

I/38118/2023



भारत सरकार
GOVERNMENT OF INDIA

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE
CHANGE



एकीकृत क्षेत्रीय कार्यालय, गांधीनगर/ Integrated Regional Office,
Gandhinagar

ए वींग- 407 एवं 409, "अरण्य भवन", सी.एच.-3 सर्किल के समीप, सेक्टर-10ए, गांधीनगर-382010 / A
wing- 407 & 409, "ARANYA BHAWAN", Near CH-3 Circle, Sector-10A, Gandhi Nagar-382010
Email: iro.gandhinagr-mefcc@gov.in

Dated: 06th February, 2023

To

अपर मुख्य सचिव (वन)/Additional Chief Secretary (Forests),
गुजरात सरकार/Govt. of Gujarat,
ब्लॉक नं. 14, आठवाँ तल, न्यू सचिवालय/
Block No. 14, 8th Floor, New Sachivalaya,
Gandhinagar, Gujarat/ गांधीनगर, गुजरात।

(Online Proposal No: FP/GJ/TRANS/49319/2020)

Sub: Diversion of 226.3223 ha Protected Forest land for construction of 765 KV D/C transmission line project from Khavda to PGCIL sub station Bhuj in Kachchh District in favour of Adani Green Energy Thirty Ltd., Ahmedabad.

Sir,

This refers to letter No. FCA-1022/3-56/21/SF-68/F dated 02.01.2023 of the State Govt. of Gujarat on the above mentioned subject seeking prior approval of the Ministry of Environment, Forest & Climate Change under section 2 of Forest (Conservation) Act, 1980.

The proposal was duly considered and approved by the Regional Empowered Committee in its 9th Meeting held on 30.01.2023 for issuance of In-Principle approval. Therefore, the undersigned, on the behalf of the Central Government, conveys **In-Principle/Stage-I Approval** for diversion of 226.3223 ha Protected Forest land for construction of 765 KV D/C transmission line project from Khavda to PGCIL sub station Bhuj in Kachchh District in favour of Adani Green Energy Thirty Ltd., Ahmedabad subject to the following general and standard conditions:-

A: Conditions which needs to be complied prior to handing over of forest land by the State Forest Department:

1. 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 anticipated cost increase for works scheduled for subsequent years.
2. The State Government shall charge the Net Present Value (NPV) for the **226.3223 ha** forest area to be diverted under this 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, 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-

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06/02/2023

I/38118/2023

2/2006-FC dated 03/10/2006 and 5-3/2007-FC dated 05/02/2009 and revision of NPV vide Ministry letter No. 5-3/2011-FC(Vol-1) dated 06.01.2022 in this regard.

3. 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.
4. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
5. The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the direction of concerned Divisional Forest Officer.
6. The KML file of the area to be diverted and the CA areas shall be uploaded on the e-Green watch portal with all requisite details, before issuing working permission towards linear projects or submitting compliance report for seeking Stage-II approval, as the case may be.
7. All the funds received from the user agency under the project shall be transferred/ deposited to CAMPA fund only through e-portal.

B: Conditions which needs to be strictly complied on field after handing over of forest land to the User Agency by the State Forest Department but the compliance in form of undertaking shall be submitted prior to Final/Stage-II approval:

1. Legal status of the forest land shall remain unchanged.
2. Forest land will be handed over to the User Agency only after required non-forest land for the project is handed over to the User Agency.
3. Compensatory afforestation shall be taken up by the Forest Department over 453.00 ha de-graded forest land at the cost of the user agency. As far as possible, a mixture of local indigenous species shall be planted and mono-culture of any species may be avoided. Details of CA location is as follows:

Sr. No.	Name of Forest Division	CA proposed in Area (Ha.)	Details of CA Scheme
1.	Kutch (West)	290.00 DFL	(Compartment No. Survey No. 56/pt), Village-Baiyavo, Taluka - Lakhpat, Dist.-Kutch, Gujarat.
2.	Kutch (West)	163.00 DFL	(Compartment No. Survey No. 26/pt), Village-Mudhvay, Taluka - Lakhpat, Dist.-Kutch, Gujarat.
Total		453.00	

4. User agency shall restrict the felling of trees to 43 trees/minimum numbers in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and cost of felling of trees shall be deposited by the User Agency with the State Forest Department.
5. The User Agency shall comply with the guidelines for laying transmission lines through forest areas issued by Ministry vide letter no. 7-25/2012-FC dated 05/05/2014 & 19/11/2014.
6. The User Agency shall comply with the guideline for laying transmission lines through forest areas issued by Ministry vide Chapter 10 of FCA, 1980 Handbook 2019.
7. The User Agency shall comply with the Hon'ble NGT order for transmission line dated 07.03.2012.

[Signature]
06/02/2023

I/38118/2023

8. No damage to the flora and fauna of the adjoining area shall be caused.
9. The layout plan of the proposal shall not be changed without prior approval of Central Government.
10. No labour camp shall be established on the forest land.
11. 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.
12. 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.
13. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
14. 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.
15. The forest land shall not be used for any purpose other than that specified in the project proposal.
16. 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.
17. The User Agency shall submit the annual self compliance report in respect of the above stated conditions to the State Government and Integrated Regional Office, Gandhinagar by the end of March every year.
18. The User Agency shall comply with all the provisions of the all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and NGT Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.
19. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF&CC Guideline F. No. 11-42/2017-FC dt 29/01/2018.
20. Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.
21. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).

Specific Conditions:

1. The User Agency at its cost shall provide bird deflectors, which are to be fixed on upper conductor of transmission line at 10 meter intervals to avoid bird hits in complete length of the transmission line (within forest and outside forest area) from Khavda to PGCIL Substation Bhuj.
2. The heavy growth of Prosopis juliflora in CA area has to be removed for carrying out plantation at the cost of User Agency.
3. Two rows of Azadirachta indica (Neem) has to be planted along the boundary of CA area at the cost of User Agency.
4. The User Agency in consultation with the State Forest Department prepare a detailed scheme for creation and maintenance of plantation of medicinal/ dwarf species in right of way under the transmission line for execution of the said scheme to the State Forest Department. For

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06/02/2023

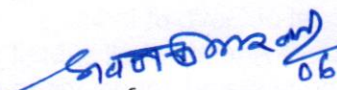
I/38118/2023

this proposal plantation will be done in proposed alternate site at Mandavi Range of Kutch West Division, as the plantation is not possible in Banni Grassland due to inundation during the monsoon season (for 3 to 4 months).

After receipt of compliance report on fulfillment of all of the above conditions from the State Government, proposal will be considered for Final/Stage-II approval under Section-2 of the Forest (Conservation) Act, 1980. The User Agency shall take up the work as per the guidelines in force and after ensuring that all necessary clearances for the entire stretch are in place. Working permission, if any issued, shall be intimated to IRO, Gandhinagar. Transfer of forest land shall not be effected till Final/Stage-II approval is granted by the Central Government in this regard.

Further, it may also be noted that this **In-principle / Stage-I** approval shall be valid for a period of 5 years from the date of issue of this letter. In the event of non-compliance of the above conditions, this In-principle approval shall be revoked after **five (05) years**.

Sincerely,


(श्रवण कुमार वर्मा / Shrawan Kumar Verma)

उप वनमहानिरीक्षक एवं क्षेत्रीय अधिकारी

Deputy Inspector General (DIG) & Regional Officer (RO)

एकीकृत क्षेत्रीय कार्यालय, गांधीनगर।

Integrated Regional Office (IRO), Gandhinagar.

Copy to/ प्रतिलिपि:

1. The Inspector General of Forests (Central), ROHQ Division, Ministry of Environment Forest and Climate Change, Indira paryavaran Bhawan, Jor Bagh Road, New Delhi- 110003.
2. The APCCF & Nodal Officer (FCA), Aranya Bhawan, Sector- 10A, Gandhinagar, Gujarat.
3. The Chief Conservator of Forests, Kachchh Forest Circle, Bhuj, Gujarat.
4. The Deputy Conservator of Forests, Banni Grassland Division, Bhuj, Gujarat.
5. Adani Green Energy Thirty Limited, "Adani Corporate House", 4th Floor-South Wing, Shantigram, Near Vaishno Devi Circle, S.G. Highway, Khodiyar, Ahmedabad-382421.
6. Guard File.