



सत्यमेव जयते

भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST
& CLIMATE CHANGE

क्षेत्रीय कार्यालय, पश्चिम क्षेत्र,
Regional Office, Western Region,
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"Kendriya Paryavarana Bhavan"
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File No. 6-GJB048/2018-BHO/ 721

Date : 28/06/2019

To,

The Additional Chief Secretary (Forests)
Govt. of Gujarat
Sachivalaya, Gandhinagar, (Gujarat).

Sub: Diversion of 0.9450 ha Section-4 Forest land for construction of 220 KV transmission line for wind farm project in village Lakhiyaviro of Ta. Nakhtrana of Kutchh district in favour of Srijan Energy System Private Ltd. Bhuj-Kutch.

Sir,

I am directed to invite a reference to your letter No. FCA-1018/3-05/18/S.F-140/F dated 14/09/2018 on the above mentioned subject seeking prior approval of the Central Government under Section - 2 of the Forest (Conservation) Act, 1980.

The proposal was duly considered and approved by the Central Govt. for issuance of in-principle approval. Therefore, the undersigned, on behalf of the Central Government, conveys **In-Principle Approval (Stage-I)** for diversion of 0.9450 ha Section-4 Forest land for construction of 220 KV transmission line for wind farm project in village Lakhiyaviro of Ta. Nakhtrana of Kutchh district in favour of Srijan Energy System Private Ltd. Bhuj-Kutch subject to the following terms and conditions:-

1. Legal status of the forest land shall remain unchanged.
2. Forest land shall be handed over only after required non-forest land for the project is handed over to the user agency.
3. **Compensatory Afforestation :**
 - a) Compensatory Afforestation shall be taken up by the Forest Department over **1.00 ha non-forest land**, Survey No. 545/pt 39/pt 2/pt/pt 2, Village-Sudadharo Moti, Taluka-Abdasa, District- Kutch, Gujarat 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.
 - b) The non-forest land proposed for CA shall be transferred and mutated in the name of Forest Department and notified as RF/PF prior to Stage-II approval. A copy of the original notification declaring the non-forest land under Section 4 or Section 29 of the Indian Forest Act, 1927, or under the relevant section of the State Forest Act as the case may be, will be submitted by the State Government prior to Stage-II approval:
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 Forest Department by the project authority. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipate cost increase for works scheduled for subsequent years.
5. **NPV:**
 - a) The State Government shall charge the Net Present Value(NPV) for the **0.9450 ha** forest area to be diverted under this proposal from the User Agency as per the orders of the

0.9450 ha
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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.
6. User agency shall restrict the felling of trees upto 91 numbers 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.
 7. All the funds received from the user agency under the project shall be transferred/deposited to CAMPA fund only through e-portal (<http://parivesh.nic.in/>).
 8. 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.
 9. 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.
 10. The User Agency shall comply with the guideline for laying transmission lines through forest as per Chapter 10 of FCA, 1980 Handbook 2019.
 11. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.
 12. The layout plan of the proposal shall not be changed without prior approval of Central Government.
 13. No labour camp shall be established on the forest land.
 14. 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.
 15. 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.
 16. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
 17. 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.
 18. The forest land shall not be used for any purpose other than that specified in the project proposal.
 19. 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.
 20. Violation of any of these conditions will amount to violations of Forest (Conservation) Act, 1980 and action would be taken as Para 1.21 of FCA, 1980 Handbook 2019.
 21. All the conditions of State Forest Department/Local Forest rules shall be applicable in this project.

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22. Any other condition that the Ministry of Environment, Forest & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.
23. The compliance report in letter format of State Govt. of Gujarat shall be uploaded on e-portal (<http://parivesh.nic.in/>).

After receipt of compliance report on fulfillment of all of the above conditions from the State Government, proposal will be considered for final approval under Section-2 of the Forest (Conservation) Act, 1980 by this office.

The order for transfer of forest land to user agency shall not be issued by the State Government till formal approval order for diversion of forest land is issued by this office.

(B. Abhay Bhaskar)

Asstt. Inspector General of Forests (C)

Copy to :-

1. Director, ROHQ, Ministry of Environment, Forests and Climate Change, Agni, C-wing, 3rd Floor, Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, New Delhi - 110003.
2. The Addl. Principal Chief Conservator of Forests & Nodal Officer (L), Gandhinagar, Gujarat.
3. The Dy. Conservator of Forest, West Division, Kutchh-Bhuj, Gujarat.
4. Srijan Energy System Private Ltd., Office No.4, 1st Floor, City Centre, Opp. Mandvi Octroi, Commerce College Road, Bhuj-Kutch-370001, Gujarat.
5. Order file.

(B. Abhay Bhaskar)

Asstt. Inspector General of Forests (C)

0.9450 ha
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