

PART – IV

(to be filled by the Nodal Officer or Principal Chief Conservator of Forests or Head of Forest Department)

17	Detailed opinion and specific recommendation of the State Forest Department for acceptance of otherwise of the proposal with remarks, (While giving opinion, the adverse comments made by concerned Conservator of Forests or Deputy Conservator of Forests should be categorically reviewed and critically commended upon)	<p>Specific recommendation of Principle Chief Conservator of Forests (Head of Forest Dept) Maharashtra State Nagpur attached herewith on Page No.</p> <p><i>M. and</i> 9/7/15</p> <p>Addl. Principal Chief Conservator of Forest. And Nodal officer Maharashtra State, Nagpur</p>
----	---	---

G.P.A

Proposal for diversion of 5.4425 ha. forest land under Forest (Conservation) Act-1980 for construction and laying of diversion/ re-alignment of existing 220 KV Chandrapur-Warora transmission line passing through Bhatadi Open Cast Mine of Western Coalfields Ltd., Chandrapur.

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

- 1) The proposal is diversion of 5.4425 ha. forest land for construction and laying of diversion/ re-alignment of existing 220 KV Chandrapur-Warora transmission line passing through Bhatadi Open Cast Mine of Western Coalfields Ltd., Chandrapur. The details of forest land proposed for diversion are as under-

Chandrpaur Forest Division				
Village	Taluka	Survey no/ Gut No.	Area (in ha.)	Legal Status
Kachrala	Bhadravati	888	1.0064	Protected Forest
		203	4.4361	Reserved Forest
Grand Total			5.4425 ha	

The proposal has been initiated by Executive Engineer, EHV Construction Division MSETCL Chandrapur for construction and laying of 220 KV D/C Transmission line from Chandrapur-Warora.

Maharashtra State Electricity Transmission Co. Ltd. Plans to divert existing 220 KV Chandrapur-Warora D/C line passing through Bhatadi Open Cast Mine, Chandrapur. The work of construction for diversion of 220 KV Chandrapur-Warora D/C line passing through Bhatadi Open Cast Mine of Western Coalfields Ltd. The said work is undertaken on request of W.C.L as they are under the process of expansion of existing Bhatadi Open Cast Mine and part of the existing 220 KV Chandrapur Warora D/C line is passing through the proposed mine expansion area. The said construction is required for evacuation and transmission of 220 KV Chandrapur-Warora D/C line of the electricity.

The diversion of 220 KV Chandrapur-Warora D/C line passing through Bhatadi Open Cast Mine expansion project area of WCL, Chandrapur is sanctioned vide MBR No.77/5 dated.14/12/2012 and work allotted to agency vide W.O. No. MSETCL/CE/NGP/T/301 dated 1/2/2013 & amendment W. O. No. MSETCL/CE/NGP/T/684 dated 11/3/2014. This line diversion is essential for expansion of open cast mine project of WCL, Chandrapur. The coal linkage of this mine is meant for Maharashtra State Power Generation Co. Ltd., Chandrapur, which may further affect the power generation. The proposed work for construction & laying of diversion of 220 KV D/C transmission line is interlinking transmission lines of Chandrapur-Warora.

- 2) Density of forest land is less than 0.4 & it is open forest with eco value class-III.
- 3) Divisional Forest Officer, Chandrapur Division Chandrapur is of the opinion that the alternate alignment is not possible & the forest land required is the barest minimum.

- 4) There are 613 trees (non teak species) in the area proposed for the project in Chandrapur Forest Division. Girth class wise abstract is given as under :-

16/30 cm	31/45 cm	46/60 cm	61/75 cm	76/90 cm	91/105 cm	106/120 cm	121/135 cm	136/150 cm	Above 150 cm	Total
206	201	63	29	28	21	20	21	19	5	613

- 5) Divisional Forest Officer, Chandrapur Division, Chandrapur has certified that the proposed project is outside the boundary of Tadoba-Andhari Tiger Reserve, Eco sensitive zone.
- 6) The User Agency has submitted an undertaking to defray the cost of Net Present Value of the forest land proposed for diversion.
- 7) The User Agency has submitted the certificate to defray the cost of compensatory afforestation to be raised over degraded forest land twice in extent of the forest area 5.4425 ha. being diverted for the 220 KV transmission line of Chandrapur Warora.
- 8) The area involved does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc. as certified by Divisional Forest Officer, Chandrapur Division, Chandrapur.
- 9) There is no violation of Forest (Conservation) Act 1980, as certified Divisional Forest Officer, Chandrapur Division, Chandrapur.
- 10) Divisional Forest Officer, Chandrapur Division, Chandrapur, has certified that non-forest area covered under the project are not under the provisions of Maharashtra Private Forest (Acquisition) Act 1975 by virtue of application of Section 35 of Indian Forests Act 1927 and are not recognized as deemed reserved forest as well as not included in the area identified as "forest" as per dictionary meaning of forest as intimated to the expert committee appointed under interim judgment of the Hon'ble Supreme Court dated 12/12/1996.
- 11) Divisional Forest Officer, Chandrapur Division, Chandrapur has submitted an undertaking that the proposed project area is outside Schedule Area.
- 12) The User Agency has not submitted the resolution under Schedule tribes and Other Traditional Forest Dweller's (Recognition of Forest Rights) Act 2006 duly approved by the District Collector. Which shall be complied before final approval.

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

- i) The legal status of the land required will remain unchanged.
- ii) Compensatory afforestation will be raised at the cost of the User Agency on double degraded forest land in compartment No.203 made available by the forest department.
- iii) The forest land shall not be used for any purpose other than specified in the project.
- iv) The User Agency will defray cost of Net Present Value of 5.4425 ha. of Forest land as per latest guidelines of Government of India.
- v) The User Agency will pay the cost of raising herbaceous/shrubby medicinal plants including its nursery and planting cost, wherever feasible.
- vi) The User Agency will defray the cost of removal of 613 trees in the area proposed for diversion. However, only the required and minimum number of trees will be felled.
- vii) All necessary precautions should be taken to protect the area from fire.
- viii) If in future, the need arises for felling, pruning or pollarding of any standing trees under the transmission line for maintenance, the User Agency shall obtain necessary permission as per existing guidelines.

- ix) The User Agency will defray the additional/revised cost of Net Present Value of forest land as per the latest guidelines of Government of India.
- x) The Project Authority shall submit the certificate duly approved by District Collector as required under Forest Rights Act,-2006.



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

**OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS (HEAD OF
FOREST FORCE), MAHARASHTRA STATE, NAGPUR**

ADDITIONAL PRINCIPAL CHIEF CONSERVATOR OF FORESTS AND NODAL OFFICER, MAHARASHTRA STATE, NAGPUR.

First Floor, 'B' Wing, Van Bhavan, Civil Lines, Nagpur-440001.

Tel no. (0712) 2530166, 2556916, Fax no. (0712) 2550675 E-mail- apccfnodal@mahaforest.gov.in

Sub:- Proposal for diversion of 5.4425 ha. forest land under Forest (Conservation) Act-1980 for construction and laying of diversion/ re-alignment of existing 220 KV Chandrapur-Warora transmission line passing through Bhatadi Open Cast Mine of Western Coalfields Ltd., Chandrapur.

No. : Desk-17/NC/I/I.D- 12389/ 669 /15-16

Nagpur - 440 001, Dated : 09/07/2015

To,

The Secretary (Forests),
Revenue & Forest Department,
Mantralay, Mumbai-400032.

Executive Engineer, EHV Construction Division MSETCL, Chandrapur has submitted the proposal for diversion of 5.4425 ha. forest land under Forest (Conservation) Act-1980 for construction and laying of diversion/re-alignment of existing 220 KV Chandrapur-Warora transmission line passing through Bhatadi Open Cast Mine of Western Coalfields Ltd., Chandrapur. The location of proposed area is as given below -

Chandrapaur Forest Division				
Village	Taluka	Survey no/ Gut No.	Area (in ha.)	Legal Status
Kachrala	Bhadravati	888	1.0064	Protected Forest
		203	4.4361	Reserved Forest
Grand Total			5.4425 ha	

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 in two copies.

- 1) Prescribed form dated 10/01/2003.
- 2) Certificate regarding minimum demand of forest land for the project,
- 3) Area Statement,
- 4) Index map in suitable scale,
- 5) Density of forest land is less than 0.4 & it is open forest with eco value class-III.
- 6) Divisional Forest Officer, Chandrapur Division Chandrapur is of the opinion that the alternate alignment is not possible & the forest land required is the barest minimum.

- 7) There are 613 trees (non teak species) in the area proposed for the project in Chandrapur Forest Division. Girth class wise abstract is given as under :-

16/30 cm	31/45 cm	46/60 cm	61/75 cm	76/90 cm	91/105 cm	106/120 cm	121/135 cm	136/150 cm	Above 150 cm	Total
206	201	63	29	28	21	20	21	19	5	613

- 8) Divisional Forest Officer, Chandrapur Division, Chandrapur has certified that the proposed project is outside the boundary of Tadoba-Andhari Tiger Reserve, Eco sensitive zone.
- 9) The User Agency has submitted an undertaking to defray the cost of Net Present Value of the forest land proposed for diversion.
- 10) The User Agency has submitted the certificate to defray the cost of compensatory afforestation to be raised over degraded forest land twice in extent of the forest area 5.4425 ha. being diverted for the 220 KV transmission line of Chandrapur Warora.
- 11) The area involved does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc. as certified by Divisional Forest Officer, Chandrapur Division, Chandrapur.
- 12) There is no violation of Forest (Conservation) Act 1980, as certified Divisional Forest Officer, Chandrapur Division, Chandrapur.
- 13) Divisional Forest Officer, Chandrapur Division, Chandrapur, has certified that non-forest area covered under the project are not under the provisions of Maharashtra Private Forest (Acquisition) Act 1975 by virtue of application of Section 35 of Indian Forests Act 1927 and are not recognized as deemed reserved forest as well as not included in the area identified as "forest" as per dictionary meaning of forest as intimated to the expert committee appointed under interim judgment of the Hon'ble Supreme Court dated 12/12/1996.
- 14) Divisional Forest Officer, Chandrapur Division, Chandrapur has submitted an undertaking that the proposed project area is outside Schedule Area.
- 15) The User Agency has not submitted the resolution under Schedule tribes and Other Traditional Forest Dweller's (Recognition of Forest Rights) Act 2006 duly approved by the District Collector. Which shall be complied before final approval.



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

- The legal status of the land required will remain unchanged.
- Compensatory afforestation will be raised at the cost of the User Agency on double degraded forest land in compartment No.203 made available by the forest department.
- The forest land shall not be used for any purpose other than specified in the project.
- The User Agency will defray cost of Net Present Value of 5.4425 ha. of Forest land as per latest guidelines of Government of India.
- The User Agency will pay the cost of raising herbaceous/shrubby medicinal plants including its nursery and planting cost, wherever feasible.

- vi) The User Agency will defray the cost of removal of 613 trees in the area proposed for diversion. However, only the required and minimum number of trees will be felled.
- vii) All necessary precautions should be taken to protect the area from fire.
- viii) If in future, the need arises for felling, pruning or pollarding of any standing trees under the transmission line for maintenance, the User Agency shall obtain necessary permission as per existing guidelines.
- ix) The User Agency will defray the additional/revised cost of Net Present Value of forest land as per the latest guidelines of Government of India.
- x) The Project Authority shall submit the certificate duly approved by District Collector as required under Forest Rights Act,-2006.

It is therefore requested that Government of India may kindly be moved for diversion of 5.4425 ha. forest land under Forest (Conservation) Act-1980 for construction and laying of diversion/ re-alignment of existing 220 KV Chandrapur-Warora transmission line passing through Bhatadi Open Cast Mine of Western Coalfields Ltd., Chandrapur under section 2 (ii) of the Forest (Conservation) Act, 1980.

Encl. :- Proposal 2 copies


Addl. Principal Chief Conservator of Forests
& Nodal Officer,
Maharashtra State, Nagpur 

Copy to Chief Conservator of Forests (T), Chandrapur for information.

Copy to Deputy Conservator of Forest, Chandrapur Forest Division, Chandrapur for information.

Copy to Executive engineer, EHV, Construction Division MSETCL, Chandrapur for information.