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Government of India

परमाणु ऊर्जा विभाग

Department of Atomic Energy

निर्माण सेवा एवं संपदा प्रबंध निदेशालय

Directorate of Construction, Services & Estate Management

भूमि अनुभाग / Land Section

सं. स./No.DCSEM/1/315/2017(L)/Vol.II 315

June 06, 2019

To,
Shri Keshav Wabale,
Divisional Forest Officer,
Hingoli District,
Railway Station Road,
Hingoli-431513.

Sub : Proposal for prospecting (Research) of 121.83 ha. of Forest Land for LIGO Project (Compliance Report)

Ref : Govt. of India, Ministry of Environment and Forest and Climate Change (MoEFCC), New Delhi's L.No.(1) F.No.8.47/2018-FC dated 24-9-2018 and (2) L.No.8-60/2018 FC dated 24-12-2018.

Govt. of India vide its letter under reference accorded in principle approval for **Prospecting (Research)** of 121.83 ha. of forest land under Forest Conservation Act, 1980, for LIGO India Project, subject to XXIX conditions and desired compliance report on said conditions also.

(2) Govt. of India (MoEFCC) also accorded in principle approval for **diversion** of 121.83 ha. of forest land (same) with XXIV conditions vide letter No. F.No.8-60/2018 - FC dated 24.12.2018.

(3) The compliance to above conditions are submitted as under -

(A) Letter No. F.No. 8-47/2018-FC dated 24.09.2018 -

Sr. No.	Conditions	Compliance
(i)	The User Agency shall be allowed exploratory drilling of a maximum of 150 boreholes of 4" diameter over 121.83 ha. of forest land	LIGO India Project Authority drilled 150 Bore holes spread over forest area of 121.83 ha. (Undertaking enclosed - Annexure I)
(ii)	User agency shall prepare a soil and moisture conservation plan of the area duly approved by the State Government and commensurate funds shall be deposited in the account of Ad-hoc CAMPA. The plan shall be submitted prior to Stage II Approval	Project Authority of LIGO India prepared and submitted soil and moisture conservation plan to DFO, Hingoli vide letter No. DCSEM/1/318/2018(L)/Vol.II/209 dated 25.03.2019, but DFO, Hingoli sent demand of Rs.24 lacs for above plan. Same amount is deposited in adhoc CAMPA vide Challan dated 06.05.2019. (Undertaking enclosed - Annexure II)
(iii)	The permission for prospecting is granted for 6 months from the date of work commencement on the field.	The prospecting work is over within six months from the date of commencement of work (Kindly peruse our completion report) (Undertaking enclosed - Annexure III)
(iv)	Construction of temporary dwelling / hutments etc. for labourers will not be allowed in the forests area.	Neither temporary nor permanent hutments for labourers were constructed during or after prospecting (Undertaking enclosed - Annexure IV)
(v)	Adequate precautions shall be taken to safeguard the adjoining areas from explosives and it shall not	Adequate precautions were taken for safeguarding against any mishap. In fact, there is not a single

	be stored in the forest area.	complaint from villagers adjoining the area. The explosives were not used, only drilling work is carried out. (Undertaking enclosed – Annexure V)
(vi)	The user agency will not dump the overburden on the forest land	The over-burdened excavated samples were not dumped but taken for further research only. (Undertaking enclosed – Annexure VI)
(vii)	The UA should clearly understand that this permission is being granted only for prospecting 150 boreholes over 0.375 ha.	All 150 Bore holes drilled within 0.375 ha. area only (Undertaking enclosed – Annexure VII)
(viii)	The proposal for road, building, beam tube and Laser Interferometer Gravitational Wave Observatory (LIGO) will be considered independently later on merit. The permission for prospecting in the area do not confer any right to the user agency to claim forest land diversion in future for ancillary activities related to the project under section 2 (ii) of FCA, 1980. All such cases will be dealt on merits.	Diversion proposal was submitted separately and also accorded in principle approval by Ministry vide letter under reference (2) dated 24.12.2018 (copy enclosed – Annexure VIII)
(ix)	All other conditions as may be mandatory under relevant Acts, Rules and guidelines shall be complied with by the User agency.	All other conditions which are mandatory were complied as per instructions of concerned authorities. (Undertaking enclosed – Annexure IX)
(x)	State Government shall calculate compensatory levies and NPV for the prospecting proposal as per MoEF&CC guidelines no 5-3/2007-FC dated 09.05.2018. The amount shall be deposited in Adhoc CAMPA Account through e-payment prior to Stage II approval.	Diversion proposal is also accorded approval in principle by Ministry, therefore, an amount of Rs.30,99,95,948/- (Rupees thirty crores ninety nine lakhs ninety five thousand nine hundred and forty eight only) have been deposited in adhoc CAMPA through E-payment (copy enclosed). More than 3000 Tall Plants will be planted by User Authority after construction is over and well maintained in complete fenced area (copy enclosed – Annexure X)
(xi)	The amount of CA scheme shall be deposited online in the Adhoc CAMPA Account.	An amount of Rs.23,37,30,368/- for C.A. is also deposited in adhoc CAMPA (copy enclosed – Annexure XI)
(xii)	User Agency shall seek permission of DFO of concern Forest Division before entering into the forest area.	Permission of DFO Hingoli for entering forest area is enclosed (copy enclosed – Annexure XII)
(xiii)	User Agency shall not sublease the prospecting work.	There was no sub-lease of prospecting work (Undertaking enclosed – Annexure XIII)
(xiv)	Each bore-hole shall be dug with prior permission of the DFO.	All Bore holes were dug with permission of DFO Hingoli (Copies of letter enclosed – Annexure-XIV)
(xv)	Proper plugging of boreholes shall be made after prospecting activities are complete	All drilled Bore holes have been properly plugged (Undertaking enclosed – Annexure XV)
(xvi)	User Agency shall report the progress of prospecting work to the DFO, and also furnish detailed report thereof on completion of the project	Detailed final report on completion of soil investigation /boring or prospecting was also submitted vide letter No. DCSEM/CE(C1)/LIGO/Geo tech dt. 15.04.2019 to DFO, Hingoli (Copy enclosed – Annexure XVI)
(xvii)	No tree falling shall be undertaken for prospecting activities. Project activities shall be restricted to clearing of bushes and lopping of tree branches it any for the purpose of site preparation.	No trees were cut (Undertaking enclosed – Annexure XVII)
(xviii)	Adequate measures shall be taken by the user agency to ensure that prospecting activities do not harm the wildlife in the area. Any damage done in this context, shall be compensated by the user agency as per assessment by the local DFO.	Wild life was not harmed by prospecting since there are very few trees bushes in area and wild life exists near water bodies only (Undertaking enclosed – Annexure XVIII)
(xix)	The user agency shall be responsible for any loss to the flora and fauna in the surrounding. Any damage done in this regard shall be compensated by the user agency from the project cost as per assessment of the local DFO.	No flora and fauna were harmed even in surrounding areas. The area is devoid of vegetation and wild life is seen near water bodies only (Undertaking enclosed – Annexure XIX)
(xx)	DFO, Hingoli may impose any other condition for protection and conservation of the flora and fauna	Since no flora and fauna is harmed, therefore, no additional conditions is imposed by DFO, Hingoli.

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	in the forest area.	However, artificial nests will be provided on afforested trees in future and Bird attracting species will be planted by P.A. after construction work is over. Moreover, soil and moisture conservation plan will enhance the flora and fauna in and surrounding area (Undertaking enclosed – Annexure XX)
(xxi)	In case, rights over forest land proposed to be used for prospecting purpose, has already been settled in favour of eligible claimants as per the provisions of the Forest Rights Act, 2006, the claimants shall either be compensated appropriately or location of boreholes be suitably re-located.	There are no claims on 121.83 ha. of forest land under FRA. Copy of certificate from Collector, Hingoli is enclosed (Copy enclosed – Annexure XXI)
(xxii)	No fire will be kindled inside and in the vicinity of the forest area.	Neither any fire was kindled in the area nor it is proposed in future (Undertaking enclosed – Annexure XXII)
(xxiii)	User Agency shall provide a list of authorised officials/ workers engaged in prospecting to the forest department before commencing the work and also provide the Identity Cards/ Documents to each such official/ worker, to be produced when demanded by the forest department	All workers were given Identity Card while prospecting. A copy of sample is enclosed. (Undertaking enclosed – Annexure XXIII)
(xxiv)	The samples collected during the prospecting shall be used purely for investigation purposes and shall in no case be used for trade or commerce purpose;	Samples collected are being used for Govt. of India Research and not for trade (Undertaking enclosed – Annexure XXIV)
(xxv)	The State Forest Department shall deploy adequate staff to supervise the activities to be undertaken by the user agency to prevent any damage to the flora (especially the fresh regeneration), fauna and also to prevent felling of trees during drilling of holes and movement of equipment	DFO, Hingoli deployed their staff to supervise activities of prospecting vide his letter, copy of which will be annexed by DFO, Hingoli's office. There was no damage to flora and fauna (Undertaking enclosed – Annexure XXV)
(xxvi)	After completion of the prospecting all bore holes shall be completely filled up and the ground restored back to its original position	The local of all 150 Bore holes have been filled up and the land is restored to original position (Undertaking enclosed – Annexure XXVI)
(xxvii)	During transportation of Bore Drilling Machine / rigs, no new road / permanent path in the forest area will be constructed	No permanent path have been created while transporting machinery (Undertaking enclosed – Annexure XXVII)
(xxviii)	The State Government of Maharashtra and the user agency shall comply with any other condition that the Regional Office, Nagpur of this Ministry may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife; and	The Regional Officer, Nagpur have not imposed any other conditions (Undertaking enclosed – Annexure XXVIII)
(xxix)	The State Government and user agency shall comply the provisions of the all Acts, Rules, Regulations, Guidelines, NGT Order & Hon'ble Court Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project	The provisions of all Acts, Rules, Regulations, Guidance of NGT were adhered to while prospecting. There are no complaints against prospecting either by villagers or by Govt. Agency (Undertaking enclosed – Annexure XXIX)

(B) Compliance to Ministry's letter no. FNo. 8-60/2018-FC dated 24-12-2018 (Diversion)

Sr. No.	Conditions	Remarks
(i)	Legal-status of the diverted forest land shall remain unchanged	The legal status of 121.83 ha. area remains Reserved Forest (Undertaking enclosed – Annexure XXX)
(ii)	Compensatory afforestation over the degraded forest land, twice in extent to the area of forest land proposed to be diverted shall be raised within three years from the Stage-II clearance and maintained thereafter as per approved plan by the State Forest Department at the cost of the User Agency	Compensatory afforestation over double degraded forest area (243.66 ha.) is proposed for next 3 years at the cost of User agency (LIGO Project) (Undertaking enclosed – Annexure XXXI)

(iii)	The User Agency shall transfer the cost of raising and maintaining the compensatory afforestation at the current wage rate in consultation with State Forest Department in the account of CAMPA of the concerned State through online portal . The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.	An amount of Rs.23,37,30,368/- have been deposited vide E-Challan dated 06.03.2019 in State Bank of India as desired by DFO, Hingoli vide his letter No.A/Land/1212/2018-19 dated 27.02.2019 for C.A (copy enclosed – Annexure XXXII)
(iv)	The User Agency shall transfer the funds for the Net Present Value (NPV) of the forest land being diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 28.03.2008, 24.04.2008 and 09.05.2008 in Writ Petition (Civil) No. 202/1995 and the guidelines issued by this Ministry vide its letter No.5-3/2007-FC dated 05.02.2009 through online portal or CAMPA account of the State Concerned;	An amount of Rs.7,62,65,580/- have been deposited by E-challan dated 06.03.2019 in State Bank of India as desired by DFO Hingoli vide his letter No A/Land/1212/2018-19 dated 27.02.2019 for NPV (copy enclosed – Annexure XXXIII)
(v)	No residential buildings shall be allowed on diverted forest land;	No residential buildings are proposed on Forest Area of 121.83 ha (Undertaking enclosed – Annexure XXXIV)
(vi)	The User Agency to bear the cost of erecting an effective fencing and a provision of sufficient nos. of fulltime chowkidars for protection of degraded forest area where compensatory afforestation is to be taken	LIGO India bear cost of erecting effective permanent fencing and full time watchman for 243.66 ha. of degraded forest area where compensatory Afforestation will be taken up . The same is included in the estimate under condition no.iii (Undertaking enclosed – Annexure XXXV)
(vii)	State Government shall explore the feasibility to transplant young trees at the cost of user agency on the area decided by local DCF/CF. Thus user agency shall explore the possibility of translocation of maximum number of trees identified to be felled and shall ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department.	305 trees which were proposed for felling will be translocated and an amount of Rs.36,70,767/- have been deposited with DFO, Hingoli vide cheque No.331612 dated 25.03.2019 as desired by him vide his letter No.हिववि/लिगो/2628/सन 2018-19 dated 28.02.2019 (Undertaking enclosed – Annexure XXXVI)
(viii)	Adequate precautions shall be taken to safeguard the adjoining areas from explosives and it shall not be stored in the forest area	Adequate precautions as desired will be taken and no explosives will be stored in forest area (Undertaking enclosed – Annexure XXXVII)
(ix)	The User Agency shall not use the forest land for dumping the overburden	No over-burden will be dumped on forest land (Undertaking enclosed – Annexure XXXVIII)
(x)	The forest land shall not be used for any purpose other than specified in the proposal	The forest land of 121.83 ha. used for LIGO India project only (Undertaking enclosed – Annexure XXXIX)
(xi)	The User Agency shall demarcate the proposed forest area as desired by Forest Department and provide retaining walls, breast walls for protection of human beings	LIGO India have already demarcated the forest area of 121.83 ha. with permanent pillars and retaining walls and breasts walls will be constructed while executing the work (Undertaking enclosed – Annexure XL)
(xii)	The User Agency shall ensure that no damage is caused to the wildlife in the area, due to this project	LIGO India will ensure that no damage is caused to wildlife in the forest area due to the project (Undertaking enclosed – Annexure XLI)
(xiii)	The layout plan of the proposal shall not be changed without the prior approval of the Central Government	Layout plan is finalised (Undertaking enclosed – Annexure XLII)
(xiv)	In the reports of PCCF(HoFF) & DFO, Hingoli and CCF, Aurangabad a discrepancy was observed with reference to total number trees to be felled. Therefore, the number of trees required to be felled / translocated shall be listed accurately prior to Stage II	No. of trees proposed for felling were 305. The same will be translocated and not felled. An amount of Rs 36,70,767/- have been deposited with DFO, Hingoli as desired by him vide his letter No. हिववि/लिगो/2628/सन 2018-19 dated 28.02.2019 (Undertaking enclosed – Annexure XLIII)
(xv)	At the time of payment of the Net Present Value (NPV) at the present rate, the user agency shall furnish an undertaking to pay the additional	An undertaking of Additional NPV (if required) will be deposited in future (Undertaking enclosed – Annexure XLIV)

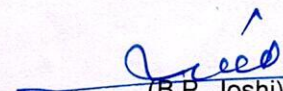
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	amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India	
(xvi)	User Agency should ensure that the Compensatory levies (CA Cost, NPV, etc) are deposited through challan generated online on web portal and deposited in appropriate bank online only. Amount deposited through other mode will not be accepted as compliance of the Stage-I clearance.	NPV and CA amount have been deposited in adhoc CAMPA vide E-challan dated 06.03.2019 (Undertaking enclosed – Annexure XLV)
(xvii)	The land identified for the purpose of CA shall be clearly depicted on a Survey of India topo-sheet of 1:50,000 scale	DFO Hingoli have already submitted Maps of C.A. on 1:50000 scale topo sheets (Undertaking enclosed – Annexure XLVI)
(xviii)	The user agency shall protect and conserve the proposed diverted forest area, which is not in operational use, by way of plantation in blanks	LIGO India will plant more than 3000 Tall Plants in area not under construction (Undertaking enclosed – Annexure XLVII)
(xix)	User agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required	A copy of environmental clearance to LIGO Project is enclosed (Copy enclosed – Annexure XLVIII)
(xx)	No labour camp shall be established on the forest land	No labour Camp will be established on Forest Land (Undertaking enclosed – Annexure XLIX)
(xxi)	The State Government shall complete settlement of rights, in terms of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any, on the forest land to be diverted and submit the documentary evidence as prescribed by this Ministry in its letter No. 11-9/1998-FC(pt.) dated 03.08.2009 read with 05.07.2013, in support thereof	There are no FRA claims over the area and all formalities have been completed under FRA. Certificate of Distt. Collector, Hingoli is enclosed (Copy enclosed – Annexure L)
(xxii)	The user agency shall submit the annual self-compliance report in respect of the above conditions to the State Government, concerned Regional Office and this Ministry by the end of March every year regularly	Annual Compliance report every year will be submitted to Ministry and Regional Office as desired in March (Undertaking enclosed – Annexure LI)
(xxiii)	Any other condition that the concerned Regional Office of this Ministry with the approval of competent authority may stipulate in the interest of conservation, protection and development of forests & wildlife	No additional condition is imposed by Regional Office, Nagpur (Undertaking enclosed – Annexure LII)
(xxiv)	The State Government and user agency shall ensure compliance for the provisions of all Acts, Rules, Regulations, Guidelines & Hon'ble Court Order(s) pertaining to this project, if any, for the time being in force, as applicable to the project.	LIGO India will adhere to Acts, Rules, Regulations and Orders of High Court and Green Tribunals if any applicable to the project. (Undertaking enclosed – Annexure LIII)

This issues with the approval of Director.

Yours faithfully,

Encl: as above and undertakings
for conditions


 (B.P. Joshi)
 Chief Administrative Officer

Copy submitted to:

- (1) C.C.F. (T), Aurangabad
- (2) Addl. P.C.C.F & Nodal Officer, Nagpur
- (3) Asstt. Inspector General (Forest) (FC), Ministry of EFCC, Jorbagh, New Delhi.
- (4) Addl. P.C.C.F and Regional Officer, Ministry of EFCC, Nagpur.