

Sub: Forest Land-Chandrapur.

Diversion of 44.0397 ha. Forest land for laying of 132 KV D/C
Mul-Sicom Chandrapur Electricity Transmission Line.

PART - V

(To be filled up by the Secretary In charge of Forest Department or by any other
authorized officer of the State Government not below the rank of an Under Secretary)

**1. Recommendation of the
State Government**

The proposal is recommended
vide Government letter

No.FLD-2021/ CR-200/ F-10

Dated: 07/01/2022



(Ganesh Jadhav)

Under Secretary to the
Government of Maharashtra

Under Secretary
Revenue and Forests Department
Hutatma Rajguru Chowk
Madam Cama Road, Mantralaya
Mumbai 400 032

Place: Mumbai

Date: 07/01/2022

Government of Maharashtra

By Speed Post

No.FLD-2021/CR-200/F-10
Revenue & Forest Department,
Madame Cama Road,
Hutatma Rajguru Chowk, Mantralaya,
Mumbai- 400 032.
Date: 07.01.2022

To,
Regional Officer (Central),
Integrated Regional Office,
Ministry of Environment, Forests & Climate Change,
Government of India, Civil Lines,
Nagpur-440 001.

Subject: Forest Land-Chandrapur.

Diversion of 44.0397 ha. Forest land for laying of 132 KV D/C
Mul-Sicom Chandrapur Electricity Transmission Line.

Sir,

The Additional Principal Chief Conservator of Forests and Nodal Officer, Maharashtra State, Nagpur has submitted the proposal for diversion of 44.0397 ha. Forest land for laying of 132 KV D/C Mul-Sicom Chandrapur Electricity Transmission Line in Dist. Chandrapur.

2. The details of forest land proposed for diversion are as under: -

Sr. No	Item work purpose	Range	Village Name	Taluka	Compt No.	Survey No.	Length (in Mtrs)	Width (in Mtrs)	Area (in ha.)	Legal Status
1	Laying of 132 KV D/C Mul-Sicom Chandrapur Electricity Transmission Line in Dist. Chandrapur in the State of Maharashtra	Chandrapur	---	---	408	---	220	27	0.594	Reserve Forest
		Mamla FDCM	---	---	409	---	1985	27	5.3595	
		Mamla FDCM	---	---	411	---	954	27	2.5758	
		Mamla FDCM	---	---	412	---	1503	27	4.0581	
		Mamla FDCM	---	---	415	---	1416	27	3.8232	
		Mamla FDCM	---	---	416	---	1527	27	4.1229	
		Mamla FDCM	---	---	418	---	800	27	2.16	
		Mamla FDCM	---	---	419	---	718	27	1.9386	
		Mamla FDCM	---	---	420	---	674	27	1.8198	
		Chichpalli FDCM	---	---	421	---	262	27	0.7074	

2		Chandrapur	Lohara	Chandrapur	---	27,29	24	27	0.0648	Govt. Kuran/ Zudpi
3		Chichpalli (T)	Valani	---	615	41	488	27	1.3176	Protected Forest
				---	422	---	2015	27	5.4405	Reserved Forest
4		Chichpalli FDCM	Chichpalli	---	528	222	2015	27	2.6055	Reserved Forest
5		Chichpalli (T)	Chichpalli	Chandrapur	629	222, 221, 216	658	27	1.7766	Protected Forest
6		Chichpalli (T)	Ajaypur	Chandrapur	632	172	15	27	0.0405	Protected Forest
7		Chichpalli (T)	Mararsaori	Chandrapur	713	21	126	27	0.3402	Protected Forest
8		Chichpalli (T)	Mararsaori Chak	Chandrapur	---	50	47	27	0.1269	Govt. Kuran/ Zudpi
9		Chichpalli (T)	Manda Tukum	Mul	692	---	266	27	0.7182	Protected Forest
10		Chichpalli (T)	Chiroli	Mul	720	706, 711, 659	76,76 6,636	27	3.9906	Protected Forest
11		Chichpalli (T)	Gothangaon Rith	Mul	---	263,	45	27	0.1215	Zudpi Jungle under Section-4
					---	321	65	27	0.1755	
12		Chichpalli (T)	Tadala Tukum	Mul	---	38	40	27	1080	Govt. Kuran/ Zudpi
					---	464	10	27	0.0270	
13		Chichpalli (T)	Tadala Rith	Mul	---	112	10	27	0.027	Govt. Kuran/ Zudpi
Total Area (in ha.)									44.039	

3. The proposal has been initiated by the Executive Engineer, EHV Project Division, Chandrapur for seeking approval under Forest (Conservation) Act, 1980. The forest land comprising of 32.0058 ha belongs to FDCM Ltd. The total length of the proposed transmission line is 48.615 Km. at present 220 KV Gadchiroli District is radially fed from 400 KV Chandrapur Sub Station via 220 KV Gadchandur & 220 KV Virur Sub Station which is nearly 200 kms away. The said proposed transmission line is important substation

in Chandrapur District as it's install capacity is 50 MVA having 07 Nos. of 33 kv Feeder emanating from the Sub Station. This transmission belt is very essential in order to strengthen the EHV network in Chandrapur district formation of GRID to cater the requirement of State of Maharashtra. The route for this transmission line as proposed by Executive Engineer, EHV Project Division, Chandrapur is only feasible route and the forest land required is the barest minimum. Total non forest involved in the project is 87.0858 ha.

4. The Divisional Forest Officer, Chandrapur Forest Division 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 and having density below 0.4 to 0.5.
 - 4.3 There are 9514 trees of various species involved in implementation of the Project.
 - 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 no violation of Forest (Conservation) Act 1980.
 - 4.7 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.
 - 4.8 Three alternatives have been examined in detail and have to come to conclusion that the alternative No. 1 (having 44.0397 ha) is most suitable for forestry point.
 - 4.9 The Divisional Forest Officer, Chandrapur proposed Compensatory Afforestation over 88.50 ha. degraded forest land in Compartment No.43, Survey No.129, Gat No.101 at Village Londhe Mohitewadi, Tal. Malshiras, Dist. Solapur (Area 31.1165 ha.) & in Compartment No.91, Survey No.260, Gat No.962 at Village Katphal, Tal. Sangola, Dist. Solapur (Area 57.3835 ha.) and it is suitable for afforestation and it is free from encroachment and an encumbrances.
 - 4.10 The B: C Ratio for the project is 20.98.
5. Proposed project is at 9.600 km from the boundary of Tadoba Andhari Tiger Reserve boundary & the transmission line passes 25.995 km. through the Eco-sensitive Zone of boundary of Tadoba Andhari Tiger Reserve.

The Chief Wildlife Warden, Maharashtra State has conveyed that proposed project area includes Wildlife Corridor area in 12 Forest compartments and 14 villages in Tigers Corridors of Eastern Vidharbha, declared by the Wildlife

Institute of India. and Though the proposed project does not require Environment Clearance, project is falling within wildlife corridor, prior clearance from the National Board for Wildlife as per the section 38 O (1) (g) of the Wildlife (Protection) Act, 1972 will be required'

In this regard User Agency has submitted online proposal for approval National Board of Wildlife. The copy of the Part-I & II filled up by the User Agency is enclosed in the proposal.

6. The Chief Conservator of Forests (T), Chandrapur has suggested following mitigation measures:-

- (i) A 5.8 M vertical clearance & 1.2 M horizontal clearance from the vegetation will be maintained as per Indian Electricity Rule 1956.
- (ii) Any felling/pollarding/of trees will be done as permitted for electrical clearance.
- (iii) Vegetation clearance along forest stretches will be avoided or minimized by increasing height of towers structures to shall maintain safe vertical clearance.
- (iv) Adhere to guidelines issued by National Green Tribunal if applicable
- (v) Guidelines issued by forest clearance diversion pertaining to transmission line passing through forest will be strictly followed.
- (vi) No construction activity 6.00 PM to 7.00 Am
- (vii) Labour at least 1.00 Km. away
- (viii) Installation of 'Bird Reflectors' at proper places.

The Chief Conservator of Forests (T), Chandrapur has given opinion that all the tree vegetation passing through forest area should be cleared and permanent grass lands should be developed from the benefit of wild life at the cost of User Agency.

7. The User Agency has submitted an undertaking:-

- 7.1 To defray the cost of compensatory afforestation.
- 7.2 To defray the cost of Net Present Value of the forest land proposed under diversion.
- 7.3 To submit necessary certificates under Schedule Tribes and Other Traditional Forest Dweller's (Recognition of Forest Rights) Act, 2006.

8. The Principal Chief Conservator of Forests (HoFF), Maharashtra State, Nagpur has recommended the proposal for approval under Section-2 (ii) of the Forest (Conservation) Act, 1980.

9. **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:**

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

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

9.3 The User Agency shall submit proposal to Principal Chief Conservator of Forests (Wildlife) Maharashtra State for prior approval of National Board of Wildlife/State Board of Wildlife before Stage-I approval.

9.4 Compensatory Afforestation :-

Compensatory Afforestation shall be taken up by the Forest Department over degraded forest land in Compartment No.43, Survey No.129, Gat No.101 at Village Londhe Mohitewadi, Tal. Malshiras, Dist. Solapur (Area 31.1165 ha.) & in Compartment No.91, Survey No.260, Gat No.962 at Village Katphal, Tal. Sangola, Dist. Solapur (Area 57.3835 ha.) 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.

9.5 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.

9.6 NPV:-

a) The State Government shall charge the Net Present Value (NPV) for the 44.0397 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.

9.7 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.

9.8 User Agency shall pay the cost determined by the Forest Development Corporation of Maharashtra.

9.9 Funds received from the user agency under the project shall be transferred/deposited to CAMPA fund only through e-portal (<http://parivesh.nic.in/>).

9.10 The layout plan of the proposal shall not be changed without prior approval of Central Government.

9.11 No labour camp shall be established on the forest land.

9.12 Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labours after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.

9.13 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.

9.14 No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.

9.15 The forest land shall not be used for any purpose other than that specified in the project proposal.

9.16. The User Agency shall submit proposal for Wildlife Clearance to State & National Board of Wildlife before in-principle approval.


9.17 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.

9.18 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.

9.19 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.

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

10. Under the circumstances explained in the aforesaid paragraphs and enclosures, the State Government recommends that the said forest land may be allowed to be diverted on the conditions proposed by the Government of Maharashtra. The matter may kindly be placed before the Government of India for its approval under Section-2 (ii) of the Forest (Conservation) Act, 1980, be obtained and communicated to this Government.



(Ganesh Jadhav)

Under Secretary to the
Government of Maharashtra

Encl: A) Set of case papers

B) The following documents are enclosed:-

1. Prescribed form as per Rules.

2. Certificate regarding minimum demand for forest land for the project
3. Area Statement
4. Commitment from the User Agency for defraying the cost of Compensatory Afforestation, Net Present Value of the Forest land & cost determined by the FDCM
5. Brief note of the project from the project authority
6. Map of proposed land for Compensatory Afforestation
7. Site Inspection Report
8. Certificate that there is no violation of Forest (Conservation) Act, 1980.
9. Certificate in Part V.

Copy to:

1. Additional Principal Chief Conservator of Forests and Nodal Officer, Maharashtra State Nagpur with reference to his letter No.Desk-17/Nodal/Chandrapur/ID-12899/1342/2021-22, Dt. 22.10.2021.
2. Principal Chief Conservator of Forests & C.E.O. (Maha-CAMPA), Nagpur.
3. Chief Conservator of Forests (T), Chandrapur.
4. Divisional Forest Officer, Chandrapur.
5. Executive Engineer, EHV Project Division, Chandrapur.
6. Select File.