



भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जल वायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE
CHANGE

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F. No. FC-II/CH-26/2015-NGP/204

Dated: 17th March, 2016

To

The Principal Secretary (Forests),
Government of Chhattisgarh,
Raipur.

Sub: Diversion of 17.245 ha (2.060 ha PF and 15.185 ha Revenue Forests) of forest land in favour of Bharat Aluminium Company Limited (BALCO) for construction of 400 KV D/C Transmission line from BALCO 1200 mw Power Plant to PGCIL Dharamjaigarh Pooling Station at Bhaisma, in Korba District in the State of Chhattisgarh – regarding.

Sir,

I am directed to refer to the Government of Chhattisgarh's letter no. F-5-40/2015/10-2 dated 4.09.2015 on the above subject seeking prior approval of the Central Government under Section – 2 of the Forest (Conservation) Act, 1980 and Addl. PCCF & Nodal Officer (FCA), Government of Chhattisgarh's letter no. Bhu-Prabandh/Vidyut/479-136/497 dated 6.02.2016 and 4.03.2016 forwarding additional information as sought by the Regional Office (WCZ) of the MoEF&CC vide its letters of even number dated 15.09.2015 and 9.02.2016, respectively and to say that the said proposal has been examined by the Regional Empowered Committee constituted by the Central Government under Section-4 of the aforesaid Act.

After careful examination of the proposal of the State Government and on the basis of the approval of the proposal by the Regional Empowered Committee, the Central Government hereby accords 'in-principle' under Section -2 of the Forest (Conservation) Act, 1980 for diversion of 17.245 ha (2.060 ha PF and 15.185 ha Revenue Forests) of forest land in favour of Bharat Aluminium Company Limited (BALCO) for construction of 400 KV D/C Transmission line from BALCO 1200 mw Power Plant to PGCIL Dharamjaigarh Pooling Station at Bhaisma, in Korba District in the State of Chhattisgarh subject to fulfilment of the following conditions:

- (i) Legal status of the diverted forest land shall remain unchanged;
- (ii) Compensatory afforestation over the degraded forest land, twice in extent to the forest land being diverted, shall be raised and maintained by the State Forest Department at the cost of the User Agency;
- (iii) The User Agency shall transfer the cost of raising and maintaining the compensatory afforestation, at the current wage rate, to the State Forest Department. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years;
- (iv) The State Government shall charge the Net Present Value (NPV) of the forest land being diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India

dated 28.03.2008, 24.04.2008 and 09.05.2008 in Writ Petition (Civil) No. 202/1995 and the guidelines issued by this Ministry vide its letter No. 5-3/2007-FC dated 05.02.2009 in this regard;


- (v) At the time of payment of the Net Present Value (NPV) at the then prevailing rate, the User Agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
- (vi) All the funds received from the user agency under the project, except the funds realized for regeneration/ demarcation of safety zone, shall be transferred to Ad-hoc CAMPA in the Saving Bank Account pertaining to the State concerned;
- (vii) The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- (viii) No labour camp shall be established on the forest land;
- (ix) The User Agency shall provide firewood preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;
- (x) 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;
- (xi) The forest land shall not be used for any purpose other than that specified in the proposal;
- (xii) The User Agency shall ensure that because of this project, no damage is caused to the wildlife available in the area;
- (xiii) Width of right of way for the transmission line shall be limited to 46 meters;
- (xiv) The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
- (xv) The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government;
- (xvi) The user agency shall install circuit breakers at suitable places besides maintain necessary ground clearance to prevent electrocution of wild animals;
- (xvii) Any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;
- (xviii) To minimize the felling for construction of transmission line, user agency shall comply with the following guidelines:
 - (a) Below each conductor, width clearance of 3 mts. would be permitted for carrying the tension stringing equipment. The trees on such strips may be felled but after stringing work is completed, the natural regeneration will be allowed to come up.
 - (b) One outer strip may be left clear to permit maintenance of the transmission line;
 - (c) In the remaining width the right of way felling/pollarding/pruning of trees will be done with the permission of the local forest officer whenever necessary to maintain the electrical clearance, trees shall be allowed to be felled or lopped to the extent required, for preventing electrical hazards by maintaining the minimum 5.5 meter clearance between conductors and trees. The

sag and swing of the conductors are to be kept in view while working out the minimum clearance mentioned as above;

- (d) 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, and provide funds for execution of the said scheme to the State Forest Department; and
- (e) In case a portion of the transmission lines to be constructed is located in hilly areas, where adequate clearance is already available, trees shall not be cut;
- (xix) The user agency in consultation with the State Government shall create and maintain alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project. Bird's nests artificially made out of eco-friendly material shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project;
- (xx) Any other condition that the concerned Regional Office of this Ministry may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife;
- (xxi) The User agency shall submit the annual self compliance report in respect of the above conditions to the State Government and to the concerned Regional Office of the Ministry regularly; and
- (xxii) The User Agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project.


After receipt a report on compliance of conditions no. (iii), (iv), (vi) (xviii)(d) and undertakings in respect of all other conditions duly countersigned by the competent authority in the State Government, from the State Government, formal approval will be considered in this regard under Section-2 of the Forest (Conservation) Act, 1980.

Yours faithfully


(Charan Jeet Singh)
Scientist 'C'

Copy to:

1. The Principal Chief Conservator of Forest, Government of Chhattisgarh, Raipur.
2. The Nodal Officer (FCA), O/o the PCCF, Government of Chhattisgarh, Raipur.
3. The Director (ROHQ), MoEF&CC, Indira Paryavaran Bhawan, Jorbagh Road, Aliganj, New Delhi.
4. The User Agency.
5. Guard File/NIC.


(Charan Jeet Singh)
Scientist 'C'