

**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 12.0225 ha. Protected Forest/Reserved Forest land under section-2 of the Forest (Conservation) Act, 1980 for construction and laying of 220 KV LILO M/C Transmission line on 220 K.V Padghe-Wada and Kolshet-Wada transmission line for 400 KV Kudus Sub-Station passing through Thane District in the State of Maharashtra (FP/MH/TRANS/48241/2020). The details of land proposed for diversion is as under-

Sr. No	Item work purpose	District	Taluka	Name of Village	Compt. No.	Survey / Gut No.	Length & Width	Area (in ha)	Legal Status
1	construction and laying of 220 KV LILO M/C Transmission line for 400 KV Kudus Sub-Station passing through Thane District in the State of Maharashtra	Thane	Bhiwandi	Eaksal	1012	78	1767 x 35	6.1845	Reserved Forest
2				Chinchavali	--	7, Gut No. 51	87 x 35	0.3045	Protected Forest
					--	8, Gut No.52	13 x 35	0.0455	
3				Kunde	--	292/26	28 x 35	0.098	Protected Forest
					--	292/1	202 x 35	0.707	
					--	293/3	53 x 35	0.1855	
					--	293/2	301 x 35	1.0535	
					--	293/1	98 x 35	0.343	
					--	54 PART	205 x 35	0.7175	
4				Dighashi	--	211/4A	367 x 35	1.2845	Reserved Forest
					1013	215	314 x 35	1.099	
Total Forest Land (in ha.)								12.0225	

*Specific recommendation of Principal Chief Conservator of Forests (HoFF) Maharashtra State, Nagpur is attached on page no.*



**(Naresh Zurmure)  
Additional Principal Chief Conservator of Forests  
& Nodal Officer**

Date: 12/09/2021  
Place: Nagpur



**Proposal for diversion of 12.0225 ha. Protected Forest/Reserved Forest land under section-2 of the Forest (Conservation) Act, 1980 for construction and laying of 220 KV LILO M/C Transmission line on 220 K.V Padghe-Wada and Kolshet-Wada transmission line for 400 KV Kudus Sub-Station passing through Thane District in the State of Maharashtra (FP/MH/TRANS/48241/2020).**

**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.**

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- 1) Proposal is for diversion of 12.0225 ha. Protected Forest/Reserved Forest land under section-2 of the Forest (Conservation) Act, 1980 for construction and laying of 220 KV LILO M/C Transmission line on 220 K.V Padghe-Wada and Kolshet-Wada transmission line for 400 KV Kudus Sub-Station passing through Thane District in the State of Maharashtra (FP/MH/TRANS/48241/2020) has been initiated by the Executive Engineer, EHV Project Division, Kalyan for seeking approval under Forest (Conservation) Act, 1980.
- 2) The construction and laying of 220 KV M/C transmission line from Villages of Thane District. The proposal under Forest (Conservation) Act, 1980 is being submitted for the approval of the Central Government from Diversion of 12.0225 ha. Forest land in Village Eaksal, Kusapur, Chinchawali, Kunde & Dighashi, Dist. Thane, the proposed project is for the construction and laying of 220 KV M/C LILO Padghe-Wada & Kolshet-Wada transmission line for 400 KV Kudus Sub-Station. The 400 KV Kudus Sub-station is connected with Central utility power supply with their existing 220 Kv lines. In order to meet present and future power demand of Mumbai, Mumbai-Suburban areas, Thane urban and Thane rural, areas under Palghar district etc. i.e. strengthening of power supply in Mumbai region which is commercial capital of India. Further, in present scenario there is heavy load shedding due to lack of power supply, hence for avoiding the load shedding of power, Maharashtra State Electricity Transmission Company Limited has sanctioned plans to construct and operate 220 KV M/C LILO on Padghe-Wada & Kolshet-Wada transmission line for 400 Kv Kudus Sub-Station. This transmission line belt is very essential in to construct and operate 220 KV M/C LILO on Padghe-Wada & Kolshet-Wada transmission line for 400 KV Kudus Sub-Station for zero load shedding to be implemented w.e.f. 2021 and for industrial growth of Mumbai, Thane & Palghar District for future upcoming Central and Maharashtra Government projects. The following benefits of the project :-
  - Strong and reliable source of 400 KV source will be made available for Mumbai and Suburban areas.
  - Strengthening of Power Supply of commercial capital of India by providing continuous and reliable power supply.
  - It helps to meet the concept of zero load shedding of Maharashtra.
  - 24 x 7 availability of Power Supply/ Electricity.
  - For providing of continuous power supply to all industries and farmers hence enhancing the GDP of Maharashtra.



- It provides stability to voltage of Mumbai regions.

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

Sr. No	Item work purpose	District	Taluka	Name of Village	Compt. No.	Survey / Gut No.	Length & Width	Area (in ha)	Legal Status	
1	construction and laying of 220 KV LILO M/C Transmission line for 400 KV Kudus Sub-Station passing through Thane District in the State of Maharashtra	Thane	Bhiwandi	Eaksal	1012	78	1767 x 35	6.1845	Reserved Forest	
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4				Dighashi	--	1013	215	314 x 35	1.099	Reserved Forest
Total Forest Land (in ha.)								12.0225		

- 4) The copy of the Administrative approval accorded by the Chief Engineer, EHV, PC (O & M) Zone, Vashi letter No. 112/26, dated 17/11/2016.
- 5) The Cross Section Map is enclosed on page No.73A.
- 6) The total non forest involved in project is 14.2695 ha.
- 7) The site inspection report of the Deputy Conservator of Forests, Thane Forest Division, Thane is enclosed on page no.23 to 25.
- 8) No alternate alignment is possible and the forest land required is barest minimum.
- 9) The area belongs to Eco-value class-I having density is below 0.4 (Open Forest).
- 10) There are 669 trees of various species and trees is involved in implementation of the Project. The Girth wise break up is as under:-

Tree Girth in Cm									
0-30	31-45	46-60	61-75	76-90	91-105	106-120	121-135	136 Above	Total
254	161	92	56	41	14	10	8	33	669

- 11) The area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc.



- 12) Proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance.
- 13) There is violation of Forest (Conservation) Act 1980. The total area has been violated by the user Agency is 0.041476 ha. the detail violation report is enclosed on page no. 72 to 77 A
- 14) Proposed project is 4.300 Km distance from Tansa Wildlife Sanctuary nearest forest area at Village Eksal. The Tansa Wildlife Sanctuary notified accorded by the Government of India Gazette dated 10/08/2017. The Gazette notification is enclosed herewith file page no.
- 15) Proposed Compensatory Afforestation over 25.00 ha. degraded Forest land as Reserved Forest in Compartment No.394E, 545, Survey/ Gut No.288 and 58, at Village Palsa, Shikara, Tal. Mukhed, Hadgaon Dist.Nanded it is contiguous, suitable for afforestation and management purpose and it is free from encroachment and an encumbrances.
- 16) The non-forest area 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 appointed under interim judgment of the Hon'ble Supreme Court dated 12/12/1996.
- 17) All other alternates for the purpose have been examined in details and have come to conclusion that the proposed alignment is the most suitable.
- 18) The User Agency has submitted an undertaking to defray the cost of Net Present Value
- 19) The User Agency has submitted an undertaking to defray the cost of Compensatory Afforestation.
- 20) The User Agency has submitted 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 as per Government of India vide letter No.11-43/2013-FC, dt.3/12/2018.
- 21) The Deputy Conservator of Forests, Thane Forest Division, Thane and Chief Conservator of Forest (T), Thane have recommended the proposal for diversion of 12.0225 ha. of Protected Forest and Reserved forest land.

**2.00 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: –**

- 2.1 Legal status of the forest land shall remain unchanged.
- 2.2 Forest land will be handed over only after required non-forest land for the project is handed over to the user agency.
- 2.3 **Compensatory afforestation**
  - a) Compensatory afforestation shall be taken up by the Forest Department over 25.00 ha. degraded Forest land as Reserved Forest in Compartment No.394E, 545, Survey/ Gut No.288 and 58, at Village Palsa, Shikara, Tal. Mukhed, Dist.Nanded 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.
- 2.4 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.

## **2.5. NPV:-**

- a) The State Government shall charge the Net Present Value (NPV) for the 12.0225 ha forest area to be diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 30/10/2002, 01/08/2003, 28/03/2008, 24/04/2008 and 09/05/2008 in IA No. 566 in WP (C) No. 202/1995 and as per the guidelines issued by the Ministry vide letters No. 5-1/1998-FC (Pt.II) dated 18/09/2003, as well as letter No. 5-2/2006-FC dated 03/10/2006 and 5-3/2007-FC dated 05/02/2009 and File No.5-3/2011-FC(Vol-I), Dated 06/01/2022 in this regard.
  - 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.
- 2.6 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.
  - 2.7 All the funds received from the user agency under the project shall be transferred/ deposited to CAMPA fund only through e-portal.
  - 2.8 The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
  - 2.9 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 plants) in right of way under the transmission line for execution of the said scheme to the State Forest Department.
  - 2.10 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.
  - 2.11 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 & 19/11/2014.
  - 2.12 User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.
  - 2.13 The layout plan of the proposal shall not be changed without prior approval of Central Government.
  - 2.14 No labour camp shall be established on the forest land.
  - 2.15 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.
  - 2.16 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.
  - 2.17 No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
  - 2.18 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.
  - 2.19 The forest land shall not be used for any purpose other than that specified in the project proposal.
  - 2.20 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.



- 2.21 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 F. No. 11-42/2017-FC dt 29/01/2018.
- 2.22 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.
- 2.23 The compliance report shall be uploaded on *e-portal* (<https://parivesh.nic.in/>).

  
(Dr. Y.L.P Rao)

**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

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No. : Desk-17/Nodal/Thane /I.D-13203 (78)/1441/2022-23  
Nagpur – 440 001, Dated 12/09/2022

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

The Executive Engineer, EHV Project Division, Kalyan has submitted proposal for diversion of 12.0225 ha. Protected Forest/Reserved Forest land under section-2 of the Forest (Conservation) Act, 1980 for construction and laying of 220 KV LILO M/C Transmission line on 220 K.V Padghe-Wada and Kolshet-Wada transmission line for 400 KV Kudus Sub-Station passing through Thane District in the State of Maharashtra. The details of forest land proposed for diversion is as given below: -

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- It helps to meet the concept of zero load shedding of Maharashtra.
- 24 x 7 availability of Power Supply/ Electricity.
- For providing of continuous power supply to all industries and farmers hence enhancing the GDP of Maharashtra.
- It provides stability to voltage of Mumbai regions.

3) 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 three copies.

3.1 Prescribed form dated 10/01/2003.

3.2 Certificate regarding minimum demand of forest land for the project,

3.3 Area Statement,

3.4 Index map in suitable scale,

4) The copy of the Administrative approval accorded by the Chief Engineer, EHV, PC (O & M) Zone, Vashi letter No. 112/26, dated 17/11/2016.

5) The Cross Section Map is enclosed on page No.73A.

6) The total non forest involved in project is 14.2695 ha.

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**2.00 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: –**

- 2.1 Legal status of the forest land shall remain unchanged.
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### **2.3 Compensatory afforestation**

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**2.5. NPV:-**

- a) The State Government shall charge the Net Present Value (NPV) for the 12.0225 ha forest area to be diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 30/10/2002, 01/08/2003, 28/03/2008, 24/04/2008 and 09/05/2008 in IA No. 566 in WP (C) No. 202/1995 and as per the guidelines issued by the Ministry vide letters No. 5-1/1998-FC (Pt.II) dated 18/09/2003, as well as letter No. 5-2/2006-FC dated 03/10/2006 and 5-3/2007-FC dated 05/02/2009 and File No.5-3/2011-FC(Vol-I), Dated 06/01/2022 in this regard.
- 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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- 2.17 No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- 2.18 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.



- 2.19 The forest land shall not be used for any purpose other than that specified in the project proposal.
- 2.20 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.
- 2.21 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 F. No. 11-42/2017-FC dt 29/01/2018.
- 2.22 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.

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

8.00 It is therefore, requested that Government of Maharashtra may kindly be moved for approving the proposal for diversion of 12.0225 ha. Protected Forest/Reserved Forest land under section-2 of the Forest (Conservation) Act, 1980 for construction and laying of 220 KV LILO M/C Transmission line on 220 K.V Padghe-Wada and Kolshet-Wada transmission line for 400 KV Kudus Sub-Station passing through Thane District in the State of Maharashtra under section 2 (ii) of the Forest (Conservation) Act, 1980.

Encl. :- Proposal 2 copies

(Naresh Zurmure)

**Addl. Principal Chief Conservator of Forests  
& Nodal Officer**

Copy to the Chief Conservator of Forest (T), Thane for information.

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

Copy to the Executive Engineer, EHV Project Division, Kalyan for information