

**Diversion of 18.3915 ha. forest land for construction of & laying of 220 KV double circuit Transmission line by making LILO on 220 KV Uran Apta line No. 4 At tower location No. 30 to substation at SEZ area of Raigad District in the State of Maharashtra**

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

Vice President, (Operation), Laxmipati Balaji Supply Chain Management Limited, FTWZ at Sai, Tal-Panvel, Distt-Raogad has submitted the proposal for diversion of 18.3915 ha. for construction of & laying of 220 KV double circuit Transmission line by making LILO on 220 KV Uran Apta line No. 4 At tower location No. 30 to substation at Sez area of Raigad District in the State of Maharashtra. Total 7.73 ha. non-forest land involved in this project. The detailed area statement of forest land is shown as under :-

Name of Component	Name of Village	Name of Taluka	Forest Land Required				Legal Status
			Sur/Gut No.	Length x Width (m)	Area		
					Sqm.	Ha.	
LILO on Existing 220 KV D/C Uran Apta TR. Line proposed 220 KV TR. Line at Sai Village	Ransai	Uran	53	356.84	12489.40	1.2489	Private Forest (deemed RF)
			8	25.00	437.50	0.0438	
			6	110.00	1100.00	0.1100	
			125	104.47	3656.45	0.3656	
			124	1283.52	6423.20	0.6423	
			123	13.44	470.40	0.0470	
			1	95.57	3344.95	0.3345	
			5	250.84	779.40	0.8779	
			31	198.34	6941.90	0.6942	
			42	340.00	11900.00	1.1900	
			45	465.00	16275.00	1.6275	
			48	429.71	15039.73	1.5040	
			127P	1160.00	40600.00	4.0600	
	Total				12.7457		
	Chirner	Uran	168	834.73	29215.55	2.9216	Reserved Forest
	Sai	Panvel	Forest	397.76	13921.60	1.3922	Reserved Forest
	Dolghar	Panvel	80 (Old 70)	362.32	12681.20	1.2681	Finally Acquired Private Forest (deemed RF)
81 (Old 71)			4.12	144.20	0.0144		
77 (Old 67)			14.11	493.85	0.0494		
Total				1.3319			
Total area to be required for the Project						18.3915	

p/78

2. The User Agency has highlighted that, "Construction of 220 KV D/C transmission line by making LILO on 220KV Uran-Apta line No.04 at tower location No.30 to substation at SEZ area bearing survey Numbers 143,142 & 144 at Sai village, Tal-Panvel, Dist-Raigad is proposed to feed the SEZ area bearing survey No. 143,142 & 144 at Sai village. The SEZ is notified by department of Commerce, Ministry of Commerce & Industries, GOI under subsection (8) of section 3 of the SEZ Act 2005 vide Gazette Notification No. GSR SO 1158(E) dated 04/05/2009 GSR SO 757(E) dated 05/04/2010 GSR SO 1800 dated 22/07/2010 and GSR SO 2439 dated 27/10/2011 for 57.045 hectares.

2.1 Laxmipati Balaji Supply Chain Management-Limited (LBSCBL) is a registered company under the companies Act 2013. LBSCBL has executed Co-development agreement with Arshiya Limited on 31 Aug 2018 for providing utility services to the SEZ inter-alia including the distribution of electricity to the existing and new consumers within the said SEZ.

2.2 Maharashtra State Electricity Regulatory Commission vide its order dated 17.12.2018 in case No. 275 of 2018 has taken on record, the status of deemed distribution licensee for distribution of Electricity in the Area of notified SEZ to the Co-developer LBSCBL.

2.3 Maharashtra State Electricity Regulatory Commission vide its order dated 08.03.2019 has taken on record the status of deemed distribution Licensee for distribution of electricity in the area of notified SEZ to the Co-developer LBSCBL.

2.4 State Transmission utility which is Maharashtra State Electricity Transmission Company Ltd. vide its letter dated 05.07.2019 has granted LBSCBL the connectivity to Tap 220KV Line from Uran Generating station to 220KV Apta substation. Power supply on 220KV level will increase quality and reliability which is the foremost requirement of IT companies including uninterrupted power supply from double circuit.

2.5 The Central and State Govt. is promoting the data centre business and giving certain incentive for such special economic Zones with data centres and other IT/ITES industries in this area, will open up job opportunities on larger scale which will enhance the living standard of the vicinity area. Further units in the notified area would be 100% FDI which will boost our economy."

2.6 Therefore the User Agency has submitted the proposal for diversion of 18.3915 ha Private Forest land/Reserved Forest land/Finally acquired Private Forest land under section 2 (ii) of the FCA, 1980.

3. Chief Conservator of forests (T), Thane vide their letter Desk-10/FCA/CR-03/20-21/ow-36/ 2020-21, dated 21/05/2020 has submitted the proposal along with requisite documents for recommending the proposal.

4. **Deputy Conservator of Forests, Alibag has certified that :-**

4.1 No suitable alternate non forest land is available for the proposed project and demand for the forest land is minimum.

4.2 Three alternate alignment has been examined and alignment No 1 is selected due to minimum forest land and doesn't involve in ESZ area.

4.3 Provisions of the Forest (Conservation) Act, 1980 and guidelines, under it, have not been violated by user agency.

4.4 Deputy Conservator of Forests, Alibag has submitted Site Inspection Report dated 17/03/2020.

- 4.5 Deputy Conservator of Forests, Pune has certified that degraded forest land admeasuring 41.00 ha out of 92.72 ha of Gut No 378 at village-Khorodi, Tal-Daund, Distt-Pune has been identified for compensatory afforestation and it is free from encroachment and any encumbrances. CA scheme for 10 years submitted.

4.6 **Wildlife Certificate**

The proposed area is not included in the area of any National Park/Wildlife Sanctuary or Nature reserve.

The proposed area is beyond Karnala Bird Sanctuary and not included in ESZ or Karnala Bird Sanctuary. The distance from Karnala Bird Sanctuary is about 0.84 Km. The proposed alignment of project is outside to ESZ of Karnala Bird Sanctuary.

- 4.7 The proposed area is not likely to affect any monument site of cultural , historical religious, archeological or recreational importance
- 4.8 The non forest land covered under the project is not under the provision of Maharashtra Private forest (Acquisition) Act 1975 by virtue of application of section 35 of Indian Forest 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 under interim judgment of the Hon'ble Supreme Court dated 12/12/1996 .
- 4.9 There is 3439 trees cutting/felling involved in the proposed project Girth wise details are as under :-

Girthwise details in cms									
0-30	31-45	46-60	61-75	76-90	91-105	106-120	121-150	151-180	Total
11	1320	939	592	254	160	85	24	54	3439

- 4.10 The proposed area belongs Eco Value CI -I having density 0.3
- 4.11 The Deputy Conservator of Forests, Alibag has reported that the private Forest land involved in this project i.e. Survey Numbers 53, 125, 123, 1, 5, 31, 42, 45, 48 (area 8.5320 ha.) of village Ransai, Tal-Uran, Dist-Raigad which includes in Writ Petition Nos. 3940/1991, 56/2003, 3983/1998, 4395/2004, 5153/2004. Which are still pending in the Hon'ble High Court of Mumbai. In this regard, the project Authority has submitted Non indemnity certificate.
5. **User Agency has submitted the following undertaking/documents :-**
- 5.1 Agreed to bear the cost of Compensatory afforestation
- 5.2 To bear the cost of Net Present Value
- 5.3 To bear the cost of clearance/removal of the vegetation growth from the proposed forest land.
- 5.4 Certificate by project authority regarding non-indemnity to forest department

5.5 User Agency has not submitted the FRA-2006 certificate however submitted the undertaking stating that the same will be submitted on receipt from District Collector .

6. The Deputy Conservator of Forests, Alibag has recommended the proposal, as this proposal is for construction of 220KV DC Transmission line. This is an infrastructure development project and public utility project. Project proponent is ready to bear all the Government levies.

7. The Chief Conservator of Forests (T) Thane has recommended the proposal. As this project is essential for infrastructure development & for public utility project .

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

- 8.1 The legal status of the land required will remain unchanged
- 8.2 Compensatory afforestation will be raised at the cost of the user agency on 41.00 ha degraded forest land of Gut No 378 at village-Khorodi, Tal-Daund, Distt-Pune. As per GOI guidelines dated 08/11/2017 at least 1000 plants per ha. to be planted on degraded forest land identified for compensatory afforestation
- 8.3 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
- 8.4 The user agency will defray the cost of Net Present Value of 18.3915 Ha. of forest land as per the latest guideline of Government of India.
- 8.5 The user agency will defray the additional / revised cost of Net Present Value of forestland as per the latest Guideline of Government of India.
- 8.6 The user agency will defray the cost of removal of 3439 trees in the forest area which are falling in the area under diversion. However, only the required and minimum number of trees will be felled under strict supervision of the State Forest Department .
- 8.7 The user agency in consultation with the State Government shall create and maintain an alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project. Bird's nest 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.
- 8.8 The user agency should submit the complete compliance of FRA-2006 at the earliest or along with compliance of Stage-I approval.
- 8.9 The User Agency in consultation with the State Forest Department prepare a detailed scheme for creation and maintenance of plantation of dwarf species (preferably medicinal plant) in right of way under the transmission line for execution of the said scheme to the State Forest Department.

- 8.10 The User Agency at its cost shall provide bird deflectors, which are to be fixed on upper conductor of transmission line at suitable intervals to avoid bird hits.
- 8.11 The User Agency shall comply with the guidelines for laying transmission lines through forest areas issued by Ministry vide letter No 7-25/2012-FC dated 05/05/2014 and 19/11/2014.
- 8.12 The user agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.
- 8.13 The layout plan of the proposal shall not be changed without prior approval of Central Government.
- 8.14 No labour camps shall be established on forest land.
- 8.15 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.
- 8.16 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.
- 8.17 No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- 8.18 The forest land shall not be used for any purpose other than that specified in the project proposal.
- 8.19 The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt of India.
- 8.20 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 Guideline No F No 11-42/2017-FC dated 29/01/2018.
- 8.21 All necessary approvals required for the project as per prevailing laws of the land would be obtained by the user agency before statutory sanction.
- 8.22 All other conditions as may be mandatory under relevant Acts, rules and guidelines shall be complied with by the user agency.
- 8.23 Any other condition that the Ministry of Environment, Forest & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & Wildlife.

( Dr. N. Rambabu )  
Principal Chief Conservator of Forests  
(Head of Forest Force)  
Maharashtra State, Nagpur

for  
01/10/2020

S. D. Wadhwa  
11/01/2020

**PART -IV****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 :- Vice President (Operation), Laxmipati Balaji Supply Chain Management Limited, FTWZ at Sai, Tal-Panvel, Distt-Raigad has submitted the proposal for diversion of 18.3915 ha. for construction of & laying of 220 KV double circuit Transmission line by making LILO on 220 KV Uran Apta line No. 4 At tower location No. 30 to substation at Sez area of Raigad District in the State of Maharashtra under Section - 2 of the Forest (Conservation) Act, 1980. The details of the forest land proposed for diversion is as under :-

Name of Component	Name of Village	Name of Taluka	Forest Land Required				Legal Status
			Sur/Gut No.	Length x Width (m)	Area		
					Sqm.	Ha.	
LILO on Existing 220 KV D/C Uran Apta TR. Line proposed 220 KV TR. Line at Sai Village	Ransai	Uran	53	356.84	12489.40	1.2489	Private Forest (deemed RF)
			8	25.00	437.50	0.0438	
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	Dolghar	Panvel	80 (Old 70)	362.32	12681.20	1.2681	Finally Acquired Private Forest (deemed RF)
			81 (Old 71)	4.12	144.20	0.0144	
			77 (Old 67)	14.11	493.85	0.0494	
			Total				
	Total area to be required for the Project						18.3915

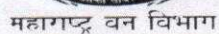
*Specific recommendation of Principal Chief Conservator of Forests (HoFF) MS Nagpur is attached on page no. 13A.*

Date : 12/10/2020

Place : Nagpur

  
(Sanjeev Gaur)

Additional Principal Chief Conservator of Forests  
& Nodal Officer



**Certified by ISO  
9001:2015**

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

**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) 2556916, Fax no. (0712) 2550675

**E-mail-** [apccfnodal@mahaforest.gov.in](mailto:apccfnodal@mahaforest.gov.in) **Website:** [www.mahaforest.gov.in](http://www.mahaforest.gov.in)

**Sub.:-** Diversion of 18.3915 ha. for construction of & laying of 220 KV double circuit Transmission line by making LILO on 220 KV Uran Apta line No. 4 At tower location No. 30 to substation at Sez area of Raigad District in the State of Maharashtra.

No. : Desk-17/NC/II/ID 12795/(71)/ 602 /2020-21  
Nagpur - 440 001, Dated: 12/10/2020

To,

The Principal Secretary (Forests),  
Revenue & Forest Department  
Mantralaya Mumbai -32

**Ref:-** Chief Conservator of Forests, (T) ,Thane letter No Desk-10/FCA/CR-03/20-21/OW-36/2020-21, dated 21/05/2020

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2. The User Agency has highlighted that, "Construction of 220 KV D/C transmission line by making LILO on 220KV Uran-Apta line No.04 at tower location No.30 to substation at SEZ area bearing survey Numbers 143,142 & 144 at Sai village, Tal-Panvel, Dist-Raigad is proposed to feed the SEZ area bearing survey No. 143,142 & 144 at Sai village. The SEZ is notified by department of Commerce, Ministry of Commerce & Industries, GOI under subsection (8) of section 3 of the SEZ Act 2005 vide Gazette Notification No. GSR SO 1158(E) dated 04/05/2009 GSR SO 757(E) dated 05/04/2010 GSR SO 1800 dated 22/07/2010 and GSR SO 2439 dated 27/10/2011 for 57.045 hectares.

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- 4.1 No suitable alternate non forest land is available for the proposed project and demand for the forest land is minimum.
- 4.2 Three alternate alignment has been examined and alignment No 1 is selected due to minimum forest land and doesn't involve in ESZ area.
- 4.3 Provisions of the Forest (Conservation) Act, 1980 and guidelines, under it, have not been violated by user agency.
- 4.4 Deputy Conservator of Forests, Alibag has submitted Site Inspection Report dated 17/03/2020.
- 4.5 Deputy Conservator of Forests, Pune has certified that degraded forest land admeasuring 41.00 ha out of 92.72 ha of Gut No 378 at village-Khorodi, Tal-Daund, Distt-Pune has been identified for compensatory afforestation and it is free from encroachment and any encumbrances. CA scheme for 10 years submitted.

4.6 **Wildlife Certificate**

The proposed area is not included in the area of any National Park/Wildlife Sanctuary or Nature reserve.

The proposed area is beyond Karnala Bird Sanctuary and not included in ESZ or Karnala Bird Sanctuary. The distance from Karnala Bird Sanctuary is about 0.84 Km. The proposed alignment of project is outside to ESZ of Karnala Bird Sanctuary.

- 4.7 The proposed area is not likely to affect any monument site of cultural, historical religious, archeological or recreational importance
- 4.8 The non forest land covered under the project is not under the provision of Maharashtra Private forest (Acquisition) Act 1975 by virtue of application of section 35 of Indian Forest 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 under interim judgment of the Hon'ble Supreme Court dated 12/12/1996.
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- 5.4 Certificate by project authority regarding non-indemnity to forest department
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7. The Chief Conservator of Forests (T) Thane has recommended the proposal. As this project is essential for infrastructure development & for public utility project .
8. **In view of this, the proposal is recommended for approval under section - 2 (ii) of the Forest (Conservation) Act, 1980 subject to the following conditions :-**
  - 8.1 The legal status of the land required will remain unchanged
  - 8.2 Compensatory afforestation will be raised at the cost of the user agency on 41.00 ha degraded forest land of Gut No 378 at village-Khorodi, Tal-Daund, Distt-Pune. As per GOI guidelines dated 08/11/2017 at least 1000 plants per ha. to be planted on degraded forest land identified for compensatory afforestation
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  - 8.7 The user agency in consultation with the State Government shall create and maintain an alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project. Bird's nest 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.
  - 8.8 The user agency should submit the complete compliance of FRA-2006 at the earliest or along with compliance of Stage-I approval.
  - 8.9 The User Agency in consultation with the State Forest Department prepare a detailed scheme for creation and maintenance of plantation of dwarf species (preferably medicinal plant) in right of way under the transmission line for execution of the said scheme to the State Forest Department.
  - 8.10 The User Agency at its cost shall provide bird deflectors, which are to be fixed on upper conductor of transmission line at suitable intervals to avoid bird hits.

- 8.11 The User Agency shall comply with the guidelines for laying transmission lines through forest areas issued by Ministry vide letter No 7-25/2012-FC dated 05/05/2014 and 19/11/2014.
- 8.12 The user agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.
- 8.13 The layout plan of the proposal shall not be changed without prior approval of Central Government.
- 8.14 No labour camps shall be established on forest land.
- 8.15 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.
- 8.16 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.
- 8.17 No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- 8.18 The forest land shall not be used for any purpose other than that specified in the project proposal.
- 8.19 The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt of India.
- 8.20 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 Guideline No F No 11-42/2017-FC dated 29/01/2018.
- 8.21 All necessary approvals required for the project as per prevailing laws of the land would be obtained by the user agency before statutory sanction.
- 8.22 All other conditions as may be mandatory under relevant Acts, rules and guidelines shall be complied with by the user agency.
- 8.23 Any other condition that the Ministry of Environment, Forest & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & Wildlife.

9. It is therefore requested that the Government of Maharashtra may kindly be moved to approve the diversion of 18.3915 ha. in favour of Laxmipati Balaji Supply Chain Management Limited, FTWZ at Sai, Tal-Panvel, Distt-Raigad for construction of & laying of 220 KV double circuit Transmission line by making LILO on 220 KV Uran Apta line No. 4 At tower location No. 30 to substation at SEZ area of Raigad District in the State of Maharashtra under section 2 (ii) of the Forest (Conservation) Act, 1980.

Encls : As above

(Sanjeev Gaur)  
Additional Principal Chief Conservator of Forests  
& Nodal Officer

04/10/2020

S.D. Wadhwa  
T/10/2020

Copy forwarded to Chief Conservator of Forests (T), Thane

Copy forwarded to Deputy Conservator of Forests, Alibag

Copy forwarded to Vice President (Operation), Laxmipati Balaji Supply Chain Management Limited, FTWZ at Sai, Tal-Panvel, Distt-Raigad