

**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 3.064 ha. Protected / Zudpi Forest Land for laying of 220 KV Umred to Nagbhid Extra High Voltage electricity Transmission project in Nagpur-Chandrapur District of the State of Maharashtra line (FP/MH/TRANS/44469/2020).

The details of land proposed for diversion is as under-

Sr. No	Item work purpose	District	Range	Taluka	Village Name	Compt no.	Survey No.	Area (in ha.)	Legal Status	
1	laying of 220 KV Umred to Nagbhid Extra High Voltage	Nagpur	South Umred	Umred	Kalandri		70	0.021	Zudpi Jungle	
					Sonegaon		45	0.045		
2	electricity Transmission line project in Nagpur-Chandrapur District	Chandrapur	Chimur	Chimur	Sathgaon		384	0.025	Protected Forest	
			Nagbhid	Nagbhid	Kanpa		241	0.079		
							242	0.085		
			Nagbhid	Nagbhid	Bikali	498	262	1.465		Protected Forest
						498	278	0.760		
						498	35	0.532		
								296		0.024
				Mohali Mokasa		21	0.027	Protected Forest		
<b>Total Forest Area</b>								<b>3.064</b>		

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

  
15/10/22

**(Naresh Zurmure)**

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

Date: 15 /10/2022

Place: Nagpur

**Proposal for diversion of 3.064 ha. Protected / Zudpi Forest Land for laying of 220 KV Umred to Nagbhid Extra High Voltage electricity Transmission line project in Nagpur-Chandrapur District of the State of Maharashtra (FP/MH/TRANS/44469/2020).**

**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 3.064 ha. Protected / Zudpi Forest Land for laying of 220 KV Umred to Nagbhid Extra High Voltage electricity Transmission line project in Nagpur-Chandrapur District of the State of Maharashtra (FP/MH/TRANS/44469/2020).

2.00 The proposal has been initiated by the Executive Engineer, EHV Project Division, MSETCL, Nagpur for seeking approval under Forest (Conservation) Act, 1980. Looking to the existing condition of power generation units and the preset power requirement in Maharashtra State, the related work are being taken up and MSETCL has decided to improve the supply of power requirement by constructing new power generation units at Koradi, Khaparkheda, Chandrapur, Paras, & Parli in Maharashtra State. To maintain the uninterrupted and reliable power supply, it is decided to interlink these power generation units by laying 400, 200, & 132 KV EHV Transmission line. The project is administratively approved by Maharashtra State Electricity Transmission Co. Ltd vide letter No. MSETCL/Resolution No.116/11, dated 15/05/2017. The route for this transmission line is as proposed by MSETCL, Nagpur. The route of transmission line plans to construct and operate 220 KV D/C Umred to Nagbhid D/C Transmission line to interlink Sub/stn at 200 KV Umred and proposed 220 KV Nagbhid Sub/stn. This transmission line is very essential to construct the said line in view of zero loads shedding to be implemented w.e.f. 2013. 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 51.255 Kms. The total non forest land involved in this project is **176.087** ha. The site inspection report of the Deputy Conservator of Forests (T) Nagpur is enclosed on page no. **43 to 44** and site inspection report of Deputy Conservator of Forests (T) Bramhapuri is enclosed on page no. **64 to 66**.

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

Sr. No	Item work purpose	District	Range	Taluka	Village Name	Compt no.	Survey No.	Area (in ha.)	Legal Status	
1	laying of 220 KV Umred to Nagbhid Extra High Voltage electricity Transmission line project in Nagpur-Chandrapur District	Nagpur	South Umred	Umred	Kalandri		70	0.021	Zudpi Jungle	
					Sonegaon		45	0.045		
2	laying of 220 KV Umred to Nagbhid Extra High Voltage electricity Transmission line project in Nagpur-Chandrapur District	Chandrapur	Nagbhid	Nagbhid	Chimur	Chimur	Sathgaon	384	0.025	Protected Forest
					Kanpa		241	0.079		
							242	0.085		
						498	262	1.465		
					Bikali	498	278	0.760		
						498	35	0.532		
							296	0.024	Zudpi Jungle	
Mohali Mokasa		21	0.027	Protected Forest						
<b>Total Forest Area</b>								<b>3.064</b>		

**4.00 The Deputy Conservator of Forests (T) Nagpur has certified that:-**

- 4.1 No suitable alternate land is available and the forest land required is barest minimum. Page -31
- 4.2 There is no violation of Forest (Conservation) Act 1980. Page-32
- 4.3 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. Page-35
- 4.4 Proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance. Page-36
- 4.5 The area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc. Page-37
- 4.6 There are 10 trees of various species and trees is involved in implementation of the Project. The Girth wise break up is as under:- Page-39 & 46

Tree Girth in Cm.						
00-30 cm	31-60 cm	61-90 cm	91-120 cm	121 -150 cm	150 Above cm	Total
1	1	5	0	2	1	10

- 4.7 Proposed project is within 10 Km from the boundary of Umred Karandla Wildlife Sancturay. Page-40
- 4.9 Three alternative alignment options were there and option 1 is the most feasible and possible to avoid or minimize use of forest land and the required forest area is minimum needed for the purpose of proposed project. Page-41.
- 4.10 The area belongs to Eco-value class-III having density is below 0.4 (Southern tropical dry deciduous forest ). Page-43

**5.00 The Deputy Conservator of Forests (T) Bramhapuri has certified that:-**

- 5.1 No suitable alternate land is available and the forest land required is barest minimum. Page-54.
- 5.2 There is no violation of Forest (Conservation) Act 1980. Page-55.
- 5.3 Suitability Certificate regarding Compensatory Afforestation at Survey no.139 (Comptt. No.849) Area 6.13 ha of Khedmakta, Taluka Bramhapuri, Dist.Chandrapur as degraded protected forest and it is contiguous, suitable for Afforestation and management purpose and it is free from encroachment and an encumbrances. Page-56.
- 5.4 Proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance. Page-58.
- 5.5 The area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc. Page-59.

- 5.6 There are 376 trees of various species and trees is involved in implementation of the Project. The Girth wise break up is as under:- Page-61 & 87-88

Tree Girth in Cm.						
00-30 cm	31-60 cm	61-90 cm	91-120 cm	121 -150 cm	150 Above cm	Total
47	190	72	36	12	19	376

- 5.7 Proposed project is at 2 Km from the boundary of Ghodazari Wildlife Sanctuary. Page-62.
- 5.8 The area belongs to Eco-value class-III having density is below 0.2 to 0.3 Open Forest. Page-64.
- 5.9 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.
- 5.10 There is no alternative alignment is possible to avoid or minimize use of forest land and the required forest area is minimum needed for the purpose of proposed project.

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

- 6.1 To defray the cost of compensatory afforestation
- 6.2 To defray the cost of Net Present Value of the forest land proposed under diversion
- 6.3 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 and shall be submitted before in-principle approval.

- 6.4 The User Agency have submitted a copy of online Part-I , Part-II and Part-III for seeking recommendation of Standing Committee of NBWL / SBWL along with Part-III duly signed by Deputy Conservator of Forests (T) Nagpur.
- 6.5 The User Agency have submitted a copy of Joint Inspection report duly signed by Deputy Conservator of Forests (T) Bramhapuri and Exe. Engineer, MSETCL, Nagpur.

- 7.0 The Deputy Conservator of Forests (T) Bramhapuri / Deputy Conservator of Forests (T) Nagpur and Chief Conservator of Forests (T) Nagpur have recommended the proposal for diversion of 3.064 ha. of Zudpi and Protected Forest land.
- 8.00 **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: –**
- 8.1 The legal status of the forest land required will remain unchanged.
- 8.2 Forest land will be handed over only after required non-forest land for the project is handed over to the User Agency.
- 8.3 **Compensatory Afforestation:-**
- a) Compensatory Afforestation shall be taken up by the Forest Department over 6.13 ha. degraded forest land in Survey no. 139 (Compartment No.849), at Village Khedmakta 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.
- 8.4 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.
- 8.5 **NPV:-**
- a) The State Government shall charge the Net Present Value (NPV) for the <sup>3.064</sup>~~3.57~~ 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.
- 8.6 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.
- 8.7 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/>).
- 8.8 The layout plan of the proposal shall not be changed without prior approval of Central Government.

- 8.9 No labour camp shall be established on the forest land.
- 8.10 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.
- 8.11 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.
- 8.11 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.
- 8.13 No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- 8.14 The forest land shall not be used for any purpose other than that specified in the project proposal.
- 8.15 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.
- 8.16 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.
- 8.17 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.
- 8.18 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-12778/1819/22-23  
Nagpur – 440 001 Dated :- 15/10/2022.

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

**Sub:** Proposal for diversion of 3.064 ha. Protected / Zudpi Forest Land for laying of 220 KV Umred to Nagbhid Extra High Voltage electricity Transmission project in Nagpur-Chandrapur District of the State of Maharashtra line (FP/MH/TRANS/44469/2020).b

**Ref:** 1. Chief Conservator of Forests (T) Nagpur letter no.Desk-10/Land/C.R.1033/745,Dtd.10.11.2021.  
2. Chief Conservator of Forests (T) Nagpur letter no.Desk-10/Land/C.R.1033/1045,Dtd.04.10.2022.

The Proposal is for diversion of 3.064 ha. Protected / Zudpi Forest Land for laying of 220 KV Umred to Nagbhid Extra High Voltage electricity Transmission line project in Nagpur-Chandrapur District of the State of Maharashtra (FP/MH/TRANS/44469/2020) is submitted by Chief Conservator of Forests (T) Chandrapur vide letter under reference.

2.00 The proposal has been initiated by the Executive Engineer, EHV Project Division, MSETCL, Nagpur for seeking approval under Forest (Conservation) Act, 1980. Looking to the existing condition of power generation units and the preset power requirement in Maharashtra State, the related work are being taken up and MSETCL has decided to improve the supply of power requirement by constructing new power generation units at Koradi, Khaparkheda, Chandrapur, Paras, & Parli in Maharashtra State. To maintain the uninterrupted and reliable power supply, it is decided to interlink these power generation units by laying 400, 200, & 132 KV EHV Transmission line. The project is administratively approved by Maharashtra State Electricity Transmission Co. Ltd vide letter No. MSETCL/Resolution No.116/11, dated 15/05/2017. The route for this transmission line is as proposed by MSETCL, Nagpur. The route of transmission line plans to construct and operate 220 KV D/C Umred to Nagbhid D/C Transmission line to interlink Sub/stn at 200 KV Umred and proposed 220 KV Nagbhid Sub/stn. This transmission line is very essential to construct the said line in view of zero loads shedding to be implemented w.e.f. 2013. The transmission line is passing through the forest area hence; the User Agency has submitted the proposal under FCA 1980.

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

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	Mohali Mokasa		21	0.027	Protected Forest						
<b>Total Forest Area</b>								<b>3.064</b>			

**4.00 The Deputy Conservator of Forests (T) Nagpur has certified that:-**

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- 4.5 The area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc. Page-37
- 4.6 There are 10 trees of various species and trees is involved in implementation of the Project. The Girth wise break up is as under:- Page-39 & 46

Tree Girth in Cm.						
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**6.00 The User Agency has submitted an undertaking that:-**

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***'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'.*

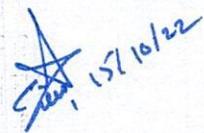
Hence, the user agency has given an undertaking regarding the compliance under the Scheduled Tribes and Other Traditional forest Dwellers (Recognition of Forest Rights) Act, 2006 has been applied and is under process and shall be submitted before in-principle approval.

- 6.4 The User Agency have submitted a copy of online Part-I , Part-II and Part-III for seeking recommendation of Standing Committee of NBWL / SBWL along with Part-III duly signed by Deputy Conservator of Forests (T) Nagpur.
- 6.5 The User Agency have submitted a copy of Joint Inspection report duly signed by Deputy Conservator of Forests (T) Bramhapuri and Exe. Engineer, MSETCL, Nagpur.
- 7.0 The Deputy Conservator of Forests (T) Bramhapuri / Deputy Conservator of Forests (T) Nagpur and Chief Conservator of Forests (T) Nagpur have recommended the proposal for diversion of 3.064 ha. of Zudpi and Protected Forest land.
- 8.00 **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: –**
  - 8.1 The legal status of the forest land required will remain unchanged.
  - 8.2 Forest land will be handed over only after required non-forest land for the project is handed over to the User Agency.
  - 8.3 **Compensatory Afforestation:-**
    - b) Compensatory Afforestation shall be taken up by the Forest Department over 6.13 ha. degraded forest land in Survey no. 139 (Compartment No.849), at Village Khedmakta 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.
  - 8.5 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.
- 8.5 **NPV:-**
  - c) The State Government shall charge the Net Present Value (NPV) for the 3.57 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.

- 8.6 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.
- 8.7 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/>).
- 8.8 The layout plan of the proposal shall not be changed without prior approval of Central Government.
- 8.9 No labour camp shall be established on the forest land.
- 8.10 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.
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- 8.11 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.
- 8.13 No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- 8.14 The forest land shall not be used for any purpose other than that specified in the project proposal.
- 8.15 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.
- 8.16 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.
- 8.17 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.
- 8.18 The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>)

8.00 It is therefore, requested that Government of India may kindly be moved for approving the Proposal for diversion of 3.064 ha. Protected / Zudpi Forest Land for laying of 220 KV Umred to Nagbhid Extra High Voltage electricity Transmission line project in Nagpur-Chandrapur District of the State of Maharashtra (FP/MH/TRANS/44469/2020) under section 2 (ii) of the Forest (Conservation) Act, 1980.

Encl. :- Proposal 2 copies

  
(Naresh Zurmure)

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

Copy of covering letter submitted with compliments to The Deputy Director General (Central) Ministry of Environment, Forests and Climate Change, Regional Office, Ground Floor, East Wing, New Secretariat Building, Civil Lines, Nagpur 440 001 for information.

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

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

Copy to the Deputy Conservator of Forests (T) Nagpur for information.

Copy to the Deputy Conservator of Forests (T) Bramhapuri for information.

Copy to the forwarded with compliments to Executive Engineer, Public Works Division, Nagbhir, Dist. Chandrapur for information.