



भारतसरकार
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 /11370

Date: 29.03.2023

✓ To,

The Principal Secretary (Forests),
Revenue and Forest Department,
HutatmaRajguru 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 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. After careful examination of the proposal of the State Government, 'in-principle' approval was accorded by the Central Government vide its letter of even number dated 08.03.2022. The Addl. PCCF & Nodal Officer (FCA), Government of Maharashtra has now submitted a report on the compliance of conditions stipulated in the 'in-principle' approval and requested the State Government to grant final approval to the proposal.

In this connection, I am directed to say that on the basis of compliance report submitted by the Addl. PCCF & Nodal Officer (FCA), Government of Maharashtra letter no. Desk-17/Nodal/Amravati/ID-11993/2021/2022-23 dated 11.11.2022 and letter no. Desk-17/Nodal/Amravati/ID-11993/2599/2022-23, dated 05.01.2023 forwarding additional information as sought vide this office letter of even number dated 09.12.2022, the Central Government hereby accords 'final approval' 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. Forest land will be handed over only after required non-forest land for the project is handed over by the User Agency;
- iii. **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. Further, if existing tanks/ stop dams are available and needs desilting/ repair; same shall be carried out to meet the water requirement of wild animals throughout the year;

- b. The non-forest land which has been transferred and mutated in favour of the State Forest Department for the purpose of Compensatory Afforestation shall be declared as Reserved Forest under Section-4 or Protected Forest under Section-29 of the Indian Forest Act, 1927 or under the relevant Section(s) of the State Forest Act. The Nodal Officer, Forest (Conservation) Act, 1980 may report compliance within a period of six (6) months from the date of grant of final approval and send 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, to this Office for information and record;
- iv. The cost of felling of trees shall be deposited by the User Agency with the State Forest Department;
- v. The State Government, Maharashtra/ Nodal Officer (FCA), Maharashtra shall ensure settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (No. 2 of 2007) before issuing an order for handing over of forest land to the User Agency as per Rule- 9 (6) (b) (ii) of Forest (Conservation) Rules, 2022 dated 28.06.2022;
- vi. 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 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;
- vii. The felling of trees shall be restricted to FRL-4 meter only and felling of trees shall be carried out by the State Forest Department. Number of trees to be removed shall be kept at barest minimum during the execution of the project;
- viii. 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.
- ix. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;
- x. User agency shall undertake afforestation along the periphery of the reservoir;
- xi. The User Agency shall provide water to forestry and allied purposes at the rate fixed by the State Government;

- xii. 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;
- xiii. The layout plan of the proposal shall not be changed without prior approval of Central Government;
- xiv. No labour camp shall be established on the forest land;
- xv. Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel;
- xvi. The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer;
- xvii. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;
- xviii. The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less;
- xix. The forest land shall not be used for any purpose other than that specified in the project proposal;
- xx. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India;
- xxi. The User Agency and the State Government shall ensure compliance of all the Court orders, provisions, rules, regulations and guidelines for the time being in force as applicable to the project;
- xxii. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF&CC Guideline F. No. 11-42/2017-FC dt 29/01/2018;
- xxiii. Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife;

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

Yours faithfully,


(C.B. Tashildar)
AIGF (Central)

Copy to:

- i. The IGF (RoHQ), Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jorbagh Road, Aliganj, New Delhi- 110003.
- ii. The PCCF (HoFF), Government of Maharashtra, Nagpur.
- iii. User agency.
- iv. Guard file.


(C.B. Tashildar)
AIGF (Central)