

NAME OF PROJECT:- Ex post facto Approval for diversion of 0.8567 ha Forest land in favour of Tribal Public Works Division, Kalwan towards the construction of Management works i.e. Sky Walks , Bye Pass Road, Drainage Line And Sewage Treatment Plant at village Saptashrunji Gad, Tal-Kalwan in Dist. Nashik in the state of Maharashtra.

Compliance Report

Sr.No.	Points	Compliance	Compliance Attachment Page No.
i)	Legal Status of the diverted forest land shall remain unchanged.	This condition is noted and agreed.	7
ii)	Compensatory afforestation over 2.0 ha. of degraded forest land in lieu of forest land being diverted shall be raised and maintained by the State Forest Department at the cost of the User Agency.	The user agency has already deposited the amount of Rs.13,90,578/- (Thirteen lakhs ninety thousand five hundred and seventy eight rupees only) towards the cost of raising compensatory afforestation. The plantation will be carried out by the state forest department.	8 to10
iii)	The penal Compensatory afforestation over degraded forest land double in extent to the forest land used in violation of the forest Conservation Act 1980 shall be raised by the State Forest Department at the cost of User Agency.	The user agency has already deposited the amount of Rs. 3,52,094/- (Three Lakhs fifty two thousand ninety four rupees only/-) towards the cost of the penal compensatory afforestation over the degraded forest land to the state forest department.	8 to10
iv)	The land to be defined for raising Penal CA shall be depicted on Sol and Differential GPS map A soft copy of the KML file of the area identified for PCA and information along with attributes of PCA land as afforestation scheme	The GPS map and soft copy of the KML file of the area identified for PCA is enclosed . The land suitability Certificate also enclosed herewith.	11 to 12

Sr.No.	Points	Compliance	Compliance Attachment Page No.
	suitability certificate etc shall be submitted along with the staged compliance report.		
v)	The User Agency shall transfer the cost of raising and maintaining the Compensatory Afforestation and Penal 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.	The cost of raising and maintaining the Compensatory Afforestation and Penal Compensatory Afforestation of Rs.17,42,672/- (Seventeen Lakhs forty two thousand six hundred seventy two rupees only) has already deposited by Public Works Division, Kalwan.	8 to10
vi)	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 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 05.022009 in this regard	User Agency transferred The Net Present Value (NPV) of Rs. 5,36,294/- (Five Lakhs thirty six thousand two hundred and ninety four rupees only/-) of forest land 0.8567 ha. being diverted under this proposal to CAMPA as per demand note of DFO East Nashik the Challan and RTGS slip is attached herewith.	8 to10

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vii)	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 determine as per the Final decision of the Hon'ble Supreme Court of India.	Yes agree. The user Agency furnished an undertaking to pay additional amount of NPV, if so determined as per the final decision of the Hon'ble Supreme Court of India is attached herewith.	13
viii)	All the Funds received from the user Agency under the project, except the funds realized regeneration demarcation of safety zone, shall be transferred to Ad- hoc CAMPA though e-challan in the saving bank account pertaining to the State concerned.	The user Agency transferred all the funds realized for regeneration / demarcation of safety zone to CAMPA as per demand note of D.F.O. East nashik the challan and RTGS slip is attached herewith.	14
ix)	The user agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act 1986 , if required.	Not applicable.	
x)	No labour camp shall be established on the forest land.	The user Agency agrees that the No labour camp will be established on the forest land.	15

Sr.No.	Points	Compliance	Compliance Attachment Page No.
xi)	The user agency shall provide fuels 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.	The user Agency agrees to provide fuels preferably alternate fuels to the labourers and the staff working at the site to avoid any damage and pressure on the nearby forest areas.	16
xii)	The boundary of the diverted forest land shall be demarcated on ground at the project cost by erecting for foreign reinforcement concrete pillars each inscribed with its serial number forward and back bearing and distance from pillar to pillar.	The user Agency has already deposited an amount of Rs.69,000/- (Sixty nine thousand rupees only/-) towards the construction of cement pillars. The Cement Pillars will be constructed by forest Department.	8 to10
xiii)	The layout plan of the Proposal shall not be changed without the prior approval of the Central Government	The user agency agrees that the layout plan of the proposal will not be changed without the prior approval of Central Government.	17
xiv)	The forest land shall not be used for any purpose other than that specified in the proposal.	The user Agency agrees that the forest land will not be used for any purpose other than that specified in the proposal.	18
xv)	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.	The user Agency agrees that the forest land proposed to be diverted shall under no circumstances will be transferred to any other agency department or person without prior approval of the Central Government .	19
xvi)	No damage of the flora and fauna of the	The User Agency agrees that no damage to the flora and fauna	20

Sr.No.	Points	Compliance	Compliance Attachment Page No.
	adjoining area shall be caused.	of the adjoining area will be caused.	
xvii)	No feeling of trees shall be undertaken Blanks areas within the area being diverted if available shall be planted with suitable tree/shrubs species in consultation with the State Forest department.	This condition is noted and agreed.	21
xviii)	The user Agency shall undertake comprehensive soil conservation measures at the project cost in consultation with Consultation with State forest department if required and a plan on the same shall be submitted to the regional office along with the compliance report.	The user agency has already transferred an amount of Rs. 24,98,860/- (Twenty Four Lakhs ninety eight thousand eight hundred sixty rupees only) towards comprehensive soil conservation measures (Construction of 4 No. of forest lake.) at the project cost in consultation with state forest department.	8 to 10
xix)	The User Agency shall undertake comprehensive soil conservation measures at the project cost in consultation with State Forest Department if required and a plan on the same shall be submitted along with the 6 monthly compliance report to the Regional Office.	The user agency has already transferred an amount of Rs. 24,98,860/- (Twenty Four Lakhs ninety eight thousand eight hundred sixty rupees only) towards comprehensive soil conservation measures at the project cost in consultation with state forest department.	8 to10
xx)	The State Government shall submit a credible report on the action taken against officers responsible for the violations of the forest (Conservation) Act 1980. Updated Status of the	Notices are issued to concerned officers responsible for the violations of the forest (Conservation) Act 1980 . Under Section 10.(Copy is enclosed herewith.)	22 to 55

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	POR lodged against the officers shall also be submitted along with the Stage -I compliance report.		
xxi)	A monitoring report on the updated status of compliance of conditions stipulated in the approvals accorded to the project by The Central Government in the past shall be submitted along with the compliance report.	The approval is received for Stage I.	-
xxii)	As the Saptashruni Gad is dominated by the Forest land , therefore with a view to ensure that all non forestry activities carried out / proposed to be carried by the user agency are in tandem with various forest and environment law in vogue , the DCF , Nashik Forest division shall be included as the member in the Management Committee (Devasthan Committee) of the Trust Responsible for the management/ implementation of the project activities. Compliance of the same shall be ensured and report on the same officers shall be submitted along with the Stage -I compliance report.	As per the letter given by DCF Nashik forest division, the continuous follow up has been taken this department. The regular correspondence regarding this point done by P.W. Division Kalwan is enclosed here with. The reply given by Management Committee of Saptashruni Niwasini Devi Trust is that the decision regarding the subject matter does not come under the rights of Management Committee of Trust. Follow up is being made at our level regarding the same. These works are sanctioned under disaster management hence needs to be completed as early as possible.	56 to 64
xxiii)	The user agency in consultation with The State	The User Agency has already transferred of Rs. 70,000/-	8 to10

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	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.	(Seventy Thousand rupees only) the funds for alternate habitat / home (Birds nest) for the avifauna to CAMPA as per demand note of DFO East Nashik the Challan and RTGS slip is attached herewith. State forest Department shall Carry out the scheme.	
xxiv)	The State government shall ensure that the process of settlement of rights in terms of the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of forest Right Act 2006 on the land to be diverted has been completed in accordance with the relevant guidelines issued by the MoEF& CC in this regard.	The process of settlement of rights FRA 2006 Certificate of Collector Nashik in this regarding is already submitted, (copy attached herewith for ready reference.)	65 to 67
xxv)	The State government shall ensure that the compliance of conditions stipulated in the approvals accorded to the project by the Central Government in the past is being complied with by user Agency.	No compliance of conditions stipulated in approvals accorded to the project in the past is pending.	-
xxvi)	The user agency shall be submit six monthly compliance reports as on 1 st January and 1 st July of every year to this office as well as to the Nodal Officer of the State.	The user agency agree to submit six monthly self compliance reports as on 1 st January and 1 st July of every year to the Nodal Officer of the State.	68
xxvii)	The State government shall monitor compliance	Yes. The State Forest Department shall monitor compliance of	-

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	of conditions of forest Clearance and shall submit in this regard yearly report as on 31 st December of every year.	conditions of forest Clearance and shall submit in this regard yearly report as on 31 st December of every year.	
xxviii)	Any other condition that the concerned Regional Office of the ministry may stipulate from time to time in the interest of conservation protection and development of forests & wildlife and	The User Agency is submitting the undertaking for this condition is attached herewith.	69
xxix)	The user agency and the State government shall ensure compliance to provisions of the Acts Rules, Regulations and Guidelines for the time being in force as applicable to the project.	The User Agency is submitting the undertaking for this condition is attached herewith.	69

SD/-
Sub Divisional Officer,
P.W. Subdivision No.4 Kalwan,
Camp- Nashik.

SD/-
Executive Engineer,
Tribal Public Works Division,
Kalwan

