



# कार्यालय : वन संरक्षक, प्रादेशिक अंचल, चतरा

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पत्रांक :-

दिनांक :-

सेवा में,

क्षेत्रीय मुख्य वन संरक्षक,  
हजारीबाग।

**विषय:-** मेसर्स झारखण्ड उर्जा संचरण निगम लिमिटेड, हजारीबाग द्वारा 132 के.भी. डबल सर्किट चतरा से हण्टरगंज ट्रांसमिशन लाइन निर्माण हेतु कुल 53.2129 हे0 (चतरा दक्षिणी-29.8774 हे0 एवं चतरा उत्तरी- 23.3355 हे0) वन भूमि अपयोजन प्रस्ताव पर भारत सरकार द्वारा की गई पृच्छा का अनुपालन के संबंध में।

**प्रसंग:-** प्रधान मुख्य वन संरक्षक-सह-कार्यकारी निदेशक बंजरभूमि विकास बोर्ड, झारखण्ड रांची का ज्ञापांक 1076 दिनांक 17.10.2022 तथा आपका ज्ञापांक 2464 दिनांक 03.11.2022

महाशय,

उपर्युक्त विषयक प्रासंगिक पत्र के सन्दर्भ में सूचित करना है कि विषयक परियोजना में भारत सरकार के क्षेत्रीय कार्यालय, राँची के पत्रांक 604 दिनांक 11.10.2022 द्वारा चतरा जिलान्तर्गत 132 के0भी0 डी0सी0 चतरा से हण्टरगंज तक ट्रांसमिशन लाइन निर्माण हेतु समर्पित प्रस्ताव में छः बिन्दुओं पर पृच्छा की गई थी। इन पृच्छित बिन्दुओं का निराकरण प्रतिवेदन प्रयोक्ता अभिकरण ने अपने पत्रांक 566 दिनांक 14.11.2022 तथा पत्रांक 567 दिनांक 14.11.2022 द्वारा क्रमशः चतरा दक्षिणी वन प्रमंडल एवं चतरा उत्तरी वन प्रमंडल का बिन्दुवार निराकरण प्रतिवेदन समर्पित किया गया है। वन प्रमंडल पदाधिकारी, चतरा उत्तरी वन प्रमंडल के पत्रांक 168 दिनांक 16.01.2023 तथा वन प्रमंडल पदाधिकारी, चतरा दक्षिणी वन प्रमंडल के पत्रांक 1117 दिनांक 11.05.2023 (छाया प्रति संलग्न) से इस कार्यालय को समर्पित किया गया है। निराकरण प्रतिवेदन निम्नवत् है-

Sl. No.	Query	Reply
1	2	3
1	Duly Attested Part-II of Chatra South Forest Division of Form -A	<b>Chatra South Division</b> - The desired duly attested Part-II of Chatra South Forest Division of Form-A has been uploaded. <b>Chatra North Division</b> - Not Concerned with this division.
2	The KML file of Total Proposed forest land for diversion.	<b>Chatra South Division</b> - The desired KML File CD of total proposed forest land for diversion is enclosed. <b>Chatra North Division</b> - The desired KML File CD of total proposed forest land for diversion is enclosed.
3	The KML of total alignment and alternative routes of transmission line.	<b>Chatra South Division</b> - The desired KML File CD of total alignment and alternative routes of transmission line is enclosed. <b>Chatra North Division</b> - The desired KML File CD of total alignment and alternative routes of transmission line is enclosed.
4	As per DSS analysis, it appears that proposed forest land for diversion has been violated by user Agency. If yes then it must be taken into Cognizance at the earliest and a complete action taken report against the perpetrators in this regard may be uploaded /submitted to this office along with explanation why the forest department could not assess the violation while processing the application.	<b>Chatra South Division</b> - The user agency has replied in the following words: "Subjected line work has been awarded to agency M/s APSPL on 01.11.2018. After route alignment, agency informed that the out of 108 Locations, 49 Locations were laying in Dense Forest area whereas 59 locations were lying in Cultivating Land. Mistakes encountered by agency at locations those were on JJ Land Due to cultivated land, an inadvertent mistake encountered by agency i.e. out of 59 locations 14 Nos towers foundation under the jurisdiction of Forest Division Chatra South have been completed those are actually laying in JJ land. Prima facie has seen that the mentioned 14 location which are seen as in cultivating land and the land owners have claimed of Possession and the same have been verified by the Public representative (Mukhiya). Accordingly, the agency has done the construction work and disbursed the compensation through cheque to the respective beneficiary. Details can be seen As Annexure -A. Hard copy of Cheques are also being enclosed for the reference



Since this transmission line is an important project for transmission of electricity within state of Jharkhand to connect proposed 132 /33 Kv Hunterganj GSS and 132/33 kV Chatra (Darha GSS) to facilitate power within Chatra district and for the development of nearby area/blocks. Also during construction work at these locations no cutting / damaging of any tree neither any loss of animal husbandry was encountered. At present no any stringing of conductor has been done by agency in JJ land. Now the total affected area of JJ land after Tower Foundation work under the forest Division (North) and Forest Division (South) are being Enclosed as Annexure-B

Forest Division Chatra South- 0.12731 Ha. (Tower Area)"

**Comment of DFO Chatra South Division** - The aforesaid reply of the user agency it appears that the User agency i.e. Jharkhand Urja Sancharan Nigam Limited has tried to shift the onus of responsibility to the work awardees company M/S APSPL, which is not acceptable as the burden of following up of the provisions of the Forest (Conservation) Act, 1980 is totally on the user agency and thus the reply in compliance by the user agency is totally misleading and distracting. Role of the user agency i.e. JUSNL need not to be elaborated and the officials of the JUSNL are the only responsible authority who have flouted and ignored the provision of FC Act while submitting the proposals. Instead of procurement of the approval, the JUSNL awarded the site work to a agency and the officials of the agency worked a lot upon the deemed forest land for execution of the projects under the supervision, guidance and authority of the officials of JUSNL and the entire unauthorized work on the deemed forest land has been done by M/S APSPL at the behest of the officials of the JUSNL only and none the else.

To verify the facts as stated in the reply of the user agency, site inspection of the proposed forest land to be diverted was done on 10.01.2023 in the presence of JUSNL and M/S APSPL and it has been found the altogether 14 no. of towers either in the foundation stage or in standing stage has been made laid out or erected on the proposed site for diversion of which 2 towers have been found on forest land and the 12 (twelve) have been found on GMJJ land. The land of the construction site is mostly non agriculture land as it is uncultivated, unbroken and unplugged also. The forest land portion of the proposed land is quite adjacent to the GMJJ land, which therefore could not be earlier identified and noticed by the forest personal and when the illegal act of the user agency was came to notice, offense case have been registered against the men of the user agency and its agent. Out of 14 (Fourteen) towers so illegally constructed or under construction, 6 have been found in a very close proximity of the Darha Sub Grid of M/S JUSNL within a range of 500 meters. Only and of these 6 towers, few are just touching the boundary of Darha Sub Grid and therefore the plea of misidentification, misallocation, mistake and encounter of agriculture land at these 14 illegally erected towers is not at all acceptable.

The user agency vide DFO Letter No. 2829 Dated 23.11.2022 Xerox copy of which is enclosed have been asked to submit an explanation and the user agency (JUSNL) vide its Letter No. 640 dated 13.12.2022 further has issued a show cause to its construction agency, the Xerox copy of the same is also enclosed for perusal as to show the ignorant and negligent approach of M/S JUSNL in this case of violation. After the proposed site of violation was inspected, it became very clear that altogether 14 no. of towers (02 foundation level + 12 erection levels have been made illegally on the proposed site prior to all kind of approval by any forest authority out of 88 no. of total towers to be constructed upon the proposed site for diversion and therefore taking into the factor of areas so violated proportionally, 14 (Area- 0.1273 Ha.) forest land may be brought under violative category for imposition of penalty to the user agency in this case since the area is dense, large and the reality of KML file did not provide sufficient clarity, therefore this violation could not be assessed while processing the application.

On the basis of direction of this office vide letter no. 144 dated 23.02.2023 joint inspection was done on 08.04.2023 along with DFO Chatra South & Chatra North & JUSNL officials. On inspection, It was



found 14 tower were found to be construction out of which 2 were on notified forest & 12 on Jungle Jhari Land. The area of FC Act violation was found out to be 0.12731 ha. only. Inspection team didn't find any stringing operation in the erected towers on forest land. Penal NPV & Penal CA may be imposed for violation of FC Act by the user agency.

**Chatra North Division - Reply by User Agency -** Subjected line work has been awarded to agency M/s APSPL on 01.11.2018. After route alignment, agency informed that the out of 108 Locations, 49 Locations were laying in Dense Forest area whereas 59 locations were lying in Cultivating Land.

Mistakes encountered by agency at locations those were on JJ Land Due to cultivated land, an inadvertent mistake encountered by agency i.e. out of 15 Nos towers foundation have been completed those are actually laying in JJ land under the jurisdiction of Forest Division Chatra North.

Prima facie has seen that the mentioned 15 location which are seen as in cultivating land and the land owners have claimed of Possession and the same have been verified by the Public representative (Mukhiya).

Accordingly, the agency has done the construction work and disbursed the compensation through cheque to the respective beneficiary. Details can be seen As Annexure -A. Hard copy of Cheques are also being enclosed for the reference

Since this transmission line is an important project for transmission of electricity within state of Jharkhand to connect proposed 132 /33Kv Hunterganj GSS and 132/33 kV Chatra (Darha GSS to facilitate power within chatra district and for the development of area.

Also during construction work at these locations no cutting / damaging of any tree neither any loss of animal husbandry was encountered. At present no any stringing of conductor has been done by agency in JJ land.

Now the total affected area of JJ land after Tower Foundation work under the forest Division (North) and Forest Division (South) are being Enclosed as Annexure-B

Forest Division Chatra North- 0.1091 Ha. (Tower Area)

**Comment by DFO -** From the aforesaid reply of the User Agency, it appears that the User Agency i.e. Jharkhand Urja Sncharan Nigam Limited has tried to shift the onus of responsibility to the work awarded company M/s APSPL, which is not acceptable as the burden of following up of the provisions of the Forest (Conservation) Act, 1980 is totally on the user agency and thus the reply in compliance by the user agency is totally misleading and distracting. Role of the user agency i.e. JUSNL need not to be elaborated and the officials of the JUSNL are the only responsible authority who have flouted and ignored the provision of FC Act after field inspection dt. 20.02.2021. Instead of prior approval, the JUSNL awarded the site work to a agency and the officials of the agency started working on the deemed forest land for execution of the projects under the supervision, guidance and authority of the officials of JUSNL and the entire unauthorized work on the deemed forest land has been done by M/S APSPL at the behest of the officials of the JUSNL only and none the else.

To verify the facts as stated in the reply of the user agency, site inspection of the proposed forest land to be diverted was done on 14.01.2023 in the presence of JUSNL and M/S APSPL and it has been found the altogether 15 no. of towers either in the foundation stage or in standing stage has been made laid out or erected on the proposed site for diversion of which all 15 (Fifteen) have been found on GMJJ land. Since all the layout has been located in GMJJ, the activities of User Agency could not be identified and noticed by the forest personnel's. Any revenue official of Hunterganj who is the custodian of GMJJ land also had not reported about the activities of User Agency. Once the works progress towards the vicinity of the forest land, the activity of the User Agency were detected and the same were stopped by Forest Personnel's.

The User Agency vide DFO North Division Letter No. 2248 Dated 28.11.2022 Xerox copy of which is enclosed have been asked to submit an explanation and the user agency (JUSNL) vide its Letter No. 671 dated 24.12.2022 further has issued a show cause to its construction agency, The Xerox copy of the same is also enclosed for perusal as to show the ignorant and negligent approach of M/S JUSNL in this case of



		violation. After the proposed site of violation was inspected, it became very clear that altogether 15 no. of towers (02 foundation level 13 erection levels have been made illegally on the proposed site prior to all kind of approval by any forest authority out of 88 no. of total towers to be constructed upon the proposed site for diversion and therefore taking into the factor of areas so violated proportionally, 15 (Area-0.1091 ha.) deemed forest land (GMJJ) may be brought under violative category for imposition of penalty to the user agency. In this case since the area is predominantly agriculture area-GMJJ located far away from the PF boundary the reality of KML file did not provide sufficient clarity, therefore this violation could not be assessed while processing the application.
5	Two Cost benefit analysis are uploaded which is ambiguous.	Now a Corrected cost benefit analysis has been uploaded by the user agency and the same may be accepted. (Chata South & Chatra North Div.)
6	Undertaking in respect of CWLW recommendation by user agency as well as draft framework for mitigative measures /plans too should be submitted alongside.	The user agency has submitted the desired undertaking in respect of CWLW recommendations. A draft framework for mitigative measure/plans too have been submitted along with, which may be accepted, though this submitted framework may be accepted as a guiding tool only and many other provision of components of works like wildlife rescue vehicle gajmitra, crop guard, granaries, etc may be included in the specific wildlife conservation and mitigation plan to be prepared and implemented at the time of compliance of the Stage-I/in principle conditions compliance. Apart from this many aspects of an ideal wild life mitigative works by the user agency, which may be supplied and mentioned in the actual or specific wildlife management/ mitigative plan later on. (Chata South & Chatra North Div.)

अतः प्राप्त निराकरण प्रतिवेदन की छः प्रतियाँ इस पत्र के साथ संलग्न कर अग्रेतर आवश्यक कार्रवाई हेतु भेजी जा रही है।

अनुलग्नक-यथोक्त

ज्ञापांक 295

प्रतिलिपि:- प्रधान मुख्य वन संरक्षक-सह-कार्यकारी निदेशक बंजरभूमि विकास बोर्ड, झारखण्ड रांची को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।

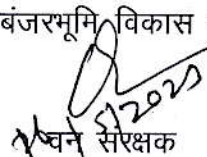
आपका विश्वासी,

ह0/-

वन संरक्षक

प्रादेशिक अंचल, चतरा।

दिनांक 16.5.2023



वन संरक्षक

प्रादेशिक अंचल, चतरा।