ORDER

In reference to the clearance issued by MoEF, GoI vide letter No. 8-61/2014-FC dated 31.03.2015 for the project proponent Chief Manager M/s Power Grid Corporation of India Ltd for diversion of 72.42 ha. Forest area for purpose of construction of 765 KV Gwalior-Jaipur transmission Line in favour of Power Grid Corporation of India Limited in the State of Rajasthan. As Project Proponent has complied with all the 17 conditions of Final approval dated 31-03-2015 issued by GOI, State Government hereby Accords Approval of Final stage clearance under Section 2 of the Forest (Conservation) Act with the following conditions:-

1. The conditions imposed by MoEF, GoI in their clearance date 31-03-2015 will be complied by all concerned.
2. This order along with conditions imposed by the Central Government according to stage I and stage II clearance are mandatorily required to be displayed in the website by State Forest Department as well as by MoEF, GoI.
3. The project proponent should publish the entire forest clearances granted in verbatim along with the conditions and safeguards imposed by the Central Government in Forest Clearance in two widely circulated daily newspapers one in vernacular language and the other in English language so as to make people aware of the permission granted to the project proponent for use of forest land for non-forest purposes.
4. The copies of the Forest clearance should also be submitted by the project proponents to the Heads of local bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn has to display the same for 30 days from the date of receipt.
5. Any other condition as and when imposed by the State Government.

(C.S. Ratnasamy)
Secretary, Forest

Copy to the following for necessary compliance:-

1. Principal Chief Conservator of Forests (HqFF), Rajasthan, Jaipur.
2. Regional Office, Ministry of Environment & Forests, Govt. of India, Kendriya Bhavan, Lucknow.
3. Sr. Assistant Inspector General of Forests, In-charge, Monitoring Cell, Forest Conservation Division, Ministry of Environment, Forests & Climate Change, Govt. of India, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi – 110 003 - with a request to ensure uploading of the order passed by the State Government on the MoEF website.
4. Director, Regional Office (Headquarters), Ministry of Environment, Forests & Climate Change, Govt. of India, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi – 110 003
5. Addl. Principal Chief Conservator of Forests & Nodal Officer (FCA), Rajasthan, Jaipur - with a request to get the order and clearances uploaded on the State Forest Department website.
6. Chief Conservator of Forests, IT, Aravalri Bhawan, JLN Marg, Jaipur - to ensure the uploading of the order and clearances on the State Forest Department website.
7. Concerned Regional Chief Conservator of Forests, Bharatpur.
8. Deputy Conservator of Forest, Karoli.
9. Chief Manager, M/s Power Grid Corporation of India Ltd Gwalior- 475001.
10. Guard File.
To
The Principal Secretary (Forests),
Government of Rajasthan,
Jaipur.

Sub: Diversion of 72.42 ha of forest land for the construction of 765 KV Gwalior-Jaipur transmission line in favour of Power Grid Corporation of India Limited in the State of Rajasthan—regarding.

Sir,

I am directed to refer to State Government’s letter No. P. 1(37)Van/2014 dated 15.07.2014 on the above subject seeking prior approval of the Central Government under the Forest (Conservation) Act, 1980. After careful consideration of the proposal by the Forest Advisory Committee constituted under section-3 of the said Act ‘in-principle’ approval was granted vide this Ministry’s letter of even number dated 30.12.2014 subject to fulfillment of certain conditions prescribed therein. The State Government has furnished compliance report in respect of the conditions stipulated in the in-principle approval and has requested the Central Government to grant final approval.

In this connection, I am directed to say that on the basis of the compliance report furnished by the State Government vide letter No. F 14 (PGCIL)2012/FCA/Prbhuvasam/579 dated 18.02.2015, ‘final’ approval of the Central Government is hereby granted under section-2 of the Forest (Conservation) Act, 1980 for diversion of 72.42 ha of forest land for the construction of 765 KV Gwalior-Jaipur transmission line in favour of Power Grid Corporation of India Limited in the State of Rajasthan 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 from the funds already provided by the User Agency.

(iii) 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;

(iv) No labour camp shall be established on the forest land;

(v) 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;

(vi) 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;
(vii) The forest land shall not be used for any purpose other than that specified in the proposal and the layout plan of the proposal shall not be changed without the prior approval of the Central Government.

(viii) The User Agency shall ensure that because of this project, no damage is caused to the wildlife available in the area;

(ix) Width of right of way for the transmission line shall be limited to 67 m;

(x) The user agency shall install circuit breakers at suitable places besides maintain necessary ground clearance to prevent electrocution of wild animals;

(xi) Any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;

(xii) As recommended by the Regional office of the Ministry in its site inspection report and accepted by the user agency, position and height of towers in the area bearing natural patch of the Shorea robusta should be adjusted in such a way that no trees are felled and only pruning is done if required.

(xiii) To minimize the felling for construction of transmission line, user agency shall comply with the following guidelines:

(a) Below each conductor, width clearance of 7 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 9 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) The State Forest Department shall implement scheme for creation and maintenance of plantation of dwarf species (preferably medicinal plants) in right of way under the transmission line as per approved scheme from the funds already provided by the user agency; 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;

(xiv) 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;

(xv) 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;

(xvi) 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
(xvii) The User Agency and the State Government shall ensure compliance to the conditions of Stage-I approval and to the provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project.

Yours faithfully,

(T. C. Nautiyal)
Assistant Inspector General of Forests

Copy to:-
1. The Principal Chief Conservator of Forests, Govt. of Rajasthan, Jaipur.
2. The Addl. PCCF, Regional Office, Lucknow.
3. The Nodal Officer (FCA), O/o the PCCF, Govt. of Rajasthan, Jaipur.
5. Monitoring Cell, FC Division, MoEF&CC, New Delhi.

(T. C. Nautiyal)
Assistant Inspector General of Forests
To
The Principal Secretary (Forest)
Government of Rajasthan,
Jaipur

Sub: Diversion of 72.42 ha of forest land in favour of M/s power Grid Corporation of India Limited for construction of 765 KV D/C (Quad) Gwalior-Jaipur Transmission Line in Karauli District in the State of Rajasthan.

Sir,

I am directed to refer to the State Government’s letter No. 1(37)van/2014 dated 15th July 2014 on the subject mentioned above seeking prior approval of the Central Government under section-2 of the Forest (Conservation) Act, 1980 and to say that the proposal has been examined by the Forest Advisory Committee constituted by the Central Government under section-3 of the said Act.

After careful examination of the proposal of the State Government, the Central Government hereby conveys the stage-1 approval for diversion of 72.42 ha of forest land in favour of M/s power Grid Corporation of India Limited for construction of 765 KV D/C (Quad) Gwalior-Jaipur Transmission Line in Karauli District in the State of Rajasthan subject to fulfillment 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 land identified for the purpose of CA shall be clearly depicted on a Survey of India toposheet of 1:50,000 scale.

(iv) 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.

(v) 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.

(vi) 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.

(vii) 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.

[Signature]
(viii) The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.

(ix) No labour camp shall be established on the forest land.

(x) 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.

(xi) 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.

(xii) The forest land shall not be used for any purpose other than that specified in the proposal.

(xiii) The User Agency shall ensure that because of this project, no damage is caused to the wildlife available in the area.

(xiv) Width of right of way for the transmission line shall be limited to 67 m.

(xv) The layout plan of the proposal shall not be changed without the prior approval of the Central Government.

(xvi) 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.

(xvii) The user agency shall install circuit breakers at suitable places besides maintain necessary ground clearance to prevent electrocution of wild animals.

(xviii) Any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department.

(xix) To minimize the felling for construction of transmission line, user agency shall comply with the following guidelines:

(a) Below each conductor, width clearance of 7 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 9 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.

(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.

(xx) 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.

(xxi) 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.
(xxii) 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.

(xxiii) 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.

After receipt of the compliance report on fulfillment of the conditions mentioned above, the proposal shall be considered for final approval under Section-2 of the Forest (Conservation) Act, 1980. The transfer of forest land to the User Agency shall not be effected by the State Government till formal orders approving the diversion of forest land are issued by the Central Government.

Sr. Assistant Inspector General of Forest (FC)

(T.C. Nautiyal)

Copy to:
1. The principal Chief Conservator of Forests, Government of Rajasthan, Jaipur.
2. The Nodal Officer (FCA), O/o the PCCF, Government of Rajasthan, Jaipur.
3. The Chief Conservator of Forests (Central), Regional Office, Lucknow.
4. User Agency for Information.
5. Monitoring cell
6. Guard File

Sr. Assistant Inspector General of Forest (FC)

(T.C. Nautiyal)