

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.:- Diversion of 1.8947 ha of reserved forest, protected forest, private forest restored to owner for laying of 220 KV Nagothane (Kansai) substation to existing old 220 KV (Velshet) transmission line in Raigad district.

Specific recommendation of Principal Chief Conservator of Forests (HoFF) MS Nagpur is attached on page no. 7A.

Went
3/12/15

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

Date:

Place: Nagpur

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

Additional Principal Chief Conservator of Forests & Nodal Officer, M. S. Nagpur
1st floor, B wing, Vanbhavan, Civil Line, Nagpur-440001
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Sub.:- Diversion of 1.8947 ha of reserved forest, protected forest, private forest restored to owner for laying of 220 KV Nagothane (Kansai) substation to existing old 220 KV (Velshet) transmission line in Raigad district of Maharashtra.

No. : Desk-17/NC/II/ID 12414/(58)/ 1622 /15-16
Nagpur – 440 001, Dated: 08/12/2015

To
Addl. Principal Chief Conservator of Forests (Central),
Government of India, Ministry of Environment, Forests & Climate Change,
Regional Office (WCZ), Ground Floor, East Wing,
New Secretariat Building, Civil Lines,
Nagpur 440001 ,

Sir,

The Executive Engineer, EHV, Construction Division, Kalwa at Airoli, Thane has submitted a proposal of 1.8947 ha of reserved forest, protected forest, private forest restored to owner for laying of 220 KV Nagothane (Kansai) substation to existing old 220 KV (Velshet) transmission line in Raigad district. The details of land proposed for diversion is as under-

Name of Village	Taluka and Dist	Location		Legal status /Area		
		Gut No	Survey No	RF (ha)	PF (ha)	Restored to owner (ha)
Kansai	Tal. Roha, Dist Raigad	52	23	-	-	0.2213 ✓
		78	25/10	0.2004 ✓	-	-
Godsai		246	11pt	0.3365 ✓	-	-
		246	11pt	0.0653 ✓	-	-
Patansai		87,88, 91	43/2b,43/2d, 43/2a	-	-	0.5486 ✓
		-	22,71,72.	0.1706 ✓	-	-
Nagothane		-	72pt	0.3333 ✓	-	-
Varvatane		158	-	-	0.0187 ✓	-
Total area (1.8947 ha.) ✓				1.1061 ✓	0.0187 ✓	0.7699 ✓

The project is approved by Maharashtra State Electricity Transmission Co. Ltd, vide their letter No. MSETCL/CO/P & D/S & C/JSW (ARCL) 12510, dated 23/09/2013. Total non forest land involved in this project is 21.4992 ha.✓

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

1. Prescribed form dated 10/01/2003. ✓
2. The Deputy Conservator of Forests, Alibag has certified that no alternate alignment is possible and the forest land required is the barest minimum.
3. No felling of trees is involved in implementation of the project.
4. There is a violation of Forest (Conservation) Act 1980 as certified by the Deputy Conservator of Forests, Alibag. User Agency has erected two pole (area 0.0450 ha) with transmission line (0.1779 ha) total forest land used by agency is 0.2229ha.✓ in the year 2006. This is a case of mistake of fact.✓ The land in question was presumed as non forest land and hence the work was done on non forest land as well as private forest land. Detailed violation note is enclosed in the proposal on page no. 14A.✓
5. The forest area proposed for diversion belongs to eco-value class I and open forest.
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 Deputy Conservator of Forests, Alibag has certified that proposed project is not likely to affect any monuments site of cultural, historical, religious, archeological or recreational importance.✓
8. The User Agency has fulfilled the compliance under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Rights) Act 2006.✓
9. The proposed project is beyond 10 km from the boundary of protected area as certified by Deputy Conservator of Forests, Alibag.✓
10. The Deputy Conservator of Forests, Alibag has proposed double degraded forest area 4.00 ha from reserved forest comppt. No. 653 (Gut No. 23) of village Vandrosht, Tal. Sudhagad, Dist. Raigad. The Deputy Conservator of Forests has certified that it is suitable for afforestation & management purpose and also free from encroachment and other encumbrances.✓
11. The Deputy Conservator of Forests, Alibag has certified that the private area / non forest area which is to be acquired for the project is neither deemed Reserve Forest under the Maharashtra Private Forests (Acquisition) Act, 1975 nor it has been identified as "Forests" as envisaged in the interim order given by the Honorable Supreme Court dated 12/12/1996.✓
12. Three alternatives have been explored by the User Agency and the proposed alignment involves least forest area.✓
13. The Chief Conservator of Forests (T) Thane and Deputy Conservator of Forests, Alibag have recommended the proposal for 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 User Agency on double degraded forest land made available by the Forest Department.
- iii. Penal compensatory afforestation will be raised at the cost of the User Agency on 0.50 Ha. of degraded forest land made available by the Forest Department.
- iv. The forest land shall not be used for any purpose other than specified in the project.
- v. The User Agency will defray the cost of Net Present Value of 1.8947 Ha. of forest land as per the latest guideline of Government of India.
- vi. The User Agency will defray the additional/ revised cost of Net Present Value of forest land as per the latest Guideline of Government of India.
- vii. All conditions as stipulated in the latest version of Annexure V of Guideline shall be strictly followed.
- viii. The User Agency shall compensate the private owner of forest lands in accordance with the prevalent laws, rules and guidelines.
- ix. Provisions of all Acts, Rules made thereunder and guidelines applicable to the project shall have to be strictly followed.

It is therefore requested that the Government of India may kindly be moved for diversion of 1.8947 ha forest land for laying of 220 KV Nagothane (Kansai) substation to existing old 220 KV (Velshet) transmission line in Raigad district under section 2(ii) of the Forest (Conservation) Act, 1980.

Encl.:- As above

Yours faithfully,

Handwritten signature and date 3/12/15
Additional Principal Chief Conservator of Forests
& Nodal Officer, Maharashtra State, Nagpur

Handwritten initials and date 3.12.15
Copy to Secretary (Forests), Revenue and Forests Department, Mantralaya, Mumbai for *Deaply 03/12/201* information along with a copy of the proposal.

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

Copy to Deputy Conservator of Forests, Alibag for information.

Copy to Executive Engineer, EHV, Construction Division, Kalwa at Airoli, Thane for information.

220 KV Nagothane (Kansai) to Velshet Transmission Line (Dolvi)
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.

- 1) The proposal is for diversion of 1.8947 ha of reserved forest, protected forest, private forest restored to owner for laying of 220 KV Nagothane (Kansai) substation to existing old 220 KV (Velshet) transmission line in Raigad district. The details of land proposed for diversion is as under-

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		78	25/10	0.2004	-	-
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		246	11pt	0.0653	-	-
Patansai		87,88, 91	43/2b,43/2d, 43/2a	-	-	0.5486
		-	22,71,72.	0.1706	-	-
Nagothane		-	72pt	0.3333	-	-
Varvatane		158	-	-	0.0187	-
Total area (1.8947 ha.)				1.1061	0.0187	0.7699

The project has been initiated by Executive Engineer, EHV, Construction Division, Kalwa at Airoli, Thane for laying of 220 KV Nagothane (Kansai) substation to existing old 220 KV line (Velshet) transmission line in Raigad district. The project is approved by Maharashtra State Electricity Transmission Co. Ltd, vide their letter No. MSETCL/CO/P & D/S & C/JSW (ARCL) 12510, dated 23/09/2013. Total non forest land involved in this project is 21.4992 ha.

- 2) The Deputy Conservator of Forests, Alibag has certified that no alternate alignment is possible and the forest land required is the barest minimum.
- 3) No felling of trees is involved in implementation of the project.
- 4) There is a violation of Forest (Conservation) Act 1980 as certified by the Deputy Conservator of Forests, Alibag. User Agency has erected two pole (area 0.0450 ha) with transmission line (0.1779 ha) total forest land used by agency is 0.2229ha. in the year 2006. This is a case of mistake of fact. The land in question was presumed as non forest land and hence the work was done on non forest land as well as private forest land. Detailed violation note is enclosed in the proposal on page no. 14A.
- 5) The forest area proposed for diversion belongs to eco-value class I and open forest.
- 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 Deputy Conservator of Forests, Alibag has certified that proposed project is not likely to affect any monuments site of cultural, historical, religious, archeological or recreational importance.
- 8) The User Agency has fulfilled the compliance under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Rights) Act 2006.

- 9) The proposed project is beyond 10 km from the boundary of protected area as certified by Deputy Conservator of Forests, Alibag.
- 10) The Deputy Conservator of Forests, Alibag has proposed double degraded forest area 4.00 ha from reserved forest comp. No. 653 (Gut No. 23) of village Vandroshi, Tal. Sudhagad, Dist. Raigad. The Deputy Conservator of Forests has certified that it is suitable for afforestation & management purpose and also free from encroachment and other encumbrances.
- 11) The Deputy Conservator of Forests, Alibag has certified that the private area / non forest area which is to be acquired for the project is neither deemed Reserve Forest under the Maharashtra Private Forests (Acquisition) Act, 1975 nor it has been identified as "Forests" as envisaged in the interim order given by the Honorable Supreme Court dated 12/12/1996.
- 12) Three alternatives have been explored by the User Agency and the proposed alignment involves least forest area.
- 13) The Chief Conservator of Forests (T) Thane and Deputy Conservator of Forests, Alibag have recommended the proposal for 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 -

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