

BIKANER – KHETRI TRANSMISSION LTD

(Program Under Government of India Transmission System)
400KV RVPN GSS, Jaipur Road, Raisar, Bikaner – 334803,
Landline: 01512970035 Email: bktl.bikaner@gmail.com

(Online Proposal No: FP/RJ/Trans/45697/2020)

Ref No: BKTL/IRO/Forest/425

Date: 25.11.2022

To,

Addl. Principal Chief Conservator of Forests and Nodal Officer (FCA)

Forest Department, Aryana Bhawan,

Jhalana Institutional Area

Jaipur, Rajasthan

Sub: Diversion of 5.9738 ha forest land for construction of Bikaner (PG)-Khetri (S/S) 765 KV D/C Transmission Line in favour of Bikaner Khetri Transmission Limited – **Reg. submission of compliances to the observation raised by IRO, Jaipur vide letter dated 20.06.2022**

Ref: 1. In Principle Approval letter from MOEF Integrated Regional office Jaipur - 8B/Raj/04/45/2020/FC/69, Dated: 03.02.2021
2. Observation raised by Integrated Regional Office (IRO), Jaipur - 8B/Raj/04/45/2020/FC dated 28.03.2022 reg FRA documents
3. BKTL reply letter - BKTL/IRO/Forest/418 dated 05.05.2022 reg submission of FRA documents
4. Observation raised by Integrated Regional Office (IRO), Jaipur - No.8B/Raj/04/45/2020/FC dated 20.06.2022 reg Gram Sabha resolution
5. BKTL reply letter - BKTL/IRO/Forest/411 dated 11.07.2022

Dear Sir,

On subject matter, we would like to humbly submit that in compliance of observations raised by IRO, Jaipur vide letter dated 28.03.2022, BKTL vide its letter dated 05.05.2022 had already submitted the documents related to FRA and uploaded online on 13.05.2022 on Parivesh Portal. Subsequently, in response to IRO, Jaipur observation dated 20.06.2022, BKTL had reiterated its reply vide letter dated 11.07.2022.

With reference to (IRO), Jaipur observation dated 20.06.2022 reg Gram Sabha resolution; We would like to humbly submit that, Ministry of Environment and Forests (FC Division) vide its letter no. F.No. 11-9/ 98-FC(pt.) dated 5th February 2013 (Copy enclosed herewith as **Annexure 1**) issued guidelines that proposals seeking prior approval of Central Government under the Forest Conservation Act, 1980 for projects

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like construction of roads, canals, pipelines/optical fibers and **transmission lines** , etc. where linear diversion for use of forest land in several villages are involved, unless recognized rights of PTG/PAC are being affected, **are exempted from the requirement of obtaining consent of the concerned Gram Sabha**. Since the present proposal is a transmission line project (Linear Project), hence it is exempted from the requirement of obtaining consent of the concerned Gram Sabha.

In view of above, we would like to humbly request you kindly process the compliances further for grant of Stage 2 (Final) forest approval to the project.

Your cooperation in this regard will be highly solicited.

Thanking you

Yours faithfully,
For **Bikaner Khetri Transmission Ltd.**



Authorized Signatory

Enclosure: As above

F. No. 11-9/ 98-FC (pt.)
Government of India
Ministry of Environment and Forests
(FC Division)

Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi - 110 510.
Dated: 5th February, 2013

To

The Principal Secretary (Forests),
All State / Union Territory Governments

Sub: Diversion of forest land for non-forest purposes under the Forest (Conservation) Act, 1980 - ensuring compliance of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.

Sir,

I am directed to refer to this Ministry's letter of even number dated 03.08.2009 wherein this Ministry issued detailed guidelines on submission of evidences for having initiated and completed the process of settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.

25(4)
This Ministry has received representations from various Ministries to exempt projects like construction of roads, canals, laying of pipelines/optical fibres and transmission lines etc. where linear diversion of forest land in several villages are involved, from the requirement of obtaining consent of Gram Sabha, as stipulated in this Ministry's said letter dated 3.8.2009.

The matter has also been examined by an inter-ministerial Committee. The Committee after examination of the matter had *inter aliā* recommended that a resolution of the Gram Sabha of the area, based on full and prior information of the project and a public hearing, endorsing that the project is in the interest of the people living on the forest land, use of which is proposed to be diverted for non-forest purposes may not be required for the projects like construction of roads, canals, laying of pipelines/optical fibres and transmission lines etc. where linear diversion of use of forest land in several villages are involved, unless recognised rights of Primitive Tribal Groups (PTG) and Pre-Agricultural Communities (PAC) are being affected.

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The Hon'ble Minister for Tribal Affairs in his D.O. letter dated 21.01.2013 addressed to the Hon'ble Minister of State (Independent Charge) for Power has informed that the Ministry of Tribal Affairs agrees with the recommendation of said Committee that resolution of the Gram Sabha may not be required in cases of projects like transmission lines where linear diversion of forest land in several villages are involved, unless recognised rights of PTG/ PAC are being affected.

15/2/2013

Accordingly, I am directed to say that proposals seeking prior approval of Central Government under the Forest (Conservation) Act, 1980 for projects like construction of roads, canals, laying of pipelines/ optical fibres and transmission lines *etc.* where linear diversion of use of forest land in several villages are involved, unless recognised rights of PTG/ PAC are being affected, are exempted from the requirement of obtaining consent of the concerned Gram Sabha(s) as stipulated in clause (c) read with clause (b), (e) and (f) in second para of this Ministry's said letter dated 03.08.2009.

This issues with approval of the Hon'ble Minister of State (Independent Charge) for Environment and Forests.

Yours faithfully,

(H.C. Chaudhary)

Assistant Inspector General of Forests

Copy to:-

1. Shri Sanjay Lohiya, Director, Prime Minister's Office, New Delhi.
2. Secretary, Ministry of Road Transport and Highways, New Delhi.
3. The Secretary, Ministry of Power, New Delhi.
4. The Secretary, Ministry of Petroleum, and Natural Gas, New Delhi.
5. The Chairman, Railways Board, New Delhi.
6. The Secretary, Ministry of Tribal Affairs, New Delhi.
7. The Chairman, National Highways Authority of India (NHAI), New Delhi.
8. Principal Chief Conservator of Forests, all State/UT Governments.
9. Nodal Officer, the Forest (Conservation) Act, 1980, all State/UT Governments.
10. All Regional Offices, Ministry of Environment & Forests.
11. Joint Secretary in-charge, Impact Assessment Division, MoEF.
12. All Assistant Inspector General of Forests in Forest Conservation Division, MoEF.
13. Director R.O. (HQ), Ministry of Environment & Forests, New Delhi.
14. Sr. Director (Technical), NIC, MoEF with a request to place a copy of the letter on website of this Ministry.
15. Sr. PPS to the Secretary, Environment and Forests.
16. Sr. PPS to the Director General of Forests & Special Secretary, MoEF.
17. Guard File.

No. A5(4)MIS.CR-9/2010-11.

(H.C. Chaudhary)
Office of the
Assistant Inspector General of Forests
Principal Chief Conservator of Forests
(Head of Forest Force)

Aranya Bhavan, 18th Cross, Malleswaram
Bangalore-3, Dated: / 03 / 2013.

CIRCULAR

Copy of the Guidelines dated 05-2-2013 of MOEF, GOI is communicated to the Chief Conservators of Forests (T) & the Deputy Conservator of Forests (T)/(WL) through e-mail for information

Additional Principal Chief Conservator of Forests
(Forest Conservation), Bangalore.

E-mail sent

03/03/13