

## Government of Maharashtra

**By Speed Post**

No.FLD-2020/CR-206/F-10  
Revenue and Forest Department,  
Madam Cama Road,  
Hutatma Rajguru Chowk,  
Mantralaya, Mumbai - 400 032.  
Dated: 22.01.2021

To,  
Regional Officer (Central),  
Integrated Regional Office,  
Ministry of Environment, Forests & Climate Change,  
Government of India, Nagpur-440 001.

**Subject: Forest Land-Nanded.**

Diversion of 33.420 ha. Forest land for upgradation to two Lanes with paved shoulder to four lane configuration of Nanded-Kinwat-Mahur-Arni road section of National Highway 161 A.

Sir,

The Additional Principal Chief Conservator of Forests and Nodal Officer, Maharashtra State, Nagpur has submitted the proposal for diversion of 33.420 ha. Forest land under Forest (Conservation) Act, 1980 in favour of Executive Engineer, National Highway Authority of India, Nanded for for upgradation to two Lanes with paved shoulder to four lane configuration of Nanded-Kinwat-Mahur-Arni road section of National Highway 161 A in Nanded District of Maharashtra.

2. The details of forest land proposed for diversion is as given below: -

Sr. No	Item work purpose	Chainage	Village Name	Gut No.	Compt. No.	Area (in ha)	Legal Status
1	Diversion of 33.420 ha.	51740	Isapur	101	233	0.480	Reserved Forest
2	forest land for	51940	Isapur	106	233	4.296	
3	Upgradation to Two Lanes with paved shoulder/ Four Lane	53730	Rithi Tanda	101	234	3.144	
4	Configuration of Nanded-Kinwat-	55080	Rithi Tanda	98	234	0.204	
5	Mahur-Arni road	66500	Sawari	100	252	1.752	
6	section of National	67500	Sawari	100	252	1.920	
7	Highway 161A 0.00km at Bhoker and end at	74000	Bodhadi BK.	302	219A	0.960	
8	Arni Fata via Sarsam-Himayatnagar-Kinwat-	74400	Bodhadi BK.	197	219A	1.320	
9	Mahur of Nanded District in the State of Maharashtra	78000	Bodhadi BK.	115	212A	0.720	
10		78300	Bodhadi BK.	71	211A	0.792	
11		78630	Chikhali Khu.	141	212D	0.540	

Sr. No	Item work purpose	Chainage	Village Name	Gut No.	Compt. No.	Area (in ha)	Legal Status
12		78630	Khikali Khu.	142	212D	0.540	
13		104800	Loni	88	82A	3.984	
14		109440	Rajgad Tanda	15	83A	0.240	
15		110800	Wadoli	64	84,85	2.136	
16		111690	Wadoli	102	85	0.576	
17		111930	Wadoli	112	33A	2.040	
18		112780	Sarkhani	123	34	7.776	
	Total Forest Area (in ha.)					33.420	

3. The proposal has been initiated by the Executive Engineer, National Highways Authority of India, Nanded for seeking approval under Forest (Conservation) Act, 1980 for Upgradation to Two Lanes with paved shoulder to Four Lane Configuration of Nanded-Kinwat-Mahur-Arni road section of National Highway 161A 0.00km at Bhoker and end at Arni Fata via Sarsam-Himayatnagar-Kinwat-Mahur of Nanded District in the State of Maharashtra. The existing road alignment passes through Forest area in a length of 147.650 Km in from chainage Km 51740 to Km 112780 in the Districts of Nanded. Total non forest involved in the project is 327.049 ha. The project is approved vide Government of India, Ministry of Road Transport & Highways (Project Zone-6) letter No. NH-12014/172/2016-MAH(P-6), Dated 20/02/2017.

**4. The Deputy Conservator of Forests, Nanded Forest Division, Nanded has certified that:-**

- 4.1 no suitable alternate land is available and the forest land required is minimum.
- 4.2 the area belongs to Eco-value class-III having density less than 0.4 comes under Southern Tropical Dry Deciduous Forest.
- 4.3 there are 2115 trees of various species and trees is involved in implementation of the Project.
- 4.4 the area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc.
- 4.5 proposed project is not likely to affect any monumental site of cultural, historical, religious, archaeological or recreational importance.
- 4.6 there is no violation of Forest (Conservation) Act 1980.
- 4.7 The Eco Sensitive Zone of the Painagnga WLS has been notified by the MoEF & CC on 30/11/2016. In this regard the Additional Principal Chief of Forests & Field Director, Melghat Tiger Reserve vide his letter No.Desk-2/536, dt.31/8/2020 has offered his remarks that the proposed area for the project comprising 2.3 km passes from the non-forest area of the eco sensitive zone of the Painganga Wild Life Sanctuary. Having considered the remarks of the Additional Principal Chief of Forests & Field Director, Melghat Tiger Reserve the CWLW vide his letter dt.3/9/2020 has offered his comments that the proposal

should be kept before the Monitoring Committee under the Chairmanship of the Collector, Yavatmal for decision regarding mitigation measures.

4.8 the non-forest area covered under the project is not under the provision of Maharashtra Private Forest (Acquisition) Act 1975 by virtue of application of Section 35 of Indian Forest Act, 1927 and are not recognized as deemed reserved forest as well as not included in the area identified as "forest" as per dictionary meaning of forest as intimated to the expert committee appointed under interim judgment of the Hon'ble Supreme Court dated 12.12.1996.

4.9 and proposed Compensatory Afforestation over 67.00 ha. double degraded Reserve Forest land in Survey/Gut No.155,14,187,8,70,16,1 & Compartment No.408,388A,74A,191B, 256,57A,763 of Village Karla, Hunda G.P., Nichpur, Gogharwadi, Jaldhara, Mahadapur, Wagdari Dist. Nanded and it is contiguous, suitable for afforestation and management purpose and it is free from encroachment and an encumbrances.

5. **The User Agency has submitted an undertaking that:-**

- 5.1 agrees to defray the cost of compensatory afforestation.
- 5.2 agrees to defray the cost of Net Present Value of the forest land proposed under diversion.
- 5.3 the compliance under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 has been applied and is under process and shall be submitted before in-principle approval.
6. The Principal Chief Conservator of Forests (HoFF), Maharashtra State, Nagpur has recommended the proposal subject to the conditions, given in his specific recommendations, under Section-2 (ii) of the Forest (Conservation) Act, 1980. His specific recommendations are enclosed in the proposal.
7. In the circumstances explained in the aforesaid paragraphs and enclosures, the State Government recommends that the said forest land may be allowed to be diverted on the conditions proposed by the Principal Chief Conservator of Forests (HoFF), Maharashtra State, Nagpur with additional following condition :-

*'The Deputy Conservator of Forests, Nanded shall carry out site inspection in consultation with Principal Chief Conservator of Forests (Wildlife) and suggest mitigation measures for free movement of Wildlife. Mitigation measures approved by Principal Chief Conservator of Forests (Wildlife) will be binding on the User Agency.'*

The matter may kindly be placed before the Government of India for its approval under Section-2 (ii) of the Forest (Conservation) Act, 1980, be obtained and communicated to this Government at earlier.

  
(Arvind Apte)

Chief Conservator of Forests (Mantralaya)

Arvind Apte

Chief Conservator of Forests (Mantralaya)  
Revenue and Forests Department  
Mantralaya, Mumbai - 400032

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**Encl: A) Set of case papers**

**B) The following documents are enclosed:-**

1. Prescribed form as per Rules.
2. Certificate regarding minimum demand for forest land for the project
3. Area Statement
4. Commitment from the Applicant for defraying the cost of compensatory plantation.
5. An undertaking of Project Authority for Net Present Value.
6. Brief note of the project from the project authority
7. Map of proposed land for Compensatory Afforestation
8. Site Inspection Report.
9. Certificate that there is no violation of Forest (Conservation) Act, 1980.
10. Certificate in Part V.

**Copy to:**

1. Principal Secretary, Tribal Development Department, Mantralaya, Mumbai.
2. Principal Chief Conservator of Forests (Wildlife) Maharashtra State, Nagpur.
3. Additional Principal Chief Conservator of Forests and Nodal Officer, Maharashtra State Nagpur with reference to his letter No.Desk-17/NC/ID-587/20-21, Dt. 06.10.2020.
4. Additional Principal Chief Conservator of Forests & C.E.O. (Maha-CAMPA), Maharashtra State, Nagpur.
5. Chief Conservator of Forests (T), Aurangabad.
6. **Deputy Conservator of Forests, Nanded is hereby directed to carry out Site Inspection in consultation with Principal Chief Conservator of Forests (Wildlife) and to suggest mitigation measures for free movement of Wildlife. Mitigation measures approved by the Principal Chief Conservator of Forests (Wildlife) will be binding on the User Agency.**
7. Executive Engineer, National Highway Division, Nanded.
8. Select File F-10.

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**PART - V**

(To be filled up by the Secretary Incharge of Forest Department or by any other authorized officer of the State Government not below the rank of an Under Secretary)

**1. Recommendation of the State Government**

The proposal is recommended  
vide Government letter  
No.FLD-2020/CR-206/F-10  
Dated: 22.01.2021

E-mailed 23.01.2021

Place: Mumbai.

Date: 22.01.2021

*Arvind*  
22/01/2021  
(Arvind Apte)  
Chief Conservator of Forests (Mantralaya)

Arvind Apte  
Chief Conservator of Forests (Mantralaya)  
Revenue and Forests Department  
Mantralaya, Mumbai - 400032

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Proposal Received  
*[Signature]*  
Havle D.T  
Secy CMV Nand  
01-02-2021  
7588651398