

ANNEXURE – 1

VIOLATION REPORT

The Maharashtra State Electricity Transmission Company Limited (MSETCL), Government of Maharashtra Undertaking, has decided to take up construction of 220 kV Kalmeshwar-Warud Transmission Line for augmentation of the electricity grid network towards increasing demand of power in the Warud region.

The total length of the project stretch selected for construction of the line is 67.253 kms. Part of this line is passing through forest area of (1) Gut No. 74 of Village Pardi (Gotmare) 0.4375 Ha, (2) Gut No. 34 of Village Bordoh 0.0980 Ha, 3) Gut No. 48 of Village Pathar 0.1295 Ha, (4) Gut No. 6,7,16,21 of Village Bhajipani 1.1130 Ha, (5) Gut No. 126,116,89,70 of Village Dongargaon 1.9565 Ha, (6) Gut No. 63,28 Village of Salai Rithi 1.3195 Ha, (7) Gut No. 68,63 of Village Karla 0.4865 Ha from Katol Range and (8) Gut 88, 64 Villlage Tarabordi 0.4375 Ha from Kondhali Range of Nagpur Forest Division. The proposed line requires diversion of Total 6.0760 Ha in Nagpur Forest Division. Therefore the construction of this line requires forest clearance from Ministry of Environment Forest and Climate change (GOI).

The diversion of forest area has been limited to the minimum that satisfies the standards of Central Board of Irrigation and Power. As the project line is passing through the middle of the forest area, avoiding forest area is not possible. Alternatives has been examined and found that no better option is available.

Part of construction of this line is done for erection of towers and stringing at places on forest land and thereby violation of Forest Act from year 2014 to 2018.

The work in this reach is stopped and proposal for approval under Forest (Conservation) Act is submitted by the Project Authority.


As the proposal is for construction of transmission line and there is no suitable alternative for the same and project authority has submitted the proposal for obtaining approval from Government of India. Hence, it is required to process the proposal for diversion of Forest Land (Zudpi Jungle) under the provisions of Section 2 of Forest Conservation Act, 1980.

Report regarding violation of Forest (Conservation) Act, 1980 for consideration of the committee constituted under the Chairmanship of the Chief Secretary, vide Govt. of Maharashtra, Revenue and Forest Department G.R. No. FLD-1089/475/Part-2/P-10, dated 2nd December 1991

1.	Name of the Agency	Maharashtra State Electricity Transmission Company Ltd. EHV Projects Division, Amravati.
2.	Name of the Project	Construction of 220 KV Kalmeshwar-Warud Transmission line.
2A)	Whether the project is under EGS or plan	Not applicable.
3	Location A) F.S. No. /Compt. No. B) Village	Salai Rithi - 28,63 Karla - 68,63 Dongargaon - 126,116,89,70 Bhajipani - 6,7,16,21

	C) Taluka D) District	Pathar - 48 Bordoh - 34 Katol Nagpur							
4.	No. & Date of Technical Sanction	MSETCL/COTr./Proj./EPC/SS2-B/13481, Date: 31/08/2010.							
5.	No. & date of Administrative Approval	34/4 Date: 18/10/2008							
7)	Period of work on forest land C) Date of starting the work D) Date of stopping the work	A) 2014 B) 2018							
8)	Period of work on non forest land C) Date of starting the work D) Date of stopping the work	A) 2010 B) Work in progress.							
8.	Details of work done on forest area								
	Sr. No.	Item/Name of Structure	shown on map enclosed as	Sur/ Gut No.	Forest land involved in the item (In ha.)	Extent of violation on forest land (In ha.)	Amount sanctioned on the item stated Cost (Rs)	Amount spent on violation on item No. 2	Legal status
	1	2	3	4	5	6	7	8	9
	1	Construction of 3	Map Enclosed	Salai Rithi - 28,63	4.641 ha.	---	11.938.59 Lacs	80.20	PRF Proposed Reserve Forest
	2	foundation & stringing at places on forest land		Karla- 68,63 Dongargaon - 126,116,89,70 Bhajipani - 6,7,16,21 Pathar - 48 Bordoh - 34					
9.	Period of Work :-								
	Sr. No.	Item of work			Quantity	Period of work done			
	1.	Construction of 3 Towers & stringing at places on forest land.				2014			
10.	Name of officers responsible for violation.								
	Sr. No.	Name of Officer	Designation	Period of violation	Remarks				
	1	Shri. B.S. Amale Assistant Engineer, MSETCL		2014-16					
	2	Shri. S.G. Patki Line Technician		2014-16					
	3	Shri. A.K.Makde, The Then Range Forest Officer, Katol		2014-16					
	4	Shri. S.D. Chate, The Then		2014-16					

		Round Officer, Katol		
	5	Shri G.M Gaikwad The Then Round Officer, Isapur	2014-16	
	6	Shri. V.H. Mankawade The Then Forest Guard Katol	2014-16	
	7	Shri. V.P.Dongare The Then Forest Guard Isapur	2014-16	
11.	Whether the violation case fits in the criteria's specified in G.R. Revenue & Forest Department No. FLD-1089/ C.R.475/Part-2/F-10 dated 21/9/1991		No.	
11A)	If yes in which para		Not applicable.	
12.	If not why		Since the criteria specified in the GR pertain to projects related to Irrigation Department.	
13.	Action proposed by the Agency against the officers responsible for violation.			
	Sr. No.	Name of Officer	Designation	Remarks
	1	Shri. B.S. Amale	Assistant Engineer, MSETCL	Action initiated
	2	Shri. S.G. Patki	Line Technician	Action initiated
	3	Shri. A.K.Makde,	The Then Range Forest Officer, Katol	Action initiated
	4	Shri. S.D. Chate,	The Then Round Officer, Katol	Action initiated
	5	Shri G.M Gaikwad	The Then Round Officer, Isapur	Action initiated
	6	Shri. V.H. Mankawade	The Then Forest Guard Katol	Action initiated
	7	Shri. V.P.Dongare	The Then Forest Guard Isapur	Action initiated
14	Deputy conservator of forests remarks as to whether he agrees with the above details:		Yes. Agreed. The Following remarks has been made as under: 1. The legal status of land shown as Zudpi Jungle as per revenue record in 6 District. i.e. Nagpur, Wardha, Gondia, Wardha, Chandrapur & Gadchiroli in Vidarbha region of Maharashtra State. The Government of Maharashtra vide order dated 6 November 1987, the Zudpi Jungle land should not be consider as forest land, then GOI, MOEF, letter dated 12 February 1992 clarified that the Zudpi Jungle land shall attract all the provision of Forest Conservation Act, 1980. 2. As per the direction of GOI, Zudpi Jungle was categorized in various parts. The land which is found to be suitable for forestry management point of view was handed over to forest department since the year 1997. Most of the Zudpi Jungle land is in scattered and not permanently demarcated in ground, unknowingly the work was carried out by the User Agency, and hence the violation has not been recorded and stopped by the Field staff at that time of execution of the work. Field Officers who are responsible for the violation,	

		<p>enquiry, and disciplinary action have been proposed against them.</p> <p>3. The patch of existing alignments comes under the norms of forest land. The project affected forest land shows as Proposed Reserved Forest (Notified under section 4 of IFA 1927) was originally recorded as Zudpi Jungle.</p> <p>4. The Project Authority has executed construction of 3 foundation & stringing at places on forest land on the survey no. 28,63 of Salai Rithi & Karla- 68,63/Dongargaon - 126,116,89,70/ Bhajipani - 6,7,16,21/ Pathar - 48 Bordoh - 34of Katol taluka and thereby violation of forest act from the year 2014 to 2018. The work in this area is stopped .</p> <p>(a). POR had filed against Project Authority on dated 30.06.2020 for Survey No.63 & 28 of Mauza Salai Rithi & of Katol Range vide POR No. 82/22 Dated 30.06.2020</p> <p>(b). POR had filed against Project Authority on dated 06.04.2021 for Survey No. 21 of Mauja Bhajipani of Katol Range vide POR No. 04894/124578/2021.</p> <p>5. As the proposal is for construction of 220 KV D/C Transmission Line and there is no suitable alternative for the same and project authority has submitted the proposal for obtaining approval from Government of India. The proposal is recommended subject to agency shall pay penalty for violation equal to Net Present Value (NPV) of forest land per hector for each year of violation from date of actual diversion reported in violation report of NHAI, with maximum upto 5 (five) times the NPV plus 12% simple interest till the deposit is made.</p> <p style="text-align: center;">  (Dr. Bharat Singh Hada) Dy. Conservator of Forests Nagpur Division, Nagpur </p>
15	Remarks of Chief Conservator of Forests:	<p>Signature</p> <p>Name (Sreelakshmi A.) Conservator of Forests (Territorial) Nagpur Circle, Nagpur</p>
16	Remarks of the Principal Chief Conservator of Forests	<p>Signature</p> <p>Principal Chief Conservator of Forests, M.S., Nagpur</p>

Signature

Principal Chief Conservator of
Forests, M.S., Nagpur