

**OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS (HEAD OF
FOREST FORCE), MAHARASHTRA STATE, NAGPUR**
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Sub:- Proposal for diversion of 0.7000 ha. Reserved Forest land under section-2 of the Forest (Conservation) Act, 1980 for construction of LILO on existing 220 KV Boisar Nallasopara Transmission Line for Palghar Substation at Morekuran, Tal. Palghar, Dist. Palghar in the State of Maharashtra (FP/MH/TRAN/43305/2019).

No. : Desk-17/Nodal/Thane /I.D- 12994 (76)/ **692** /2022-23
Nagpur – 440 001, Dated **22/06/2022**

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

The Executive Engineer, EHV Project Division, Kalyan has proposal for diversion of 0.7000 ha. Reserved Forest land under section-2 of the Forest (Conservation) Act, 1980 for construction of LILO on existing 220 KV Boisar Nallasopara Transmission Line for Palghar Substation at Morekuran, Tal. Palghar, Dist. Palghar in the State of Maharashtra. The details of forest land proposed for diversion is as given below: -

Sr. No	Item work purpose	District	Taluka	Name of Village	Survey No.	Gut No.	Length & Width	Area (in ha)	Legal Status
1	Construction of LILO on existing 220 KV Boisar Nallasopara Transmission Line for Palghar Substation	Palghar	Palghar	Morekuran	59/A-1	131/1	200 x 35	0.7000	Reserved Forest
Total Forest Land (in ha.)								0.7000	

2.0 The proposed transmission line project is to strengthen Transmission network through Palghar and Dahanu District of Maharashtra State. This Extra high Voltage transmission line will ultimately improve voltage level and supply as well as power demand of agriculture, industrial, commercial section in Palghar region.

3.0 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 two copy.

- 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 CS. MSETCL, letter dated 28/09/2017.

5) The total non forest involved in project is 0.4830 ha.

- 6) The site inspection report of the Deputy Conservator of Forests, Dahanu Forest Division, Dahanu is enclosed on page no.49 to 50.
- 7) No alternate alignment is possible and the forest land required is barest minimum.
- 8) The area belongs to Eco-value class-I having density is 0.4 (Dense Forest).
- 9) There are 25 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	136-150	150 Above	Total
1	10	7	1	1	4	0	1	0	0	25

- 10) The area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc.
- 11) Proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance.
- 12) There is no violation of Forest (Conservation) Act 1980.
- 13) Proposed project is not within 10 km of Sanjay Gandhi National Park/Tungreshwar Wildlife Sanctuary
- 14) Proposed Compensatory Afforestation over 1.4000 ha. degraded Forest land in Compartment No.177, Survey No.125 at Village Avadhani, Tal. Palghar, Dist. Palghar it is contiguous, suitable for afforestation and management purpose and it is free from encroachment and an encumbrances.
- 15) 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.
- 16) All other alternates for the purpose have been examined in details and have come to conclusion that the proposed alignment is the most suitable.
- 17) The User Agency has submitted an undertaking to defray the cost of Net Present Value
- 18) The User Agency has submitted an undertaking to defray the cost of Compensatory Afforestation.
- 19) The User Agency has submitted the certificate of Collector, Palghar under Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act. 2006 issued vide letter No.Rev/Vanhakka/SR-731/21, dated 11/10/2021 in prescribed format (Form-I) as per government of India latest guidelines dated 5/7/2013.
- 20) The Deputy Conservator of Forests, Dahanu Forest Division, Dahanu and Chief Conservator of Forest (T), Thane have recommended the proposal for diversion of 0.7000 ha. of 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 1.4000 ha. degraded Forest land in Compartment No.177, Survey No.125 at Village Avadhani, Tal. Palghar, Dist. Palghar 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 124 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 0.7000 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 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/>)

8.00 This proposal falls in the category of critical development initiatives for public. In this proposal area requirement is less than 1.00 ha. and there are 25 trees involved to be felled. Hence, this proposal fit in the category of Electric and telecommunication lines under 4.3 guidelines of FCA Handbook. Approval of such proposal rest with State Government, therefore this proposal is recommended for diversion of 0.7000 ha. Reserved Forest land under section-2 of the Forest (Conservation) Act, 1980 for construction of LILO on existing 220 KV Boisar Nallasopara Transmission Line for Palghar Substation at Morekuran, Tal. Palghar, Dist. Palghar in the State of Maharashtra.

Encl. :- Proposal 2 copies

(Naresh Zurmure)
Addl. Principal Chief Conservator of Forests
& Nodal Officer

Copy to the Chief Conservator of Forests (Territorial), Thane for information.
Copy to the Deputy Conservator of Forests, Dahanu Forest Division, Dahanu for information.
Copy to the Executive Engineer, EHV Project Division, Kalyan for information

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)

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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: 22/06/2022

Place: Nagpur

Proposal for diversion of 0.7000 ha. Reserved Forest land under section-2 of the Forest (Conservation) Act, 1980 for construction of LILO on existing 220 KV Boisar Nallasopara Transmission Line for Palghar Substation at Morekuran, Tal. Palghar, Dist. Palghar in the State of Maharashtra (FP/MH/TRAN/43305/2019).

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.

- 1) Proposal is for diversion of 0.7000 ha. Reserved Forest land under section-2 of the Forest (Conservation) Act, 1980 for construction of LILO on existing 220 KV Boisar Nallasopara Transmission Line for Palghar Substation at Morekuran, Tal. Palghar, Dist. Palghar in the State of Maharashtra has been initiated by the Executive Engineer, EHV Project Division, Kalyan for seeking approval under Forest (Conservation) Act, 1980.
- 2) The proposed transmission line project is to strengthen Transmission network through Palghar and Dahanu District of Maharashtra State. This Extra high Voltage transmission line will ultimately improve voltage level and supply as well as power demand of agriculture, industrial, commercial section in Palghar region.
- 3) The details of the forest land proposed for diversion are as under:-

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(Dr. Y.L.P Rao)
Principal Chief Conservator of Forests
(Head of Forest Force)
Maharashtra State, Nagpur