



भारत सरकार / Government of India
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
Ministry of Environment, Forest & Climate Change
एकीकृत क्षेत्रीय कार्यालय/Integrated Regional Office
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No. FP/JH/VELEC/40349/2019/ 44

Date: 17th January 2022

To

The Addl. Chief Secretary,
Department of Forests, Environment & Climate Change,
Government of Jharkhand,
Nepal House, Ranchi.

Sub: In-principle (Stage-I) approval of Central Government under Forest (Conservation) Act 1980 for diversion of 7.608 ha of forest land for construction of 33 KV Transmission Line from Vill - Padma to Vill - Nachanve under DDUGJY in Hazaribagh West Forest Division - reg.

Sir,

I am directed to refer to you the Jharkhand Govt. letter No.Van Bhumi-04/2021-1358/Va.Pa. dated 25.5.2021 and letter No.Van Bhumi-04/2021-3671/Va.Pa. dated 24.12.2021 of the State Government, Jharkhand on the above mentioned subject seeking prior approval of the Ministry of Environment, Forest and Climate Change under section 2 of Forest (Conservation) Act, 1980.

After due consideration of the proposal of the State Government and on the basis of decision of Regional Empowered Committee in its 47th meeting, the "in-principle" approval of Central Government, is hereby being conveyed for diversion of 7.608 ha of forest land for construction of 33 KV Transmission Line from Vill - Padma to Vill - Nachanve under DDUGJY in Hazaribagh West Forest Division, subject to the following conditions and stipulations.

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

- (1) The cost of compensatory afforestation (CA) to the extent of twice the diversion area on the Degraded Forest Land (Gross area - 16 ha) at the prevailing wage rates as per compensatory afforestation scheme (including the cost of survey, demarcation and erection of permanent pillars etc. as required for securing the land against encroachment) shall be deposited in advance with the State 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 7.608 ha forest area to be diverted under this proposal from the User Agency as per the order 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. 5-2/2006-FC dated 03/10/2006, 5-3/2007-FC dated 05/02/2009 and letter No.5-3/2011-FC(Vol-I) dated 6/01/2022 in this regard.
- (3) **As recommended by the Regional Empowered Committee, a Site Specific Wildlife Management Plan should be prepared by concerned DFO and approved by the PCCF (Wildlife) & Chief Wildlife Warden, Jharkhand. The duly approved plan should be submitted in IRO, MoEF&CC, Ranchi for information/ acceptance within 15 days of the issuance of this approval. Failing above, it shall be deemed that there is no requirement of such dedicated Plan in the extant proposal. The cost of the all components of Wildlife Management Plan under FC approval should be strictly deposited in CAMPA account without any deviation.**
- (4) All the funds received from the user agency under the project shall be transferred / deposited to CAMPA fund only through e-portal (<https://parivesh.nic.in/>).
- (5) The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
- (6) **The KML files of the area to be diverted and the CA area shall be uploaded on the e-Green watch portal with all requisite details and submitting compliance report for seeking Stage-II approval.**
- (7) Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as prescribed in para 1.21 of Chapter 1 of the Handbook of Comprehensive Guidelines of Forest (Conservation) Act, 1980 as issued by this Ministry's letter No.5-2/2017-FC dated 28.03.2019.
- (8) The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).

B: Conditions which need 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 Stage-II approval:

- (1) Legal status of the forest land shall remain unchanged.
- (2) Compensatory afforestation shall be taken up by the Forest Department over 16 ha. degraded forest land (Site - Lara PF, Thana - Barkatha/35, Plot No.78, 82 & 92 under Hazaribagh West Forest Division) at the cost of the user agency. As far as possible, a mixture of local native species shall be planted and monoculture of any species, especially non-native species should be avoided.
- (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 also be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect.
- (4) User Agency shall restrict the felling of trees to minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department only after issuance of felling permission by the concerned (Divisional Forest Officer) DFO and the cost of felling of trees shall be deposited by the User Agency with the State Forest Department.
- (5) 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.
- (6) The User Agency should fence the base of the tower by Chain Link Fencing to prevent the electrocution of Elephant/ Wild Animals in forest area at their own cost. The concerned DFO shall inspect the area and shall take a decision as to the specific towers which shall be fenced.
- (7) Width of Right of Way for the Transmission Line shall be limited to 15 m.
- (8) The height at the maximum sagging point of the transmission lines should be maintained more as prescribed general clearance/ height. As proposed by the State Forest Department, minimum 10.5 meter height at the maximum sagging point of the transmission line should be maintained in consultation with concerned DFO.


- (9) To minimize the felling of trees for construction of Transmission Line, User Agency shall comply with the following guidelines:
- (a) The normal width clearance below each conductor or conductor bundle in case of 33 KV Transmission line will be 3 m only. The trees on such strips may be felled but after stringing work is completed, the natural regeneration will be allowed to come up.
 - (b) Outer strip may be left clear to permit maintenance of the Transmission Line.
 - (c) In the remaining width of 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 2.8 meter clearance between conductors and trees. The maximum sag and swing of the conductors are to be kept in view while working out the minimum clearance mentioned as above.
 - (d) The Scheme for creation and maintenance of plantation of dwarf species in Right of Way under the Transmission Line, as prepared by the State Forest Department shall be implemented from the funds provided by the User Agency and a scheme for this shall be submitted.
- (10) **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.**
- (11) The user agency in consultation with the concerned DFO shall create and maintain alternate habitat/ home for the avifauna, whose nesting trees are to be cleared in the project. Bird nests artificially made out of eco-friendly materials shall be used in the area, including forest area and human settlements adjoining the forest area being diverted for the project.
- (12) The layout plan of the proposal shall not be changed without prior approval of the Ministry of Environment, Forest & Climate Change.
- (13) (a) No labour camp shall be established on the forest land.
(b) The User Agency shall provide alternate fuels preferably LPG to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas.

(c) Earth or any other material shall not be brought from and debris resulting during construction shall not be disposed of in the adjoining forest area by the user agency.

- (14) (a) The period of diversion under this approval shall be co-terminus with the period of the project life.
(b) The forest land shall not be used for any purpose other than that specified in the project proposal.
(c) The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department, or person without prior approval of Ministry of Environment, Forest and Climate Change.
- (15) 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 forest & wildlife.

2. After receipt of the compliance report regarding fulfillment of the conditions as stipulated above, from the State Government, formal approval will be issued in this regard under Section 2 of Forest (Conservation) Act, 1980. Transfer of forest land to user agency should not be given effect to by the State Government till formal order approving diversion of forest land is issued by the Central Government. To facilitate speedy execution of this project involving diversion for the transmission line, the in-principle approval may be deemed as the permission for commencement of works, if the required funds for CA, NPV and other compensatory levies (**cost of the Site Specific Wildlife Management Plan subject to the submission of such duly approved Plan in IRO, MoEF&CC, Ranchi within 15 days of the issuance of this approval**) specified in the in-principle approval are realized from the user agency and accordingly the State Government, by passing an order, may allow the commencement of work of the linear project in forest land for a period of one year (The detail guideline issued vide Ministry letter No. 11-306/2014-FC, dated 28.08.2015 may be referred).

Yours Sincerely,


(Shashi Shankar)

Assistant Inspector General of Forests (Central)

Copy to:-

1. The DIGF, RO(HQ), Ministry of Environment, Forests and Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi - 110 003.

2. The Principal Chief Conservator of Forests (HoFF)/ The PCCF-cum-Nodal Officer (FC), Forests, Environment & Climate Change Department, Government of Jharkhand, Van Bhavan, Doranda, Ranchi.
3. The Divisional Forest Officer, Hazaribagh West Forest Division, Jharkhand.
4. The Electrical Executive Engineer (Project), Electric Supply Circle, Julu Park, Hazaribagh.
5. Guard File.

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Assistant Inspector General of Forests (Central)