter No. Van Bhumi-24/2016-1836/Va.Pa. dated 2.5.2017 forwarding additional information as sought by the Regional Office vide its letter of even number dated 27.10.2016, 5.1.2017 and 28.3.2017 respectively.

After due consideration of the proposal of the State Government and on the basis of decision of Regional Empowered Committee held on 4.1.2017, the Central Government, hereby conveys “in-principle” approval for diversion of 26.814 ha of forest land for construction of 132 KV D/C Transmission Line from Simdega Sub-Station to Manoharpur Sub-Station in favour of JUSNL, subject to the fulfillment of the following conditions.

1. Legal status of forest land proposed for diversion shall remain unchanged.
2. The State Govt. shall charge the Net Present Value (NPV) of forest area proposed to be 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.
3. Additional amount of NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India, shall be charged by the State Govt. from the user agency.

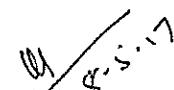
4. Compensatory Afforestation over the degraded forest land twice in extent to the forest land being diverted shall be raised and maintained by the State Forest Department at the cost of the user agency. The user agency shall transfer the cost of plantation and its maintenance for 10 years (revised as on the date to incorporate the existing wage structure) to State Forest Department.
5. The State Government shall deposit Net Present Value and all other funds, **through e-challan**, with the Ad-hoc Body of Compensatory Afforestation Fund Management and Planning Authority (CAMPA), in SB Account No.**SB01025212** of Corporation Bank, CGO Complex, Phase-1, Lodhi Road, New Delhi – 110 003 (**RTGS/IFSC No.CORP0000371**) or in SB Account No.**344902010105420** of Union Bank of India, Sunder Nagar, New Delhi – 110 003 (**RTGS/IFSC No.UBIN0534498**) through the RTGS/NEFT mode, as per the instruction communicated vide letter No.12-2/2010-CAMPA dated 13.05.2011 and dated 24.06.2011.
6. State Government shall upload the details of compensatory levies demanded and received from the project proponent on the Ministry website and submit compliance in this regard.
7. Transmission lines should be aligned in such a way that it involves the least amount of tree cutting. Felling of trees on the forest land being diverted shall be restricted to the bare minimum and the trees should be felled under strict supervision of the State Forest Department.
8. The boundary of the forest land proposed for diversion, 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 adjoining pillars etc.
9. No labour camp shall be established on the forest land.
10. The User Agency shall provide 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 for collection of firewood for their use.
11. It will be the responsibility of the User Agency to ensure that the labourers, staff engaged in construction activity do not damage the nearby forest flora and fauna.
12. The User Agency shall ensure that because of this project, no damage is caused to the wildlife available in the area.
13. Width of Right of Way for the Transmission Line shall be limited to 27 m.

14. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.
15. The User Agency shall install circuit breakers at suitable places besides maintaining necessary ground clearance to prevent electrocution of wild animals like elephant.
16. To minimize the felling of trees for construction of Transmission Line, User Agency shall comply with the following guidelines:
 - a) The normal width clearance below each conductor or conductor bundle in case of 132 KV line will be 3 m only. However in areas falling under Singhbhum Elephant Reserve in order to prevent electrocution of elephants in view Ministry's guideline dated 19.11.2014, at least 6 m additional clearance shall be provided over and above minimum clearance (as stipulated under Central Electricity Authority Measures relating to safety & Electricity Supply Regulations, 2010) above the ground from the lowest conductor of the Transmission Line. The trees on such strips may be felled but after stringing work is completed, the natural regeneration will be allowed to come up.
 - b) Outer strip may be left clear to permit maintenance of the Transmission Line.
 - c) In the remaining width of 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 maximum sag and swing of the conductors are to be kept in view while working out the minimum clearance mentioned as above.
 - d) The Scheme for creation and maintenance of plantation of dwarf species (preferably medicinal plants) in Right of Way under the Transmission Line, as prepared by the State Forest Department shall be implemented from the funds provided by the User Agency and a scheme for this shall be submitted.
 - e) In case a portion of the Transmission Line to be constructed is located in hilly areas, where adequate clearance is already available, trees shall not be felled.
17. The lay out plan of the proposed forest land shall not be changed without prior approval of the Ministry of Environment, Forests and Climate Change.
18. The forest land proposed for diversion shall under no circumstances be transferred to any other agency, department or person without prior approval of the Ministry of Environment, Forest and Climate Change.

19. The forest land shall not be used for any purpose other than that specified in the proposal.
20. 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, has been complete in accordance with the Guidelines issued by the MoEF&CC in this regard.
21. The user agency in consultation with the State Government shall create and maintain alternate habitat/ home for the avifauna, whose nesting trees 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.
22. The user agency and the State Government shall ensure compliance of provisions of all the Acts, Rules, Regulations and Guidelines, for the time being in force, which are applicable to the project.
23. Any other condition that the Ministry of Environment, Forests and Climate Change may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area, shall be complied by the user agency.
24. Grant of working permission to the extant proposal may be considered by the State Government in accordance with the provisions as contained in the MoEF&CC's guidelines dated 7.1.2015.

After receipt of the compliance report on fulfillment of the conditions No.2,5, 6 & 16(d) and undertaking for rest of the conditions as stipulated above, from the State Government, formal approval will be issued in this regard under Section 2 of Forest (Conservation) Act, 1980. **Transfer of forest land to user agency shall not be effected by the State Government till formal order approving diversion of forest land is issued by the Central Government.**

Yours faithfully,


(Vasanta Kiran Babu)

Dy. Conservator of Forests (Central)

o/c

Copy to:-

1. The Director, RO(HQ), Ministry of Environment, Forests and Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi – 110 003.
2. The Principal Chief Conservator of Forests, Forest Department, Govt. of Jharkhand, Doranda, Ranchi.

3. The PCCF & Nodal Officer, Forest Department, Govt. of Jharkhand, Doranda, Ranchi.
4. The Divisional Forest Officer, Porhat & Simdega Forest Division.
5. The Chief Engineer (Transmission), JUSNL, Engineering Building, HEC, Dhurwa, Ranchi – 834004.
6. Guard File.

W.C.S.C.
Dy. Conservator of Forests (Central)
O/C

