

Ref No.: AGE30L/765kV/TL/FCA/2106/2024

Date: 21.06.2024

To,

The Additional Principal Chief Conservator of Forests & Nodal Officer (FCA),

Aranya Bhavan, Block No. A/3,

Sector 10A, Gandhinagar,

Gujarat.

Dispatch Clerk,

Addl. Pri. Chief Conservator of Forests

Land,

Gujarat State, Gandhinagar

Sub: Diversion of **226.3223 ha.** Protected Forest land for construction of 765 KV D/C transmission line project from Khavda to PGCIL substation Bhuj in Kachchh District in favour of Adani Green Energy Thirty Ltd. - **Reply to EDS raised by IRO, Gandhinagar dated 15.05.2023.**

- Ref:**
1. FRA certificate vide reference no. **LAND/4/W.S/32/2021** dated **12.03.2021**.
 2. In-Principle/Stage-I approval from IRO, Gandhinagar date, MoEF&CC, Gandhinagar. **F. No. FC-6/GJC-02/2023-GNR** dated **06.02.2023**.
 3. Submission of compliance report to Stage 1 Approval vide reference no. **AGE30L/765kV/TL/FCA/1003/2023** dated **10.03.2023**.

Dear Sir,

Adani Green Energy Thirty Limited was granted In-Principal (Stage 1) approval by MOEFCC vide its letter dated 06.02.2023 mentioned under reference 2 for diversion of 226.3223 ha. Protected Forest land for construction of 765 KV D/C transmission line project from Khavda to PGCIL substation Bhuj in Kachchh District. Thereafter, detailed compliance report to conditions mentioned in the In-Principal (Stage 1) approval including FRA certificate issued by District Collector, Kutch for the said project was submitted on 10.03.2023 for processing of Stage 2 approval.

Subsequently, IRO Gandhinagar, vide its letter dated 15.05.2023 raised observation and response to the observations are as below:

S No.	Observation Raised by IRO	Response
1	Complete compliance of Forest Rights Act, 2006 is not submitted. Thus, it is requested to submit the FRA certificate in the prescribed format along with all enclosures i.e. proceedings of DLC, SDLC and Gram Sabha.	<p>The provision mentioned under Rule 11 (7) of Van (Sanrakshan Evam Samvardhan) Rules, 2023 issued by MOEFCC on 29th November 2023 in respect of "Final approval of the proposal" are reproduce below which inter-alia state that:</p> <p><i>"The State Government or Union territory Administration, as the case may be, after receiving the 'Final' approval of the Central Government under sub-section (1) of section 2 of the Adhiniyam, and after fulfilment and compliance of the provisions of all other Acts and rules made thereunder, as applicable including ensuring settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (2 of</i></p>

Adani Green Energy Thirty Limited

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S No.	Observation Raised by IRO	Response
		<p>2007), shall issue order for diversion, assignment of lease or de-reservation, as the case may be."</p> <p>Hence, it is humbly submitted that, FRA compliance is not required at the stage of grant of 'Final' approval and required before issuance of Final order for diversion by State Government, as applicable. However, copy of FRA certificate issued by District Collector, Kutch in respect of the project vide letter dated 12.03.2021 is enclosed as Annexure for information pls.</p>
2	Kml file of diversion area and CA area shall be uploaded on e-Green Watch Portal along with all requisite details.	Pertain to State Forest Department.
3	Compliance of condition No.B-2 is not received as State Government has not clarified whether the forest land is handed over to the User Agency after possession of the non-forest land involved in the project by the User Agency.	Pertain to State Forest Department.

Since, as per Rule 11 (7) of Van (Sanrakshan Evam Samvardhan) Rules, 2023, FRA compliance is not required at the stage of grant of 'Final' approval; it is humbly requested, kindly do needful for processing of compliances for grant the Stage 2 (Final) forest approval under section-2 of the Forest Conservation Act-1980 to the project.

Thanking You,

For **Adani Green Energy Thirty Limited**,


(Authorized signatory)

Encl: As above

FORM-I

(for linear projects)

Government of Gujarat
Office of the District Collector, Kutch

No.LAND/4/W.S/32/2021

Dated. 12 /02/2021

TO WHOMSOEVER IT MAY CONCERN

In compliance of the Ministry of Environment and Forests (MoEF), Government of India's letter No. 11-9/98-FC (pt.) dated 3rd August 2009 wherein the MoEF issued 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 (FRA', for short) on the forest land proposed to be diverted for non-forest purposes read with MoEF's letter dated 5th February 2013 wherein MoEF issued certain relaxation in respect of linear projects, it is certified that **226.3223 Ha.** (Land details shown in the table belows) of forest land proposed to be diverted in favour of **Adani Green Energy Thirty Ltd. for Construction of 765 KV D/C Transmission Line in Kutch** district falls within jurisdiction **Bhuj** tehsils



Sr. NO.	Taluka	Village/Route	Survey No./ Road Name	Total Forest Area Required (Sq.Meter)
1	Bhuj	Layvara	Road side Protected Forest	46.1106
2	Bhuj	Bhirandiyara	Road side Protected Forest	127.3332
3	Bhuj	Banni Gras Land area	Bhuj	52.8785
Total				226.3223

It is further certified that:

- (a) the complete process for identification and settlement of rights under the FRA has been carried out for the entire **226.3223 Ha.** of forest area proposed for diversion. A copy of records of all consultation and meetings of the Forest Rights Committee(s), Gram Sabha(s), Sub- Division Level Committee(s) and the District Level Committee are enclosed.(NOT APPLICABLE).

(b) the diversion of forest land for facilities managed by the Government as required under section 3 (2) of the FRA have been completed and the Grama Sabhas have given their consent to it.(NOT APPLICABLE)

(c) the proposal does not involve recognized rights of Primitive Tribal Groups and pre-agricultural communities.



D.K.

(PRAVEENA D.K.)
COLLECTOR & DISTRICT MAGISTRATE
KUTCH-BHUJ

TO,

- (1) Deputy Conservator of Forest, Banni Grass Land area, Bhuj-Kachchh.
- (2) Deputy Conservator of Forest, West Division, Bhuj-Kachchh.
- (3) Deputy Conservator of Forest, East Division, Bhuj-Kachchh.
- (4) Deputy Conservator of Forest, Social Forestry Division, Bhuj-Kachchh.
- (5) Authorized Signatory, Adani Green Energy Thirty Ltd