



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

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F.No. FC-IMH-18/2015-NGP/40

Date: 20/01/2016

To,

The Secretary,
Govt. of Maharashtra,
Revenue & Forest Department,
Mantralaya, Mumbai-400032.

Sub: Diversion of 1.8947 ha of Reserved Forest, Protected Forest, Private Forest restored to owner for laying of 220 KV Nagothane (Kansai) substation to existing old 220 KV (Velshet) Transmission line in Raigad District of Maharashtra.

I am directed to invite reference to APCCF & Nodal Officer letter No. Desk-17/NC/II/ID 12414/(58)/1622/15-16 dated 03/12/2015 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 State Government, the undersigned, on behalf of the Central Government, hereby conveys in-principle approval for diversion of 1.8947 ha of Reserved Forest, Protected Forest, Private Forest restored to owner for laying of 220 KV Nagothane (Kansai) substation to existing old 220 KV (Velshet) Transmission line in Raigad District of Maharashtra subject to the following conditions:-

1. Legal status of the forest land shall remain unchanged.
2. Compensatory Afforestation shall be taken up by the Forest Department over double degraded forest land 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 07 years.
3. 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.
4. The State Government shall charge the "Net Present Value" (NPV) for the 1.8947 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 regard and others.

(Signature)


5. 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 State Government from the User Agency, which shall furnish an undertaking to this effect.
6. All the funds received from the User Agency under the project shall be transferred to the Ad-hoc Compensatory Afforestation Fund Management & Planning Agency (CAMPA) in Savings Bank A/c No. SB 01025218 Corporation Bank, Lodhi Complex, New Delhi-110003 of Maharashtra state.
7. Penal Compensatory Afforestation shall be taken up by the Forest Department over 0.50 ha degraded forest land at the cost of User Agency.
8. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.
9. No labour camp shall be established on the forest land.
10. The User Agency shall provide alternate fuels to the labourers and the staff working at the site so as to avoid any damage /felling of trees and pressure on the adjacent forest areas.
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. The forest land shall not be used for any purpose other than that specified in the project proposal.
13. The User Agency shall ensure that because of this project, no damage is caused to the Wildlife available in the area.
14. The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
15. 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.
16. a) The User Agency shall submit six-monthly compliance report as on 1st January and 1st July of every year to this office as well as to the Nodal Officer of the State.
b) The State Government shall monitor compliance of conditions of Forest Clearance and shall submit in this regard yearly report as on 31st December of every year.
17. The trees on strips would have to be felled but after stringing work is completed, natural regeneration will be allowed to come up. Felling/ pollarding/ pruning of trees will be done with the permission of the local forest officer wherever necessary to maintain the electrical clearance. One outer strip shall be left clear to permit maintenance of the transmission line.
18. The user agency shall install circuit breakers at suitable places besides maintain necessary ground clearance to prevent electrocution of wild animals.

19. During construction of transmission line, pollarding/ pruning of trees located outside the above width of the strips, whose branches/ parts infringe with conductor stringing, shall be permitted to the extent necessary, as may be decided by local forest officer.
20. Pruning of trees for taking construction/ stringing equipments through existing approach/ access routes in forest areas shall also be permitted to the extent necessary, as may be decided by local forest officer. Construction of new approach/ access route will however, require prior approval under the Act.
21. The route alignment through forest areas will not have any deviation. The maximum width or right of way for the transmission line on the forest land shall be 35 meters.
22. Below each conductor, width clearance of 4.6 meters would be permitted for taking the tension stringing equipment. Felling of trees will be restricted to a width of 4.6 mtr only below each conductor. The trees on such strips would have to be felled but after stringing work is completed, the natural regeneration will be allowed to come up. Felling/ pollarding/ pruning of trees will be done with the permission of the local forest officer whenever necessary to maintain the electrical clearance.
23. One outer strip shall be left clear to permit maintenance of the transmission line. The sag and swing of the conductors shall be kept in view while working out minimum clearance.
24. The User Agency in consultation with the State Forest Department shall prepare a detailed scheme for creation and maintenance of plantation of local 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.
25. 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.
26. In the case of transmission line to be constructed in hilly areas, where adequate clearance is already available, trees shall not be cut.
27. The State Government shall complete settlement of rights, in terms of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any, on the forest land to be diverted and submit the documentary evidence as prescribed by this Ministry in its letter No. 11-9/1998-FC (pt) dated 05/07/2013 in support thereof.
28. 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.
29. No damage shall be caused to the flora and fauna of the area.
30. The User Agency and the State Government shall ensure compliance to provisions of all Acts, Rules, Regulations and Guidelines for the time being in force, as applicable to the project.

31. The State Government shall submit Geo-referenced and KML file for Compensatory Afforestation area and for Forest land to be diverted from the User Agency and submit to Regional Office, Nagpur.
32. In case of non-compliance of any of the above conditions, the concerned Divisional Forest Officer shall report through the State Govt. to this office as per procedure laid down in the clause 1.9 of guidelines issued under Forest (Conservation) Act, 1980.
33. All other conditions recommended by the Forest Department, Maharashtra at the time of submission of the proposal to the Central Government shall be applicable and shall have to be complied with by the User Agency.
34. Any other condition, which this office may stipulate from time to time, in the interest of conservation, protection and development of forests & wildlife as and when necessity arises.

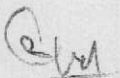
After receipt of the compliance report on fulfilment of the condition Nos. 3, 4, 5, 6, 7, 11, 27 & 31 and undertaking from competent authority with respect to other conditions the proposal will be considered by the Central Government for grant of final approval under the Forest (Conservation) Act, 1980. Handing over of the forest land will not be affected by the State Government till the receipt of formal orders from the Central Government.

Yours faithfully,


(Charan Jeet Singh)
Scientist 'C'

Copy to:-

1. The Addl. Principal Chief Conservator of Forests and Nodal Officer Maharashtra, Forest Department Maharashtra, Civil Lines, Nagpur-440 001 (Maharashtra)
2. The Director (RO HQ), Ministry of Environment, Forests and Climate Change, AGNI, C-Wing, 3rd Floor, Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, New Delhi-110003.
3. The Deputy Conservator of Forests, Alibag Forest Division, Alibag, Maharashtra.
4. Executive Engineer, EHV, Construction Division, Kalwa at Airoli, Thane, Maharashtra.
8. Order file.
9. APCCF, Regional Office, Nagpur


(Charan Jeet Singh)
Scientist 'C'