

**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 6.0760 ha. Reserved Forest Land for laying of 220 KV Kalmeshwar Substation to 220 KV Warud substation Transmission line in Nagpur District in the State of Maharashtra (FP/MH/TRANS/38296/2019).. The details of land proposed for diversion is as under-

Sr. No	Item work purpose	Range	Village Name	Taluka	Survey No.	Length x Width (in Mtrs)	Area (in ha.)	Legal Status
1.	Proposal for diversion of 6.0760 ha. Forest Land for laying of 220 KV Kalmeshwar-substation to 220 KV Warud substation Transmission line in Nagpur District in the State of Maharashtra (FP/MH/TRANS/38296/2019)	Katol	Tarabodi	Katol	88	33 x 35	0.1155	Reserve Forest
2					64	92 x 35	0.3220	
3		Katol	Pardi	Katol	74	153 x 35	0.5355	
4		Katol	Borodoh	Katol	34	28 x 35	0.0980	
5		Katol	Bhajipani	Katol	48	37 x 35	0.1295	
5		6			21 x 35	0.0735		
5		7			19 x 35	0.0665		
5		16			143 x 35	0.5005		
6		21	135 x 35	0.4725				
6		Katol	Dongargaon	Katol	126	68 x 35	0.2380	
6		116			75 x 35	0.2625		
6		89			16 x 35	0.0560		
6		70			106 x 35	0.3710		
6		70			75 x 35	0.2625		
6	70	87 x 35			0.3045			
6	70	132 x 35			0.4620			
7	Katol	SalaiRithi	Katol	63	146 x 35	0.5110		
8	28	231 x 35	0.8085					
8	Katol	Karla	Katol	68	55 x 35	0.1925		
8				63	84 x 35	0.2940		
<b>Total Forest Land (in ha.)</b>							<b>6.0760</b>	

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

*(Signature)*  
15/10/21

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

Date: 15/10/2021  
Place: Nagpur

**Proposal for diversion of 6.0760 ha. Forest Land for laying of 220 KV Kalmeshwar-substation to 220 KV Warud substation Transmission line in Nagpur District in the State of Maharashtra (FP/MH/TRANS/38296/2019).**

**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.**

The Proposal is for diversion of 6.0760 ha. Reserved Forest Land for laying of 220 KV Kalmeshwar Substation to 220 KV Warud substation Transmission line in Nagpur District in the State of Maharashtra Maharashtra (FP/MH/TRANS/38296/2019).

2.00 The proposal has been initiated by the Executive Engineer, EHV Project Division, MSETCL, Amravati for seeking approval under Forest (Conservation) Act, 1980. This is Extra High Voltage electricity transmission line project transmitting power in Amravati district from 220 KV Kalmeshwar substation to 220 KV Warud Substation. This project will meet power demands of people of taluka Warud of district Amravati . Due to this line, voltage up gradation is said area will satisfy power need for industrial residential and agricultural area. The project is administratively approved by Maharashtra State Electricity Transmission Co. Ltd vide letter No. MSETCL/Resolution No. 34/2, dated 18/10/2008. The route for this transmission line is as proposed by Executive Engineer, EHV Project Division, MSETCL, Amravati. The route of transmission line connecting 220 KV Kalmeshwar substation to 220 KV Warud Substation is technically surveyed and approved in the year 2009-10, 2010-11, 2011-12. The transmission line is passing through the forest area hence, the User Agency has submitted the proposal under FCA 1980.

The total route length of the transmission line is 70 Kms. The total non forest land involved in this project is **226.1805** ha. The site inspection report of the Dy. Conservator of Forests (T) , Nagpur is enclosed on page no. 19 to 20.

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

Sr. No	Item work purpose	Range	Village Name	Taluka	Survey No.	Lengt x Width (in Mtrs)	Area (in ha.)	Legal Status	
1.	Proposal for diversion of 6.0760 ha. Forest Land for laying of 220 KV Kalmeshwar-substation to 220 KV Warud substation	Katol	Tarabodi	Katol	88	33 x 35	0.1155	Reserve Forest	
2					64	92 x 35	0.3220		
3		Katol	Pardi	Katol	74	153 x 35	0.5355		
4		Katol	Borodoh	Katol	34	28 x 35	0.0980		
5		Katol	Bhajipani	Katol	48	37 x 35	0.1295		
6					6	21 x 35	0.0735		
7					7	19 x 35	0.0665		
8					16	143 x 35	0.5005		
9		Transmission line in Nagpur District in the State of Maharashtra (FP/MH/TRANS/38296/2019)	Katol	Dongargaon	Katol	21	135 x 35		0.4725
10						126	68 x 35		0.2380
11	116					75 x 35	0.2625		
12	89					16 x 35	0.0560		
13	70					106 x 35	0.3710		
14	70					75 x 35	0.2625		
15	70	87 x 35	0.3045						

				70	132 x 35	0.4620	
7		Katol	SalaiRithi	Katol	63	146 x 35	0.5110
					28	231 x 35	0.8085
8		Katol	Karla	Katol	68	55 x 35	0.1925
					63	84 x 35	0.2940
<b>Total Forest Land (in ha.)</b>						<b>6.0760</b>	

**4.00 The Deputy Conservator of Forests, Nagpur Forest Division, Nagpur has certified that :-**

- 4.1 No suitable alternate land is available and the forest land required is barest minimum.  
 4.2 The area belongs to Eco-value class-III having density is below 0.4 (Southern tropical dry deciduous forest ).  
 4.3 There are 265 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.						
00-30 cm	31-60 cm	61-90 cm	91-120 cm	121 -150 cm	150 Above cm	Total
43	128	61	14	11	8	265

- 4.4 The area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc.  
 4.5 Proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance.  
 4.6 **There is violation of Forest (Conservation) Act 1980 is done by User Agency. The Violation report is enclosed.**  
 4.7 The proposed area for the project is beyond 10 kms from the boundary of the protected area (Sanctuary and National Park).  
 4.8 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.  
 4.9 Compensatory Afforestation over 12.50 ha. degraded forest land in Compartment No.251, Gut No.328 Beat-Rampur, Round-Koli, Range -Ghatanji (T) at Village Kurhad, District-Yavatmal and it is contiguous, suitable for Afforestation and management purpose also and it is free from encroachment and an encumbrances.  
 4.10 Three alternative alignment were checked rest of which this is the best alternative alignment to avoid or minimize use of forest land and the required forest area is minimum needed for the purpose of proposed project.

**5.00 The User Agency has submitted an undertaking that:-**

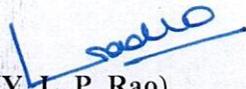
- 5.1 To defray the cost of compensatory afforestation  
 5.2 To defray the cost of Net Present Value of the forest land proposed under diversion  
 5.3 Government of India vide letter No.11-43/2013-FC, dt.3/12/2018 has issued guidelines regarding compliance of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forests Right) Act, 2006. As per these guidelines:-

*'Accordingly, it is clarified that within the time period stipulated for compliance of Stage I condition, Deputy Commissioner shall complete the process of compliance of FRA (including forwarding its findings to be concerned CF), hence for the purpose of the MoEF & CC, as per the provisions under the Forest (Conservation) amendment rules, 2016 the compliance under FRA is not required for consideration of in-principle approval. This has to be furnished by the State Government for consideration of the proposal by the Ministry for final approval'.*

Hence, the user agency has given 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.

- 6.0 The Deputy Conservator of Forests, Nagpur Forest Division, Nagpur and the Conservator of Forests (T), Nagpur has recommended the proposal for diversion of 6.0760 ha. of Reserved Forest land.
- 7.00 **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: –**
- 7.1 The legal status of the forest land required will remain unchanged.
- 7.2 Forest land will be handed over only after required non-forest land for the project is handed over to the User Agency.
- 7.3 **Compensatory Afforestation:-**
- a) Compensatory Afforestation shall be taken up by the Forest Department over 12.50 ha. degraded forest land in Compartment No.251, Gut No.328 Beat-Rampur, Round-Koli, Range –Ghatanji (T) at Village Kurhad, District-Yavatmal 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.
- 7.4 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.
- 7.5 **NPV:-**
- a) The State Government shall charge the Net Present Value (NPV) for the 6.0760 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 5-3/2011-FC(Vol-1) dtd.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.

- 7.6 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.
- 7.7 All the funds received from the user agency under the project shall be transferred/deposited to CAMPA fund only through e-portal (<http://parivesh.nic.in/>).
- 7.8 The layout plan of the proposal shall not be changed without prior approval of Central Government.
- 7.9 No labour camp shall be established on the forest land.
- 7.10 The user agency shall provide suitable mitigation structures proposed or devised by Wildlife Institute of India, Dehradun are recommended in the corridor patches along with bird reflectors.
- 7.11 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.
- 7.12 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.
- 7.13 No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- 7.14 The forest land shall not be used for any purpose other than that specified in the project proposal.
- 7.15 The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Government of India.
- 7.16 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 Guidelines F.No.11-42/2017-FC, dated 29/01/2018.
- 7.17 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.
- 7.18 The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>)

  
(Y. L. P. Rao)

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



सत्यमेव जयते

महाराष्ट्र शासन

**Office of The Principal Chief Conservator of Forest, (HoFF) Maharashtra State,  
Ramgiri Road, Civil Lines, Nagpur 440 001.**

Office of The Additional Principal Chief Conservator of Forests And Nodal Officer, Maharashtra State,  
Ramgiri Road, Civil Lines, Nagpur 440 001.

0712-2556916

Email: apccfnodal@mahaforest@gov.in

Speed Post/Email

No. Desk-17/Nodal/Nagpur/ID-13174/ 1820/22-23  
Nagpur – 440 001 Dated :- 15 / 10/2022.

To,  
Principal Secretary (Forests),  
Revenue and Forests Department,  
Mantralaya Mumbai-32

**Sub:** Proposal for diversion of 6.0760 ha. Reserved Forest Land for laying of 220 KV Kalmeshwar Substation to 220 KV Warud substation Transmission line in Nagpur District in the State of Maharashtra (FP/MH/TRANS/38296 /2019).

The proposal is for diversion of 6.0760 ha. Reserved Forest Land for laying of 220 KV Kalmeshwar Substation to 220 KV Warud substation Transmission line in Nagpur District in the State of Maharashtra Maharashtra (FP/MH/TRANS/38296/2019) is submitted by Chief Conservator of Forests (T) Nagpur vide letter dated 08/07/2022.

2.00 The proposal has been initiated by the Executive Engineer, EHV Project Division, MSETCL, Amravati for seeking approval under Forest (Conservation) Act, 1980. This is Extra High Voltage electricity transmission line project transmitting power in Amravati district from 220 KV Kalmeshwar substation to 220 KV Warud Substation. This project will meet power demands of people of taluka Warud of district Amravati . Due to this line, voltage up gradation is said area will satisfy power need for industrial residential and agricultural area. The project is administratively approved by Maharashtra State Electricity Transmission Co. Ltd vide letter No. MSETCL/Resolution No. 34/2, dated 18/10/2008. The route for this transmission line is as proposed by Executive Engineer, EHV Project Division, MSETCL, Amravati. The route of transmission line connecting 220 KV Kalmeshwar substation to 220 KV Warud Substation is technically surveyed and approved in the year 2009-10, 2010-11, 2011-12. The transmission line is passing through the forest area hence, the User Agency has submitted the proposal under FCA 1980.

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<b>Total Forest Land (in ha.)</b>							<b>6.0760</b>

**4.00 The Deputy Conservator of Forests, Nagpur Forest Division, Nagpur has certified that :-**

- 4.1 No suitable alternate land is available and the forest land required is barest minimum.
- 4.2 The area belongs to Eco-value class-III having density is below 0.4 (Southern tropical dry deciduous forest ).
- 4.3 There are 265 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.						
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- 4.4 The area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc.
- 4.5 Proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance.
- 4.6 **There is violation of Forest (Conservation) Act 1980 is done by User Agency. The Violation report is enclosed.**
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- 4.10 Three alternative alignment were checked rest of which this is the best alternative alignment to avoid or minimize use of forest land and the required forest area is minimum needed for the purpose of proposed project.
- 5.00 **The User Agency has submitted an undertaking that:-**
  - 5.1 To defray the cost of compensatory afforestation

- 5.2 To defray the cost of Net Present Value of the forest land proposed under diversion
- 5.3 Government of India vide letter No.11-43/2013-FC, dt.3/12/2018 has issued guidelines regarding compliance of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forests Right) Act, 2006. As per these guidelines:-

*'Accordingly, it is clarified that within the time period stipulated for compliance of Stage I condition, Deputy Commissioner shall complete the process of compliance of FRA (including forwarding its findings to be concerned CF), hence for the purpose of the MoEF & CC, as per the provisions under the Forest (Conservation) amendment rules, 2016 the compliance under FRA is not required for consideration of in-principle approval. This has to be furnished by the State Government for consideration of the proposal by the Ministry for final approval'.*

Hence, the user agency has given 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.

- 6.0 The Deputy Conservator of Forests, Nagpur Forest Division, Nagpur and the Conservator of Forests (T), Nagpur has recommended the proposal for diversion of 6.0760 ha. of Reserved Forest land.

**7.00 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: –**

- 7.1 The legal status of the forest land required will remain unchanged.

- 7.2 Forest land will be handed over only after required non-forest land for the project is handed over to the User Agency.

**7.3 Compensatory Afforestation:-**

- b) Compensatory Afforestation shall be taken up by the Forest Department over 12.50 ha. degraded forest land in Compartment No.251, Gut No.328 Beat-Rampur, Round-Koli, Range –Ghatanji (T) at Village Kurhad, District-Yavatmal 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.

- 7.5 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.

**7.5 NPV:-**

- c) The State Government shall charge the Net Present Value (NPV) for the 6.0760 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 5-3/2011-FC(Vol-1) dtd.06.01.2022 in this regard.
- d) 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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- 7.12 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.
- 7.13 No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- 7.14 The forest land shall not be used for any purpose other than that specified in the project proposal.
- 7.15 The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Government of India.
- 7.16 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 Guidelines F.No.11-42/2017-FC, dated 29/01/2018.
- 7.17 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.
- 7.18 The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>)

It is therefore, requested that Government of India may kindly be moved for approving the proposal for diversion of 6.0760 ha. Reserved Forest Land for laying of 220 KV Kalmeshwar Substation to 220 KV Warud substation Transmission line in Nagpur District in the State of Maharashtra (FP/MH/TRANS/38296/2019) under section 2 (ii) of the Forest (Conservation) Act, 1980.

Encl. :- Proposal 2 copies

 15/1/22

(Naresh Zurmure)

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

Copy to the Chief Conservator of Forests (T) Nagpur for information.  
Copy to the Deputy Conservator of Forests (T) Nagpur for information.  
Copy to the Executive Engineer, EHV Project Division, MSETCL, Amravati for information.