



भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST
& CLIMATE CHANGE

Integrated Regional Office
Ground Floor, East Wing
New Secretariat Building
Civil Lines, Nagpur - 440001
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F.No. FC-II/MH-137/2021-NGP / 11419

Date: 31.03.2023

To,

The Principal Secretary (Forests),
Revenue and Forest Department,
HutatmaRajguru Chowk
Madam Cama Marg
Mantralaya, Mumbai – 400032.

Sub: Diversion of 17.04 ha Forest Land for Rehabilitation and un-gradation of Malkapur-Buldana-Chikhali-Deulgaonraja-Jalna NH-753-A Road, Section-I from Chikhali to TakarkhedBhagile from chainage km 68.900 to km 108.500 and Section-II, TakarkhedBhagile to Jalna chainage km 108+500 to km 153+160 to four lane with paved shoulder in the State of Maharashtra- regarding.

Sir,

The undersigned is directed to refer to State Government of Maharashtra letter no. FLD-2020/CR-241/F-10 dated 22.01.2021 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 16.02.2021. 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-12828/1174/2021-2022 dated 09.10.2021, letter no. Desk-17/Nodal/Amravati/ID-12828/2681/2021-2022 dated 11.03.2022 and letter no. Desk-17/Nodal/ID-12828/2846/2022-2023 dated 24.01.2023 forwarding additional information as sought vide this office letter of even number dated 22.12.2021 and 30.05.2022, the Central Government hereby accords 'final approval' under Section- 2 of the Forest (Conservation) Act, 1980 for diversion of 17.04 ha Forest Land for Rehabilitation and un-gradation of Malkapur-Buldana-Chikhali-Deulgaonraja-Jalna NH-753-A Road, Section-I from Chikhali to TakarkhedBhagile from chainage km 68.900 to km 108.500 and Section-II, TakarkhedBhagile to Jalna chainage km 108+500 to km 153+160 to four lane with paved shoulder 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 34.08 ha degraded forest land in Gut. no. 290 at Village- Hivarkhed, Taluka- Khamgaon, District- Buldana at the cost of the User Agency. As far as possible, a mixture of

local indigenous species along with 10% RET species of Buldana District shall be planted and monoculture of any species may be avoided. Atleast six 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;

- iii. User agency shall restrict the felling of trees to minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the User Agency with the State Forest Department. Maximum numbers of trees in outer RoW will be kept intact;
- iv. 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;
- v. 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 25,000 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;
- vi. Action against violation shall be undertaken as per the provisions made under Para 1.21 of Handbook of Forest Conservation Act, 1980 published in 28.03.2020. Further, a formal enquiry shall be conducted by State Forest Department as per the provisions made under Para 1.21 of Handbook of Forest Conservation Act, 1980 published in 28.03.2020. A detail report in this regard shall be submitted to Integrated Regional Office, MoEF & CC, Nagpur;
- vii. State Forest Department shall undertake avenue plantation as per IRC norms at the cost of User Agency;
- viii. Speed regulating signage will be erected along the road at regular intervals in the Protected Areas/ Forest Areas;
- ix. Wherever feasible, User Agency in consultation with State Forest Department shall increase the size of box culverts in such a way that it also serves the purpose of wildlife passages as suggested by Wildlife Institute of India in manual entitled "Eco-friendly Measures to Mitigate Impacts of Linear Infrastructure on Wildlife, published in 2016;
- x. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;
- xi. The layout plan of the proposal shall not be changed without prior approval of Central Government;
- xii. No labour camp shall be established on the forest land;
- xiii. 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;



- xiv. 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;
- xv. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;
- xvi. 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;
- xvii. The forest land shall not be used for any purpose other than that specified in the project proposal;
- xviii. 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;
- xix. 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;
- xx. 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:

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


(C.B. Tashildar)
AIGF (Central)