

**OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS (HEAD OF
FOREST FORCE), MAHARASHTRA STATE, NAGPUR**
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Sub:- Proposal for diversion of 5.5395 ha. forest land under Forest (Conservation) Act, 1980 for expansion of PIX transmission factory for enhancement of production capacity in village Nagalwadi, Tal. Hingna, District Nagpur of Maharashtra State (FP/MH/IND/40697/2019).

No. : Desk-17/Nodal/Nagpur/I.D-12799/1393/2022-23
Nagpur – 440 001, Dated 05/09/2022

To,
The Principal Secretary (Forests),
Revenue & Forest Department,
Mantralya, Mumbai – 400032

The Sr. Manager Administration, M/s. PIX Transmission Ltd., Nagpur has submitted proposal for diversion of 5.5395 ha. forest land under Forest (Conservation) Act, 1980 for expansion of PIX transmission factory for enhancement of production capacity in village Nagalwadi, Tal. Hingna, District Nagpur of Maharashtra State. The details of the forest land proposed for diversion are as under :-

Sr. No	Item of work proposed	Name of Village	Survey No	Area in (ha.)	Legal Status
1	Security Room & Car Parking Area	Nagalwadi	18	0.186	Forest (Zudpi Jungle)
2	Meter Room & L.T.Room			0.007	
3	U.G.Water Tank & Pump Hose			0.072	
4	Manufacturing Building 3 Nos.			0.6	
5	Calendaring Building			0.072	
6	R.M.Stores			0.185	
7	BSR Building			0.1375	
8	Green Belt Around ETP/STP			0.298	
9	Work Shop			0.3	
10	Two Wheeler Parking			0.2448	
11	Godown Raw Material			0.14	
12	Roads			0.58	
13	Open Space			1.2072	
[A] Total Area (in ha.)				4.0295	
14	Canteen Building & Workers Mess	Nagalwadi	54	0.066	Forest (Zudpi Jungle)
15	Covered Parking			0.0198	
16	Garden Area			0.043	
17	Roads			0.029	
18	Open Space			0.0622	

[B] Total Area (in ha.)				0.2200	
19	Godown Finished Product	Nagalwadi	58	0.312	Forest (Zudpi Jungle)
20	Time Office			0.064	
21	Toilet Building			0.0576	
22	Roads			0.113	
23	Open Space			0.1934	
[C] Total Area (in ha.)				0.7400	
25	Admin Building-1	Nagalwadi	64	0.1056	Forest (Zudpi Jungle)
26	Admin Buidling-2			0.063	
27	Garden Area			0.126	
28	Roads			0.058	
29	Open Space			0.1974	
[D] Total Area (in ha.)				0.5500	
Grand Total [A+B+C+D]				5.5395	

2.00 The proposal has been initiated by Authorized Signatory, Sr. Manager Signatory, PIX Transmission Ltd. Nagpur for approval under the Forest (Conservation) Act, 1980. The User Agency has stated in the project note that in order to expand the capacity of the existing plant expansion needs to have adjoining land for additional machineries and ancillary service/ work shops shed within the same premises for optimal utilization and therefore the additional required for the purpose needs to be contiguous to the existing land now in possession of PIX, Transmission Ltd.

3.00 The details of the Alternative explored by the User Agency and details of the same may kindly be perused as per the following details:-

Alternati ve explored by the User Agency	Plot number of existing factory in possessio n of the User Agency	Survey numbers associated for expansion	Title of the plot and land use and area available for expansion	Selected/ Rejected by the User Agency	Reasons for rejection/ acceptance given by the User Agency
I	25	24	Private in Industrial Zone	Rejected	Not ready to sale
		26	Private in Industrial Zone		
		27	Private in Industrial Zone		
II	45	40	Private in Industrial Zone	Rejected	Not ready to sale
III	48	50	Private property residential Zone	Rejected	Not ready to sale
		43	Private in Industrial Zone		
		44	Private in Industrial Zone		

IV	47	52 49	Private Industrial Zone in Private Industrial Zone.	Rejected	Not ready to sale
V	57 and 55	59 60 56 53	Private Industrial Zone in Residential Zone Pvt. Property Private Industrial Zone	Rejected	Not ready to sale
VI	47 55	18 54 64 58	Forest 80% in Industrial Zone and 20% in residential zone of Nagpur DP Forest in residential Zone Forest in residential Zone Forest in residential Zone	Selected	Prominently falls in Industrial Zone of Nagpur Development Plan Zudpi Jungle without any tree cover, Part of Plot No.18 has encroachments since last several year, 54,64,58 are isolated small patches less than 1.00 ha. and not suitable for management point of view.

4.00 Following documents as prescribed in Government Circular, Revenue and Forest Department No.FLD-1081/2041/(A)/F-3, dated 20/03/1982 and according to Government of India's instructions issued from time to time are enclosed.

- 4.1 Prescribed form dated 10/01/2003.
- 4.2 Certificate regarding minimum demand of forest land for the project,
- 4.3 Area Statement,
- 4.4 Index map in suitable scale,

5.00 The Deputy Conservator of Forests, Nagpur Forest Division, Nagpur has certified that:-

- 5.1 no suitable alternate land is available and the forest land required is the barest minimum.
- 5.2 the area belongs to Eco-value class-III and having density is 0.4.
- 5.3 there is no cutting and felling of trees involved in this project.

- 5.4 the area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc.
- 5.5 proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance.
- 5.6 there is no violation of Forest (Conservation) Act 1980.
- 5.7 the proposed area for the project is not within 10 km from the boundary of Protected area (Sanctuary and National Park).
- 5.8 User Agency has identified 5.85 ha non forest land in Khasra No.1649/1 and 1649/2 and 1660 (P) from village Tivare Tal.Chipulun Dist adjoining to Sahyandri Tiger Reserve. Since the area is having 60% tree cover therefore no plantation can be taken. The Chief Conservator of Forests (T) Kolhapur/ Divisional Forest Officer, Chiplun have stated that the proposed area is adjacent to the Sayadari Tiger Reserve & suitable for Bio-diversity and transfer to the Forest Department as per Government of Maharashtra letter dated 27/08/2014. Therefore, the Deputy Conservator of Forests, Nagpur Forest Division, Nagpur has proposed 5.5395 ha Zudpi Jungle in possession of Forest Department in village Pohi, Tal Dist Nagpur for compensatory afforestation.

6.00 The User Agency has submitted an undertaking that:-

- 6.1 to defray the cost of compensatory afforestation.
- 6.2 to defray the cost of Net Present Value of the forest land proposed under diversion.
- 6.3 Government of India vide letter No.11-43/2013-FC, dt.3/12/2018 has issued guidelines regarding compliance of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forests Right) Act, 2006. As per these guidelines:-

'Accordingly, it is clarified that within the time period stipulated for compliance of Stage I condition, Deputy Commissioner shall complete the process of compliance of FRA (including forwarding its findings to be concerned CF), hence for the purpose of the MoEF & CC, as per the provisions under the Forest (Conservation) amendment rules, 2016 the compliance under FRA is not required for consideration of in-principle approval. This has to be furnished by the State Government for consideration of the proposal by the Ministry for final approval'.

Hence, the user agency has given an undertaking regarding the compliance under the Scheduled Tribes and Other Traditional forest Dwellers (Recognition of Forest Rights) Act, 2006 has been applied and is under process and shall be submitted before formal approval.

7.00 The proposal has been examined & scrutinized in detail and Site visit has been conducted. After scrutiny of the matter and site inspection by RFO/DCF and CCF level, the proposal found justified on the following grounds regarding site specificity:

1. The forest land proposed for project are Rocky, without water, having no Trees and not suitable for any kind of forestation.
2. Land is in various small patches in isolation and difficult to manage.
3. The forest land proposed especially Part of Gut No. 18 is already encroached by one colony of slums. The satellite imageries for the last three decades indicating progressing encroachments over the land. Considering day by day increasing encroachment, it will be very difficult to hold vacant possession of the land in future.

4. The forest land proposed is shown as industrial zone under Nagpur Regional Development Plan and suitable for Industries only.
5. While forwarding the recommendation, it was also considered that, Industry has no other alternate land in surrounding area for such expansion. Industry has tried at its level best to find other suitable land.
6. Recommendation was also considered keeping in mind the new employment opportunities that would be generated in light of the industry expansion. Such an industry in the area would help in the development of the surrounding local area/villages. Considering the past record of the Industry, it is understood that it is contributing in the Indian economy by selling goods in the domestic market as well as in the International market.
- 8.01 The Deputy Conservator of Forests, Nagpur Forest Division, Nagpur has recommended the proposal for diversion of 5.5395 ha. of forest land.
- 8.02 The Chief Conservator of Forest (T), Nagpur has recommended that **“ the proposed land is close to Nagpur City, hence it is recommended to recover the NPV amount as per the market value”**.
- 9.00 **In view of this, the proposal is recommended for approval under the section -2 (ii) of the Forest (Conservation) Act, 1980 subject to the following conditions: –**
 - 9.1 The legal status of the forest land required will remain unchanged.
 - 9.2 **Compensatory Afforestation :-**
 - a) Compensatory afforestation shall be taken up by the Forest Department over 5.85 ha non forest land in Khasra No.1649/1 and 1649/2 and 1660 (P) from village Tivare Tal.Chipulun Dist adjoining to Sahyandri Tiger Reserve. Since the area is having 60% cover and no plantation can be taken. Therefore he has proposed 5.5395 ha Zudpi Jungle in possession of Forest Department in village Pahi, Tal Dist Nagpur at the cost of the user agency. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided.
 - b) The non forest land which has been transferred and mutated in favour of the State Forest Department. The boundary of the non forest land shall be demarcated on ground at the project cost by erecting four feet reinforced concrete pillars, distance from pillars to pillars and GPs co-ordinates;
 - 9.3 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.
 - 9.4 **NPV:-**
 - a) The Chief Conservator of Forest (T), Nagpur has recommended that **“ the proposed land is close to Nagpur City, hence it is recommended to recover the NPV amount as per the market value”**. The State Government shall charge the Net Present Value (NPV) for the

- 5.5395 ha. forest area to be diverted under this proposal from the User Agency accordingly.
- 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.
- 9.5 User Agency shall restrict the felling of trees to minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the User Agency with the State Forest Department.
- 9.6 All the funds received from the user agency under the project shall be transferred/deposited to CAMPA fund only through e-portal (<http://parivesh.nic.in/>)
- 9.7 The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector before Stage I approval.
- 9.8 User Agency shall raise strip plantation on both sides and central verge of the road as per the IRC norms.
- 9.9 Speed regulating signage will be erected along the road at regular intervals in the Protected Areas/Forest Areas.
- 9.10 The user agency shall provide suitable under/over pass in Protected Area/ Forest Area as per recommendation of CWLW/NBWL/FAC/REC.
- 9.11 User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.
- 9.12 The layout plan of the proposal shall not be changed without prior approval of Central Government.
- 9.13 No labour camp shall be established on the forest land.
- 9.14 Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.
- 9.15 The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.
- 9.16 No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- 9.17 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 less.
- 9.18 The forest land shall not be used for any purpose other than that specified in the project proposal.

- 9.19 The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Government of India.
- 9.20 Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF&CC Guidelines F.No.11-42/2017-FC, dated 29/01/2018.
- 9.21 Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.

9.22 The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>)

10.00 It is therefore, requested that Government of India may kindly be moved for approving the proposal for diversion of 5.5395 ha. forest land under Forest (Conservation) Act, 1980 for expansion of PIX transmission factory for enhancement of production capacity in village Nagalwadi, Tal. Hingna, District Nagpur of Maharashtra State under section 2 (ii) of the Forest (Conservation) Act, 1980.

Encl. :- Proposal 2 Copies

(Naresh Zurmure)
Addl. Principal Chief Conservator of Forests
& Nodal Officer, Nagpur

Copy to the Chief Conservator of Forests (Territorial) Nagpur for information.

Copy to the Deputy Conservator of Forests, Nagpur Forest Division, Nagpur for information.

Copy to the Sr. Manager Administration, M/s. PIX Transmission Ltd. 1-7, M.I.D.C., Hingna Road, Dist. Nagpur 440016 for information

PART -IV

(To be filled by Nodal Officer or Principal Chief Conservator of Forests (Head of Forest Force))

(Detailed opinion and specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks)

Sub:- Proposal for diversion of 5.5395 ha. forest land under Forest (Conservation) Act, 1980 for expansion of PIX transmission factory for enhancement of production capacity in village Nagalwadi, Tal. Hingna, District Nagpur of Maharashtra State (FP/MH/IND/40697/2019).

2.00 The details of the forest land proposed for diversion are as under :-

Sr. No	Item of work proposed	Name of Village	Survey No	Area in (ha.)	Legal Status
1	Security Room & Car Parking Area	Nagalwadi	18	0.186	Forest (Zudpi Jungle)
2	Meter Room & L.T.Room			0.007	
3	U.G.Water Tank & Pump Hose			0.072	
4	Manufacturing Building 3 Nos.			0.6	
5	Calendaring Building			0.072	
6	R.M.Stores			0.185	
7	BSR Building			0.1375	
8	Green Belt Around ETP/STP			0.298	
9	Work Shop			0.3	
10	Two Wheeler Parking			0.2448	
11	Godown Raw Material			0.14	
12	Roads			0.58	
13	Open Space			1.2072	
[A] Total Area (in ha.)				4.0295	
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28	Roads			0.058	
29	Open Space			0.1974	
[D] Total Area (in ha.)				0.5500	
Grand Total [A+B+C+D]				5.5395	

Specific recommendation of Principal Chief Conservator of Forests (HoFF) MS Nagpur is attached.

Naresh Zurmure
5/9/22

(Naresh Zurmure)

Additional Principal Chief Conservator of Forests
& Nodal Officer

Date: 05/9/2022

Place: Nagpur

Proposal for diversion of 5.5395 ha. forest land under Forest (Conservation) Act, 1980 for expansion of PIX transmission factory for enhancement of production capacity in village Nagalwadi, Tal. Hingna, District Nagpur of Maharashtra State (FP/MH/IND/40697/2019).

Specific Recommendation of Principal Chief Conservator of Forests, Maharashtra State (Head of Forest Force) Maharashtra State, Nagpur with regards to acceptance or otherwise of the proposal supported by reasons.

The proposal is for diversion of 5.5395 ha. forest land under Forest (Conservation) Act, 1980 for expansion of PIX transmission factory for enhancement of production capacity in village Nagalwadi, Tal. Hingna, District Nagpur of Maharashtra State (FP/MH/IND/40697/2019).

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3.00 The proposal has been initiated by Authorized Signatory, Sr. Manager Signatory, PIX Transmission Ltd. Nagpur for approval under the Forest (Conservation) Act, 1980. The User Agency has stated in the project note that in order to expand the capacity of the existing plant expansion needs to have adjoining land for additional machineries and ancillary service/ work shops shed within the same premises for optimal utilization and therefore the additional required for the purpose needs to be contiguous to the existing land now in possession of PIX, Transmission Ltd.

4.00 The details of the Alternative explored by the User Agency and details of the same may kindly be perused as per the following details:-

Alternati ve explored by the User Agency	Plot number of existing factory in possessio n of the User Agency	Survey numbers associated for expansion	Title of the associated plot and land use and area available for expansion	Selected/ Rejected by the User Agency	Reasons for rejection/ acceptance given by the User Agency
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		43	Private in Industrial Zone		
		44	Private in Industrial Zone		
IV	47	52	Private in Industrial Zone	Rejected	Not ready to sale
		49	Private in Industrial Zone.		

V	57 and 55	59 60 56 53	Private in Industrial Zone Residential Zone Pvt. Property Private in Industrial Zone	Rejected	Not ready to sale
VI	47 55	18 54 64 58	Forest 80% in Industrial Zone and 20% in residential zone of Nagpur DP Forest in residential Zone Forest in residential Zone Forest in residential Zone	Selected	Prominently falls in Industrial Zone of Nagpur Development Plan Zudpi Jungle without any tree cover, Part of Plot No.18 has encroachments since last several year, 54,64,58 are isolated small patches less than 1.00 ha. and not suitable for management point of view.

The Alternative land plan may be perused on page no.73

5.00 The Deputy Conservator of Forests, Nagpur Forest Division, Nagpur has certified that:-

- 5.1 no suitable alternate land is available and the forest land required is the barest minimum.
- 5.2 the area belongs to Eco-value class-III and having density is 0.4.
- 5.3 there is no cutting and felling of trees involved in this project.
- 5.4 the area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc.
- 5.5 proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance.
- 5.6 there is no violation of Forest (Conservation) Act 1980.
- 5.7 the proposed area for the project is not within 10 km from the boundary of Protected area (Sanctuary and National Park).
- 5.8 User Agency has identified 5.85 ha non forest land in Khasra No.1649/1 and 1649/2 and 1660 (P) from village Tivare Tal.Chipulun Dist adjoining to Sahyandri Tiger Reserve. Since the area is having 60% tree cover therefore no plantation can be taken. The Chief Conservator of Forests (T) Kolhapur/ Divisional Forest Officer, Chiplun have stated that the proposed area is adjacent to the Sayadari Tiger Reserve & suitable for Bio-diversity and transfer to the Forest Department as per Government of Maharashtra letter dated

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‘Accordingly, it is clarified that within the time period stipulated for compliance of Stage I condition, Deputy Commissioner shall complete the process of compliance of FRA (including forwarding its findings to be concerned CF), hence for the purpose of the MoEF & CC, as per the provisions under the Forest (Conservation) amendment rules, 2016 the compliance under FRA is not required for consideration of in-principle approval. This has to be furnished by the State Government for consideration of the proposal by the Ministry for final approval’.

Hence, the user agency has given an undertaking regarding the compliance under the Scheduled Tribes and Other Traditional forest Dwellers (Recognition of Forest Rights) Act, 2006 has been applied and is under process and shall be submitted before formal approval.

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2. Land is in various small patches in isolation and difficult to manage.
3. The forest land proposed especially Part of Gut No. 18 is already encroached by one colony of slums. The satellite imageries for the last three decades indicating progressing encroachments over the land. Considering day by day increasing encroachment, it will be very difficult to hold vacant possession of the land in future.
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5. While forwarding the recommendation, it was also considered that, Industry has no other alternate land in surrounding area for such expansion. Industry has tried at its level best to find other suitable land.
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- 8.02 The Chief Conservator of Forest (T), Nagpur has recommended that “ the proposed land is close to Nagpur City, hence it is recommended to recover the NPV amount as per the market value”.

9.00 In view of this, the proposal is recommended for approval under the section -2 (ii) of the Forest (Conservation) Act, 1980 subject to the following conditions: –

- 9.1 The legal status of the forest land required will remain unchanged.

9.2 Compensatory Afforestation :-

- a) Compensatory afforestation shall be taken up by the Forest Department over 5.85 ha non forest land in Khasra No.1649/1 and 1649/2 and 1660 (P) from village Tivare Tal.Chipulun Dist adjoining to Sahyandri Tiger Reserve. Since the area is having 60% cover and no plantation can be taken. Therefore he has proposed 5.5395 ha Zudpi Jungle in possession of Forest Department in village Pahi, Tal Dist Nagpur at the cost of the user agency. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided.
- b) The non forest land which has been transferred and mutated in favour of the State Forest Department. The boundary of the non forest land shall be demarcated on ground at the project cost by erecting four feet reinforced concrete pillars, distance from pillars to pillars and GPs co-ordinates;

- 9.3 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.

9.4 NPV:-

- a) The Chief Conservator of Forest (T), Nagpur has recommended that “ the proposed land is close to Nagpur City, hence it is recommended to recover the NPV amount as per the market value”. The State Government shall charge the Net Present Value (NPV) for the 5.5395 ha. forest area to be diverted under this proposal from the User Agency accordingly.
- 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.

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- 9.15 The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.
- 9.16 No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- 9.17 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 less.
- 9.18 The forest land shall not be used for any purpose other than that specified in the project proposal.
- 9.19 The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Government of India.

- 9.20 Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF&CC Guidelines F.No.11-42/2017-FC, dated 29/01/2018.
- 9.21 Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.
- 9.22 The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>)


(Y.L.P.Rao)

**Principal Chief Conservator of Forests
(Head of Forest Force)
Maharashtra State, Nagpur**