

Government of India
Ministry of Environment, Forests and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Jor Bag Road, Aliganj,
New Delhi - 110003.

Dated: 13th October, 2022

To

The Principal Secretary (Forest),
Government of West Bengal,
Kolkata-700098

Sub: Diversion of 234.00 ha of forest land for construction of 1000 MW Turga Pumped Storage Project of WBSEDCL in Ajodya Hills under Purulia forest Division.


Madam/Sir,

I am directed to refer to the State Government's letter No. 3340-For/O/L/10T-12/2017 dated 18.09.2017 on above mentioned subject seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 and to say that the above proposal has been examined by the Forest Advisory Committee constituted by the Central Government under Section-3 of the aforesaid Act. After careful consideration of the proposal by the Forest Advisory Committee (FAC) and after its recommendation, and approval of competent authority in the Ministry, In-principle/Stage-I approval was accorded vide this Ministry's letter of even number dated 12.04.2018 subject to fulfillment of certain conditions. The State Government has furnished compliance report in respect of the conditions stipulated in the approval and requested the Central Government to grant final approval.

2. In this connection, on the basis of the compliance report furnished by the Government of West Bengal vide their Letters No.1395-For/O/L/10T-12/2017 dated 22.12.2021, No.314-For/O/L/10T-12/2017 dated 11.03.2022, No.678-For/O/L/10T-12/2017 dated 12.05.2022 and No.1281-For/O/L/10T-12/2017 dated 01.09.2022, approval of the Central Government is hereby accorded under Section-2 of the Forest (Conservation) Act, 1980 for diversion of 234.00 ha of forest land for construction of 1000 MW Turga Pumped Storage Project of West Bengal State Electricity Distribution Company Limited (WBSEDCL) in Ajodya Hills under Purulia Forest Division, subject to following conditions:

A: Conditions which need to be complied prior to handing over of forest land to user agency by the State Govt.:

- i. The State Government shall ensure that the compliance of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 has been completed in accordance with the relevant Rules and Guidelines issued by this Ministry in this regard, before handing over of forest land to the user agency;
- ii. The State Govt. shall ensure that the User Agency will obtain necessary Environmental Clearance, Wildlife Clearance, CRZ Clearance, if required;
- iii. The State Government shall upload the KML files of the area under diversion and the sites identified for compensatory afforestation in the E-green Watch portal, before handing over forest land to the user agency.

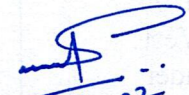

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B: Conditions which need to be complied after handing over of forest land to the user agency by the State Govt.:

- i. Legal status of the diverted forest land shall remain unchanged;
- ii. The State Govt. shall ensure that Compensatory Afforestation over the identified non-forest land of 234 ha. i.e 578.22 Acres, which has been notified as Protected forest vide undermentioned notifications, shall be raised within a period of three years with effect from the date of issue of Stage-II clearance and maintained for ten years thereafter in accordance with the approved plan by the State Forest Department from the funds provided by the user agency. The detail of notifications is as under:

S.N.	Area in Acres	Notification No.
1	62.72	No. 851-For/0/1/10T-12/2017 dated 29.07.2021
2	392.65	No.531-For/O/L/10T-12/2017 dated 25.03.2019
3	122.85	No.412-For/O/L/10T-12/2017 dated 08.03.2019
Total:	578.22	

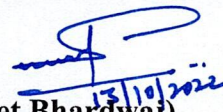
- iii. State Govt. and the user agency shall ensure to carry out the soil and moisture conservation activities on the area proposed for CA, from the funds provided by the User agency;
- iv. The State Govt. and the user agency shall ensure that no residential or labour colony or commercial complexes shall be constructed over forest land;
- v. The State Govt. shall ensure that the State Forest Department shall implement the approved Catchment Area Treatment (CAT) plan and approved Wildlife Conservation Plan from the funds provided by the user agency;
- vi. The State Govt. ensure that the user agency will carry out muck disposal at pre-designated sites in such a manner so as to avoid its rolling down and the dumping area for muck disposal shall be stabilized and reclaimed by planting suitable species by the user agency at the cost of project under the supervision of State Forest Department. Retaining walls and terracing shall be carried out to hold the dumping material in place. Stabilization and reclamation of such dumping sites shall be completed before handing over the same to the State Forest Department in a time bound manner as per Plan.
- vii. The State Government and the user agency shall ensure that the trees available between full reservoir level (FRL) and FRL-4 meters are not felled;
- viii. The State Government shall ensure that the User agency will carry out afforestation along the periphery of the reservoir and provide free water for the forestry related projects;
- ix. The User Agency shall pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
- x. The State Govt. shall ensure that no labour camp shall be established on the forest land and the User Agency shall provide fuels 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;
- xi. The State Govt. shall ensure that 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 and the layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- xii. The State Govt. ensure that the boundary of the forest land being diverted will be demarcated on ground at the project cost, using four feet high RCC pillars, each pillar inscribed with the serial number, DGPS coordinates, forward and backward bearings and distance from adjoining pillars etc;


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- xiii. The State Govt. ensure that the user agency will explore the possibility of translocation of maximum number of trees identified to be felled and any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department, and the User Agency will obtain permission for felling of trees as per applicable court orders/Forest Act/Rules/Guidelines;
- xiv. The User Agency shall submit the Annual Compliance Report in respect of the above stated conditions to the concerned Integrated Regional Office and to this Ministry every year regularly;
- xv. The 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;and
- xvi. The State Govt. shall ensure that the user agency shall comply with the provisions of 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.

Yours sincerely,


(Suneet Bhardwaj)

Assistant Inspector General of Forests (FC)

Copy to:

1. The Principal Chief Conservator of Forests (HoFF), Government of West Bengal, Kolkata.
2. The Nodal Officer (FCA), O/o the PCCF(HoFF) , Government of West Bengal, Kolkata.
3. Regional Officer(C), Integrated Regional Office, Kolkata.
4. User agency.
5. Monitoring Cell of FC Division, MoEF&CC,IPB New Delhi for uploading on PARIVESH.
6. Guard file.