

Sub:- Proposal for diversion of 216.33 ha Zudpi Jungle land of 70 villages in Saone taluka, Dist. Nagpur under Category I-Zudpi Jungle for Public purpose / public infrastructure prior to 12.12.1996 using simplified procedure] in consolidated form under Forest (Conservation) Act, 1980 in accordance with the procedure prescribed as per Government of India, Ministry of Environment & Forest's letter No. 8-22/2001-FC, dt. 04/03/2014.

State Govt. of Maharashtra vide their letter no. FLD-2017/CR-394/F-10 dated 17/11/2017 submitted the above subject proposal in accordance with the procedure prescribed as per Government of India, Ministry of Environment & Forest's letter No. 8-22/2001-FC, dt. 04/03/2014.

2. The proposal has been scrutinized with reference to the required documentation as enlisted in point B of Annexure-I to the Govt. of India's letter dated 04.03.2014(F/X). The details are as under:

S. No.	Documents required as per guidelines dated 04.03.2014 for simplified procedure	Compliance
1.	A copy of the Record of Rights	In this regard it is reported that a copy of the Record of Rights is attached and the same may kindly be seen at pg. 491- 1255/c.
2.	Map indicating boundary and adjoining land use in suitable scale. Geo-referenced boundary in shape file has also to be provided.	<u>In this regard it is reported that the map indicating boundary and adjoining land use in suitable scale is attached. However, geo-referenced boundary in shape file has not been submitted.</u>
3.	Simplified Form A Part I to V (under Rule6) seeking approval under Section 2 of the Forest (Conservation) Act, 1980.	Form A containing part I, II, III, IV u/s 6 of the Forest (Conservation) Rules, 2003 is given with the proposal and the same may kindly be seen at pg. 60-67/c & 75-109/c.
4.	Site Inspection Reports :-	
a.	Joint Site inspection certificate from Circle Officer and Forester along with sample Joint Site Inspection Report of at least 5% Zudupi Jungle area in each Taluka by Tahsildar and Range Forest Officer.	Joint Site Inspection reports (JSIR –II) of Tahsildar Saoner and Range Forest Officer Khapa and Kalmeshwar for 5% of the forest land (Zudpi Jungle) proposed for diversion are enclosed on page on 103 to 104 for the following area (pg. 303-304/c). <ol style="list-style-type: none"> 1. Village- Chorkhairi, Talika saoner Dist. Nagpur Area – 10.27 ha). 2. Village- Joga, Taluka saoner Dist. Nagpur (Area-4.84ha.).
b.	Proposals involving area upto 40 ha shall be accompanied with a site inspection report of randomly selected sample areas from the Dy. Conservator of Forest along with the Joint Site Inspection report	-
c.	Proposals involving area more than 40 ha shall be accompanied with a sample site inspection report randomly selected sample areas from the Conservator of	As per documents furnished, the SIR has been done by CCF and attached with the proposal.

	Forest along with the Joint Site Inspection Report.	
5.	Gram Sabha Resolution and Collector Certificate under FRA-2006	The FRA certificate is given and placed in file at pg. 129-140/c and Gram Sabha resolution pg. 305-489/c
6.	Demarcation certificate and others documents as per check list (Simplified proforma is enclosed at Annexure II)	In this regard it is reported that demarcation certificate is not attached.

3. Facts related to the proposal as contained in Form A is summarized in the form of a factsheet:

FACT SHEET

1.	Name of the Proposal	Diversion of 216.33 ha Zudpi Jungle land of 70 villages in Saone taluka, Dist. Nagpur under Category I [Zudpi Jungle for Public purpose / public infrastructure prior to 12.12.1996 using simplified procedure] in consolidated form under Forest (Conservation) Act, 1980 in accordance with the procedure prescribed as per Government of India, Ministry of Environment & Forest's letter No. 8-22/2001-FC, dt. 04/03/2014.
2.	Location (i) State (ii) District	Maharashtra Nagpur
3.	Particulars of Forests: (i) Name of Forest Division and Forest area involved. (ii) Legal status/Sy.No. (iii) Map	Nagpur Forest Division 216.33 ha. Zudpi Jungle land (Revenue deptt.). Yes : pg. pg. 152-153/c.
4.	Topography of the area	-
5.	(i) brief note on vulnerability (ii) Density of vegetation (iii) No. of trees to be felled	The forest land involved in the project is not sensitive to erosion. Hence, there is no possibility of any erosion. 0.1 5865 Nos are enumerated.
6.	Species-wise (scientific names and diameter class-wise enumeration of trees (to be enclosed. In case of irrigation / hydel Projects enumeration at FRL, & FRL-4 meter also to be enclosed	The tree species present in proposal area are classified into miscellaneous species and accordingly diameter class wise enumeration data is provided. The tree enumeration certificate is given and placed in file at pg.115/c. A total no. of 5865 are enumerated. pg. 23-34 /c
7.	Whether forms part of National park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor, etc. (if so, details of the	It does not form any part of national Park, wildlife sanctuary, Biosphere reserve, elephant corridor etc.

	area and comments of the Chief Wildlife Warden	
8.	Whether any RET species of flora and fauna are found in the area. If so details thereof	No rare species flora and fauna found in the area.
9.	Approximate distance of the proposed site for diversion from boundary of forest.	8 Km. approx.
10.	Whether any protected archaeological/ heritage site/defence establishment or any other important monuments is located in the area.	Necessary certificate is given at pg. 113/c
11.	Whether any work of in violation of the Forest (Conservation) Act, 1980 has been carried out (Yes/No). If yes details of the same including period of work done, action taken on erring officials. Whether work in violation is still in progress.	The proposed area falls under Category-II. Encroachment (excluding commercial purpose) prior to 12.12.1996 using simplified procedure under FCA 1980. As per this category there is no Violation of FCA 1980 found. The proposed area falls under Category –I. Diversion of 32,229 ha fragmented Zudpi Jungle for public purpose/public infrastructure in consolidated form using simplified procedure. As per this category there is no Violation of Forest (Conservation) Act 1980 found. Necessary certificate enclosed. (pg. 112/c)
12.	Whether the requirement of forest land as proposed by the user agency in col. 2 of Part-I is unavoidable and barest minimum for the project, if no recommended area item-wise with details of alternatives examined.	The land proposed by user agency is unavoidable and barest minimum demand for the project. Necessary certification is enclosed. (pg. 111/c).
13.	Whether clearance under the Environment (protection) Act, 1986 is required?	-
14.	The State Government shall complete settlement of rights, in terms of the Schedule Tribe and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 if any, on the forest land to be diverted in accordance with relevant Guidelines issued by the Ministry of Environment & Forests;	Compliance of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 has been submitted. The District Collector, Gondia, vide his certificate dated 08.08.2017 issued for an area of 216.33 ha is given and placed in file at Pg. 129-140/c . The photocopies of the resolution of the Gram Sabha (s) of Mendipur and Kachewani villages have also been submitted and placed in file at pg. 305-489/c . The Gram Sabha resolutions have not been signed by any one member of Gram Sabha.
15.	Compensatory Afforestation	
	(i) Details of non-forest area/degraded forest area identified for CA, its distance	

	from adjoining forest, number of patches, size of each patches.	Not applicable as per guidelines of simplified procedure.
	(ii) Map showing non-forest/degraded forest area identified for CA and adjoining Forest boundaries.	
	(iii) Detailed CA scheme including species to be planted, implementing agency, time schedule, cost structure, etc.	
	(iv) Total financial outlay for CA	
	(v) Certificate from the competent authority regarding suitability of the area identified for CA and from management point of view.	
16.	Catchment Area Treatment	Not Applicable
17.	Cost Benefit Ratio	-
18.	Total Cost of the Project	-
19.	Employment to be generated	-
20.	Recommendation	
	i. DFO	Yes (Pg. 61-64/c)
	SIR	
	ii. CCF with SIR	Yes (Pg. 65-67/c).
	iii. Nodal Officer/PCCF	Recommended subject to conditions (pg. 75-108/-)
	iv State Government	Yes (Pg. 109/c)
21.	District Profile	
	(i) Total Geographical area of the district	993100 ha.
	(ii) Total Forest area/Divisional Forest area	146079.51 ha
	(iii) Total area diverted since 1980	4271.673 Ha /Total no. of cases-81
	(iv) Total CA stipulated since 1980 (Forest land)	
	(a) Forest land including penal CA	670.537 Ha
	(b) Non- forest land	2917.35 Ha.
	(v) Progress of CA made so far 31.03.2016	
	(a) Forest land including penal CA	670.537 Ha
	(b) Non forest land	2917.35 Ha

4. The details of Zudpi Jungle land of 70 villages in Saoner Taluka, Distt. Nagpur as proposed for diversion are as under :

Sl. No.	Name of village	Taluka	Area(ha.)	Page No.
1.	Aangewada	Saoner	4.39	155-156
2.	Badegaon	Saoner	2.43	207-208
3.	Bawangaon	Saoner	0.45	209-210
4.	Bellori	Saoner	3.03	157-158
5.	Bhagemahari	Saoner	2.59	211-212
6.	Bhojapur	Saoner	5.78	213-214
7.	Bidchichgat	Saoner	4.50	215-216
8.	Bidgatamkhora	Saoner	1.10	217-218
9.	Borgaon(Ja)	Saoner	1.29	219-220
10.	Borujwada	Saoner	7.02	221-222
11.	Champa	Saoner	0.20	159-160
12.	Chhatrapur	Saoner	18.95	161-164
13.	Chicholi	Saoner	1.62	223-224
14.	Chorkhairi	Saoner	15.94	225-227
15.	Dohanghal	Saoner	1.24	228-229
16.	Erangaon	Saoner	0.16	165-166
17.	Gujarkhedi	Saoner	1.25	230-231
18.	Gumgaon	Saoner	1.44	232-233
19.	Hettisarra	Saoner	0.55	234-235
20.	Heti(Surla)	Saoner	1.01	167-168
21.	Hingna	Saoner	2.33	236-237
22.	Itangoti	Saoner	1.62	169-170
23.	Jaitpur	Saoner	11.41	171-173
24.	Jalalkheda	Saoner	1.08	238-239
25.	Jatamkhora	Saoner	10.12	240-242
26.	Joga	Saoner	16.37	174-176
27.	Junewani	Saoner	0.20	177-178
28.	Karajghat	Saoner	0.68	243-244
29.	Kawtha	Saoner	1.37	245-246
30.	Khadurka	Saoner	1.12	247-248
31.	Khangaon	Saoner	0.20	249-250
32.	Khapa(Narsala)	Saoner	0.10	251-252
33.	Khubala	Saoner	0.47	253-253-A
34.	Khursapar	Saoner	19.31	179-182
35.	Kirnapur	Saoner	0.81	254-255
36.	Maharkund	Saoner	5.70	258-260
37.	Malegaon	Saoner	1.00	183-184
38.	Malegaon(Ta)	Saoner	5.33	261-262
39.	Manegaon	Saoner	1.09	256-257
40.	Mangsa	Saoner	0.78	263-264
41.	Nagalwadi	Saoner	0.89	265-266
42.	Nandagomukh	Saoner	0.59	185-186
43.	Nandapur	Saoner	2.20	267-268
44.	Pandhari(Ja)	Saoner	0.86	269-270
45.	Pardi Rithi	Saoner	3.31	271-272
46.	Patkakhedi	Saoner	0.60	187-188
47.	Pipla(Bh)	Saoner	5.60	189-190
48.	Pohna	Saoner	0.16	273-274
49.	Ramdongari	Saoner	0.95	275-276

50.	Rampuri	Saoner	2.46	277-278
51.	Risala	Saoner	7.72	279-280
52.	Salai	Saoner	4.75	191-192
53.	Saoner	Saoner	9.43	281-282
54.	Sawali(Mo)	Saoner	0.75	283-284
55.	Sawangi	Saoner	1.99	193-194
56.	Sawarmendha	Saoner	1.94	195-196
57.	Sillori	Saoner	0.24	192-198
58.	Sindewani(Khu)	Saoner	1.92	285-286
59.	Sironji	Saoner	1.57	287-288
60.	Takali(Bh)	Saoner	1.81	289-290
61.	Tekadi	Saoner	0.94	291-292
62.	Telangkhedi	Saoner	1.00	199-200
63.	Umari(Bh)	Saoner	0.70	201-202
64.	Umari(Ja)	Saoner	0.40	293-294
65.	Umari Rithi	Saoner	0.22	203-204
66.	Waghoda	Saoner	0.06	205-206
67.	Wagholi	Saoner	0.99	295-296
68.	Waki	Saoner	1.26	297-298
69.	Wakodi	Saoner	1.98	299-300
70.	Warpani	Saoner	3.01	301-302
	Grand Total		216.33	

5. The proposal has been **recommended by APCCF & Nodal Officer** vide his letter dated 31.10.2017 for approval under section-2 (ii) of FCA-1980 **subject to the following conditions:-**

- i. Legal status of the land will be revenue land.
- ii. The revenue land shall not be used for any purpose other than specified in the project.
- iii. The user agency is exempted from paying NPV for the land to be diverted as per the latest orders in this regard.
- iv. The User Agency shall submit the Geo digital map in any suitable scale with geo-reference boundary & shape file prepared by using total stations or differential GPS and also indicating forest land, non-forest land & adjoining land proposed for diversion in different colors, duly signed by the Deputy Conservator of Forests concerned and User Agency, as per the Government of India letter No. F.No. 11-9/98-FC, dt. 8/7/2011.
- v. All other conditions as may be mandatory under relevant Acts, Rules and guidelines shall be complied with by the user agency.

6. **From the examination of the above, the following is concluded:**

- (i) The proposal is for diversion of 216.33 ha Zudpi Jungle land of 70 villages in Saone taluka, Dist. Nagpur under Category I-Zudpi Jungle for Public purpose / public infrastructure prior to 12.12.1996 using simplified procedure] in consolidated form under Forest (Conservation) Act, 1980 in accordance with the procedure prescribed as per Government of India, Ministry of Environment & Forest's letter No. 8-22/2001-FC, dt. 04/03/2014 (F/X).
- (ii) The demarcation certificate is not given.

7. It is also mentioned that the guidelines dated 04.03.2014 **was issued** for simplified procedure for submission of diversion proposal for Zudpi Jungle under Forest (Conservation) Act, 1980, subject to following conditions:

- a) The State Government will ensure the notification of 92,115 ha of Zudpi Jungle as RF/PF (16, 309 ha already notified and 75,806 ha to be notified), which has been considered suitable for forestry management, development and conservation by the High Power Committee.
- b) The State Government shall submit a 10 years perspective plan for greening of the zudpi jungle land being notified to the Ministry of Environment & Forests which may also include compensatory afforestation to be taken against future diversions of the forest lands for State Government's purpose

With regard to point (b) above, the State Govt. has not submitted the 10 years perspective plan for greening of the zudpi jungle land.

8. **In addition to above**, the Ministry with the approval of competent authority communicating the certain recommendation of FAC on issue of Zudpi Jungle vide this Ministry's letter no. 8-33/2001-FC dated 18.12.2017 which includes that : *the judpi jungle under encroachment (27507 ha) and under non-forestry use (26672 ha) which has been put to non-forestry use without FC clearance before judgement dated 12.12.1996 by Hon'ble supreme Court in T.N. Godaverman may be considered for post facto approval under section 2(ii) of FC Act subject to mitigation measures and district wise comprehensive proposal*, where zudpi jungle is recorded in the land record and the same has been put to non-forestry use before 12.12.1996 will be submitted providing the details of each piece of zudpi jungle land with names of owner of the land and its present land use duly certified by District collector and the respective Divisional Forest Officer of the concerned district along with the maps. If the present land use of the Zudpi jungle is still a forest having jungle jhar and tree growth, as certified by the DFO and revenue authority, the same piece of land will be retained and maintained as forest and developed as village or urban forest as the case may be.

The State Govt. was requested vide this Ministry's letter no. F. No. 8-15/2017-FC dated 07.03.2018 to provide master list of the name of Person /Organisation in possession of Encroached Zudpi land alongwith area in each district duly certified by Collector and DFO of concerned forest division. The detail may please be submitted on following format:

(a) For Encroached land (27,507 ha.)

S. No.	Name of Person/Organisation in possession of forest land	Area (in ha)	Sub-division	Forest Division	District
	Total :				

(b) For Zudpi Jungle under Non forestry use (26,672 ha)

S. No.	Name of Person/Organisation in possession of forest land	Area (in ha)	Sub-division	Forest Division	District
	Total :				

The reply of above ministry's letter dated 07.03.2018 is awaited.

In view of above, the facts related to the above proposal may be placed before FAC in its forthcoming meeting scheduled to be held on 19.06.2018 for their examination and appropriate recommendation.
