



सत्यमेव जयते

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

क्षेत्रीय कार्यालय, पश्चिम क्षेत्र,
Regional Office, Western Region,
"केन्द्रीय पर्यावरण भवन"
"Kendriya Paryavaran Bhavan"
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File No. 6-DNB029/2018-BHO/ 246

Date: 01/06/2018

To,

The Secretary (Forests)
Department of Environment, Forest and Wildlife
Secretariat, Silvassa
Dadra and Nagar Haveli (UT).

Sub.: Diversion of 0.425547 Ha. of Protected Forest land for laying of power line from 66 KV substation Athal to M/s. Shri Khatu Shyam Alloys Pvt. Ltd., Kharadpada, Survey No. 148/4/1/1 and 148/1/2 of village Kharadpada in the UT of Dadra and Nagar Haveli.

Sir,

I am directed to refer to Chief Conservator of Forests/ Nodal Officer (FCA-1980) letter No. 7-5/3-FD/607/48 dated 22.05.2018 on the above mentioned subject seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980.

After due consideration of the above proposal of the Union Territory Administration, the undersigned, on behalf of the Central Government, is hereby directed to convey **in-principle** approval for diversion of 0.425547 Ha. of Protected Forest land for laying of power line from 66 KV substation Athal to M/s. Shri Khatu Shyam Alloys Pvt. Ltd., Kharadpada, Survey No. 148/4/1/1 and 148/1/2 of village Kharadpada in the UT of Dadra and Nagar Haveli subject to the following conditions:-

1. Legal status of the forest land shall remain unchanged.
2. Forest land shall be handed over to the User Agency only after the User Agency has got possession of non-forest land, if any, required for the project.
3. Compensatory Afforestation : -
 - a) Compensatory Afforestation shall be taken up by the Forest Department by planting **1362 plants over 0.851094 ha degraded forest land at Survey No. 351, Village-Galonda, Silvassa** at the cost of the User Agency. Compensatory afforestation will be of a mix of local indigenous species and monoculture of species will be avoided. The CA will be maintained for 10 years.
 - b) The cost of Compensatory Afforestation and its maintenance for 10 years shall be deposited in advance at prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation, erection of boundary pillars etc. on the CA land shall be deposited in advance with the Forest Department by the User Agency. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.
 - c) Land identified for CA shall be clearly depicted on a Survey of India Toposheet of 1:50,000. The bearing of each corner point and distances between two successive points will be recorded alongwith the GPS readings of Geo coordinates (Latitudes & Longitudes).

0.425547 Ha
DHH

11/6/18

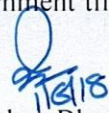
4. **Net Present Value (NPV) :**
- a) The State Government shall charge the "Net Present Value" (NPV) for the **0.425547 ha** of forest land to be diverted under the proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 30/10/2002, 01/08/2003, 28/03/2008 and 09/05/2008 in IA No. 566 in WP (Civil) 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 regards.
 - b) Additional amount of the NPV of 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 Union Territory Administration from the User Agency, which shall furnish an undertaking to this effect.
5. All the funds received from the User Agency under the project shall be transferred / deposited in CAMPA fund only through e.portal (<http://forestsclearance.nic.in>).
 6. **The certified copies of Survey of India toposheet map and Geo-referenced map of proposed diversion land shall be uploaded on e.portal before issuance of working permission, as in case of linear project.**
 7. **The user agency shall submit the FRA certificate in prescribed format before issuance of working permission, as in case of linear project.**
 8. **The user agency shall submit certificate of distance from protected area, historic/archeological place and rehabilitation certificate before issuance of working permission, as in case of linear project.**
 9. The user agency shall obtain the Wildlife Clearance from competent authority, if applicable.
 10. The electric line shall be laid down 2.0 meter below the ground and after lying down of electric line the ground will be leveled.
 11. The boundary of the diverted forest land shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, forward and back bearing and distance from pillar to pillar.
 12. Relevant directions contained in various notifications issued by the Central Government under the provisions of the Environment (Protection) Act, 1986 and Environment (Protection) Rules, 1986 made there under and as amended from time to time regarding use of fly ash shall be fully complied with.
 13. Muck disposal, if required, should be taken up as per the scheme approved by the Forest Department.
 14. Soil conservation measures, if required, should be taken up by the User Agency for which fund should be provided as per the current rate of works.
 15. No felling of tree shall be involved in the implementation of the proposal.
 16. No damage shall be done to flora & fauna.
 17. No additional or new path will be constructed inside the forest area for transportation of construction materials to be used for execution of the project work. Camps shall not be allowed in Forest Area.

0.425547 ha
DHH


11/8/18

18. Proposed temporary labour camps outside the forest area are to be dismantled and removed. The labourers shall be sent back immediately after the completion of the work.
19. The forest land shall not be used for any purpose other than that specified in the project proposal.
20. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Central Government.
21. The User Agency shall provide fuel preferably alternate fuel to the staff and labourers working at the site to avoid damage /felling of trees and pressure on forest areas.
22. The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of User Agency or the project life whichever is less.
23. The User Agency shall submit compliance report as on 1st January of every year to the Nodal Officer of the State.
24. The State Government shall monitor compliance of conditions of Forest Clearance and shall submit in this regard yearly report as on 31st July of every year.
25. The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
26. Statutory provisions under various Acts, rules made there under and guidelines applicable to this project shall be strictly adhered to.
27. Any other condition that the Ministry of Environment, Forest & Climate Change may stipulate from time to time in the interest of conservation and development of forests & wildlife.
28. The compliance report shall be uploaded on e.portal (<http://forestsclearance.nic.in>).

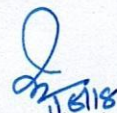
The compliance report on condition Nos. 3(a, b), 4, 5, 6, 7, 8 and 28 shall be sent to this office. Transfer of Forest land to User Agency shall not be affected by the State Government till the formal approval for diversion of forest land is issued by the this office.



(B. Abhay Bhaskar)
Dy. Conservator of Forests

Copy to:-

1. The Director (ROHQ), Ministry of Environment, Forest and Climate Change, AGNI, C-Wing, Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, New Delhi-110003.
2. The Chief Conservator of Forests and Nodal Officer (FCA), Department of Environment, Forest and Wildlife, Secretariat, Silvassa, Dadra and Nagar Haveli (UT).
3. The Dy. Conservator of Forests, Forest Division D & NH, Silvassa, Dadra and Nagar Haveli.
4. Shri Khatu Shyam Alloy Private Ltd., Survey No. 148/4/1/2, Near Parle Biscuit Company, Kharadpada, Silvassa 396230.
5. Order file.



(B. Abhay Bhaskar)
Dy. Conservator of Forests

0.425547 ha
DNH