



सत्यमेव जयते

भारत सरकार
GOVERNMENT OF INDIA

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FORESTS
& CLIMATE CHANGE

Integrated Regional Office
Ground Floor, East Wing
New Secretariat Building
Civil Lines, Nagpur - 440001
apccfcentral-ngp-mef@gov.in

F.No. FC-II/MH-172/2021-NGP/9430

Date: 08.03.2022

To,

The Principal Secretary (Forests),
Revenue and Forest Department,
Hutatma Rajguru Chowk
Madam Cama Marg
Mantralaya, Mumbai - 400032.


Sub: Diversion of 9.33 ha Reserved Forest land in favour of Irrigation Project & Water Resources, Investigation Division, Amravati for construction of Patiya Minor Irrigation Tank at Village- Patiya, Taluka- Dharani, District- Amravati in the State of Maharashtra- Regarding.

Sir,

The undersigned is directed to refer Government of Maharashtra letter No. FLD-3121/C.R.165/F-10 dated 21.09.2021 and APCCF & Nodal Officer (FCA), Maharashtra vide his letter No. Desk-17/NODAL/AMRAVATI/ID-11993/698/20-21 dated 04.08.2021 on the above subject seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 and APCCF & Nodal Officer (FCA), Maharashtra letter No. Desk-17/Nodal/Amravati/ID-11993/2435/2021-2022 dated 16.02.2022 forwarding additional information as sought vide this office letter of even number dated 30.11.2021 and to say that the said proposal has been examined in the Integrated Regional Office in light of the relevant provisions of the Forest (Conservation) Act, 1980 and Guidelines issued thereunder and approved by the Regional Empowered Committee constituted under Section- 4 of the Forest (Conservation) Act, 1980.

After careful examination of the proposal of the State Government, Maharashtra and on the basis of the approval of the proposal by the Regional Empowered Committee, the Central Government hereby accords '**in-principle**' under Section - 2 of the Forest (Conservation) Act, 1980 for diversion of 9.33 ha Reserved Forest land in favour of Irrigation Project & Water Resources, Investigation Division, Amravati for construction of Patiya Minor Irrigation Tank at Village- Patiya, Taluka- Dharani, District- Amravati in the State of Maharashtra subject to the fulfilment of the following conditions:

- i. Legal status of the forest land shall remain unchanged;
- ii. **Compensatory afforestation**
 - a. Compensatory afforestation shall be taken up by the Forest Department over 9.33 ha non forest land in Survey/ Gut. No. 60 at Village- Baslapur, Taluka- Chandur Railway, District- Amravati at the cost of the User Agency. As far as possible, a mixture of local indigenous species along with 10% RET species of Amravati District shall be planted and monoculture of any species may be avoided. Atleast two water bodies shall be constructed in the form of tank/ stop dams etc if the same are not available in the area or in nearby vicinity;

- b. The non-forest land proposed for CA shall be transferred and mutated in the name of Forest Department and notified as RF/PF prior to Stage-II approval. A copy of the original notification declaring the non-forest land under Section 4 or Section 29 of the Indian Forest Act, 1927, or under the relevant section of the State Forest Act as the case may be, will be submitted by the State Government prior to Stage-II approval;
- iii. The cost of Compensatory Afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars if required on the CA land shall be deposited in advance with the 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;
- iv. **NPV:**
- a. The State Government shall charge the Net Present Value (NPV) for the 9.33 ha forest area to be diverted under this proposal from the User Agency as per the orders 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 and 5-3/2007-FC dated 05/02/2009 in this regard;
- b. 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 be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect;
- v. The cost of felling of trees shall be deposited by the User Agency with the State Forest Department;
- vi. Copy of approved Catchment Area Treatment (CAT) Plan shall be submitted in accordance to para no. 4.8 (i) of Forest (Conservation) Act, 1980 Handbook, if applicable;
- vii. 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/>);
- viii. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector;
- ix. Complete enumeration list trees proposed to be felled in the proposal is not submitted along with the reply. Girth wise complete enumeration list of trees along with species names shall be submitted along with Stage- I compliance report;
- x. Details of employment potential in terms of man days of skilled, semiskilled and unskilled persons on permanent (direct and indirect) and temporary (direct and indirect) basis have not been provided. The same needs to be submitted along with Stage- I compliance report;
- xi. To improve the Forest/ Tree cover and to reduce pollution in the State, as mandated in National Forest Policy, 1988 and Environmental (Protection) Act, 1986 respectively, the User Agency with involvement of Joint Forest Management Committees (JFMC's) and in consultation with local DCF shall raise at least 15,000 seedlings of
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forestry species along with bamboo, fruit bearing, medicinal, ornamental and indigenous/local for 10 years. At least 50% of seedlings shall be planted in the vicinity of project area and remaining 50% of seedlings shall be distributed among villagers as per choice of villagers. The concerned JFMC's shall maintain record of plantation/ seedling distribution to villagers;

xii. The State Government and User Agency shall ensure complete compliance of following recommendation of Standing Committee of NBWL:

- a. Soil Moisture Conservation works for the Catchment Area Treatment within and adjoining Forest areas.
- b. 2% of the project cost shall be deposited with Melghat Tiger Conservation Foundation for conservation activities.
- c. Water will be provided to Forest Department free of cost.

xiii. The live stock in vicinity of project area shall be vaccinated for common contagious diseases of live stocks by State Government utilizing funds earmarked for conservation activities;

xiv. The State Forest Department shall take comprehensive mitigation measures to reduce man-animal conflicts from the funds earmarked for conservation activities;

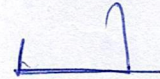
xv. User Agency shall take all necessary measures to prevent nearby villagers from practicing agriculture in drawdown area of tank during dry season to reduce man-animal conflicts;

xvi. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>);

After receipt of a report on the compliance of conditions no ii (b), iii, iv (a), vii, viii, ix, x and undertakings, duly authenticated by the competent authority in the State Government, in respect of all other conditions, from the State Government, formal approval will be considered in this regard under Section-2 of the Forest (Conservation) Act, 1980.


This issues with the approval of DDGF (C)/ Regional Officer (Central), Integrated Regional Office (WCZ), MoEF & CC, Nagpur.

Yours faithfully,


(C.B. Tashildar)
AIGF (Central)

Copy to:

- i. The PCCF (HoFF), Government of Maharashtra, Nagpur.
- ii. The Addl. PCCF & Nodal Officer (FCA), Government of Maharashtra, Nagpur.
- iii. User agency.
- iv. Guard file.


(C.B. Tashildar)
AIGF (Central)