

Subject: - Proposal for diversion of 104.90 ha. Zudpi Jungle land of 32 villages in Nagpur City Taluka, Dist. Nagpur under Category II {Encroachments (excluding commercial purpose) prior to 12/12/1996 using simplified procedure} in consolidated form under Forest (Conservation) Act, 1980 in accordance with the procedure prescribed as per Government of India, Ministry of Environment & Forest's letter No. No.8-33/2001-Fc,dt.04/03/2014.

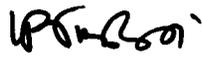
PART - V

(To be filled up by the Secretary In charge 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-3416/CR-314/F-10
Dated: 1st October, 2016

Place: Mumbai
Date: 1st October, 2016


(Virendra Tiwari) 1/10/16
Chief Conservator of Forests (Mantralaya)
मुख्य वनसंरक्षक (मंत्रालय)
महसुल व न.स.भा.
Chief Conservator of Forests (Mantralaya)
Revenue and Forest Department
Mantralaya, Mumbai 400 032

Government of Maharashtra

By Speed Post

No.FLD-3416/CR-314/F-10
Room no. 456/ 461 Annex,
Revenue and Forest Department,
Madam Kama Road,
Hutatma Rajguru Chowk,
Mantralaya, Mumbai – 400 032.
Dated: 1st October, 2016.

To,

The Secretary,
Government of India,
Ministry of Environments, Forest and Climate Change,
Indira Paryavaran Bhavan, Jorbagh Road,
New Delhi- 110 003.

Subject: - Proposal for diversion of 104.90 ha. Zudpi Jungle land of 32 villages in Nagpur City Taluka, Dist. Nagpur under Category II {Encroachments (excluding commercial purpose) prior to 12/12/1996 using simplified procedure} in consolidated form under Forest (Conservation) Act, 1980 in accordance with the procedure prescribed as per Government of India, Ministry of Environment & Forest's letter No. No.8-33/2001-Fc,dt.04/03/2014.

Chief Conservator of Forests, Nagpur Forest Circle has submitted proposal for diversion of 104.90 ha. Zudpi Jungle land of 32 villages in Nagpur City Taluka, Dist. Nagpur under Category II {Encroachments (excluding commercial purpose) prior to 12/12/1996 using simplified procedure} in consolidated form under Forest (Conservation) Act, 1980 in accordance with the procedure prescribed as per Government of India, Ministry of Environment & Forest's letter No. No.8-33/2001-FC,dt.04/03/2014. The location of project area is as given below –

Sr. No.	Range	Village	Tehsil/District	Survey No. /Gut No.	Area (in Ha.)	Legal Status
1.	Seminary Hills, Nagpur	Ajani	Tehsil-Nagpur City District-Nagpur	100/2,102/1,102/2	1.64	Zudpi Jungle (In-charge of Revenue Department)
2.		Sonegaon		15,29,24/3	1.22	
3.		Somalwada		15,17/2K,	1.33	
4.		Khamla		67,69,35/1,35/2,44/1	3.60	
5.		Lendra		210	2.78	
6.		Chinchbhuvan		148	0.56	
7.	Hingna	Jayatala		41,86,89,90,93, 47/4-5,48/3,49/1, 92/1,99/1,99/2,99/3	9.05	
8.		Taklisim		19/1,19/2,22/1	0.83	
9.		Ambazari		49,53/1D,53/1G	7.26	
10.		Parsodi		60/1-2	0.17	
11.	Seminary Hills, Nagpur	Wathoda		86,88/1,88/2,95/1,95/2	1.05	
12.		Sakkardara		13,80/2	1.79	
13.		Nara		121/1,121/2,121/3	0.90	
14.		Manewada		23,25,53	0.81	
15.		Binakhi		67,10/1	0.65	
16.		Bidipeth		8,39,40,41/4,44/1	1.41	
17.		Babulkheda		48/2	0.14	
18.		Pardi		66,77	0.77	
19.		Bhandewadi		4,6,16,42,56,57,5/1,5/2, 14/1,14/2,17/1,17/2,27/2, 27/3.	9.410	

20.	Nari	Tehsil-Nagpur City District- Nagpur	38,40/2,44,45,30,32, 33,47/2	7.25	Zudpi Jungle (In-charge of Revenue Department)
21.	Wanjara		107/2	2.72	
22.	Wanjari		2/1G,2/2K	0.96	
23.	Punapur		29,38/1	1.44	
24.	Borgaon		102,105,180	1.23	
25.	Dabha		171/3	1.62	
26.	Gorewada		49/1-2	5.72	
27.	Hazaripahad		50,74,52/1,52/2	6.24	
28.	Indora		62/2	0.34	
29.	Mankapur		3	0.26	
30.	Pandharabodi		17	0.07	
31.	Telangkhedi		1,66,67/6	30.74	
32.	Zingabai Takali	205/2	0.94		
Total Zudpi Jungle				104.90	

2) Following documents are prescribed in Government Circular, Revenue & Forest Department No.FLD-1081/2014/(A)/F-3, Dated 20/03/1982 and according to Government of India's instructions issued from time to time are enclosed.

- i) Prescribed form dated 10/01/2003.
- ii) Area Statement
- iii) Index map in suitable scale

3) The proposal has been scrutinized with reference to the required documentation as enlisted in point B of Annexure – I to the Govt. of India's letter dated 4th March, 2014. The details are as under:

- i) A copy of the Record of Rights is not attached.
- ii) Map indicating boundary and adjoining land use in suitable scale is not attached. However, geo-referenced (Digital GPS Map) boundary in shape file has not submitted by the User Agency.
- iii) Form A containing part I, II III and IV u/s 6 of the Forest (Conservation) Rules, 2003 is enclosed with the proposal.
- iv) Site Inspection Reports: -
 - a) Joint Site Inspection Reports (JSIR – I) of Circle Officer of the District Administration and Forester from Forest Department for proposed area of the 32 villages are enclosed with the proposal.
 - b) Joint Site Inspection Reports (JSIR – II) of Tahsildar and Range Forest Officer Seminary Hills, Nagpur for 5% of the forest land (Zudpi Jungle) proposed for diversion are enclosed for the following area:
 1. Village – Ambazari, Taluka & Dist. Nagpur (Area – 1.56 ha.)
 2. Village - Bhandewadi, Taluka & Dist. Nagpur (Area – 2.07 ha.)

Joint Site Inspection Reports (JSIR – II) of Tahsildar and Range Forest Officer for 30 villages are not enclosed. The name of villages are as under-

1. Ajani 2. Sonegaon 3. Somalwada 4. Khamla 5. Lendra 6. Chinchbhuvan 7. Jayatala
8. Taklisim 9. Parsodi 10. Wathoda 11. Sakkardara 12. Nara 13. Manewada
14. Binakhi 15. Bidipeth 16. Babulkheda 17. Pardi 18. Nari 19. Wanjara 20. Wanjari
21. Punapur 22. Borgaon 23. Dabha 24. Gorewada 25. Hazaripahad 26. Indora
27. Mankapur 28. Pandharabodi 29. Telangkhedi 30. Zingabai Takali

- v) The certificate of Collector under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 and the copies of Gram Sabha / Ward Committee Resolutions are not attached.
- vi) Demarcation certificate is not enclosed.

Further, other points pertaining to the proposal are as below: -

- 4) Density of forest is 00 and Eco class value III. Southern tropical dry deciduous forests as per Site Inspection Report of Chief Conservator Forests (T), Nagpur.
- 5) Deputy Conservator of Forests, Nagpur Forest Division and Chief Conservator of Forests (T) Nagpur Circle have recommended the proposal for diversion of 104.90 ha. Zudpi Jungle land of 32 villages in Nagpur City Taluka, & Dist. Nagpur under Category II {Encroachment (excluding commercial purpose) prior to 12/12/1996 using simplified procedure} in consolidated form under Forest (Conservation) Act, 1980.
- 6) Deputy Conservator of forest Nagpur Division, Nagpur has certified that the proposed project is beyond 10 km from the boundary of Protected Area. (Sanctuary and National Park). Bor Wildlife Sanctuary is 13.53 km and 15.43 km distance of the Umred-Karandala Wildlife Sanctuary as per map.
- (i) The map showing distance if these villages from Eco-sensitive zone of these sanctuary is attached.
- 7) There are 185 trees in the area are standing in proposed area for diversion in Nagpur Division, Nagpur, girth & class wise abstract is as follows:-

Name of the village - Ajani

Girth (cm)	15/30	31/45	46/60	61/75	76/90	91/105	106/120	121/135	136/150	Above 150	Total
No. of trees	-	-	-	-	-	-	-	-	-	1	1

Name of the Village - Lendra

Girth (cm)	15/30	31/45	46/60	61/75	76/90	91/105	106/120	121/135	136/150	Above 150	Total
No. of trees	-	1	4	3	2	1	1	-	-	-	12

Name of the village - Sakkardara

Girth (cm)	15/30	31/45	46/60	61/75	76/90	91/105	106/120	121/135	136/150	Above 150	Total
No. of trees	1	2	3	3	4	-	-	1	-	-	14

Name of the village - Manewada

Girth (cm)	15/30	31/45	46/60	61/75	76/90	91/105	106/120	121/135	136/150	Above 150	Total
No. of trees	8	6	3	-	6	2	1	1	1	-	28

Name of the village - Bidipeth

Girth (cm)	15/30	31/45	46/60	61/75	76/90	91/105	106/120	121/135	136/150	Above 150	Total
No.of trees	5	5	5	7	2	1	-	-	-	-	25

Name of the village - Pardi

Girth (cm)	15/30	31/45	46/60	61/75	76/90	91/105	106/120	121/135	136/150	Above 150	Total
No.of trees	-	-	1	-	-	-	-	-	-	-	1

Name of the village - Babulkheda

Girth (cm)	15/30	31/45	46/60	61/75	76/90	91/105	106/120	121/135	136/150	Above 150	Total
No.of trees	-	-	3	6	2	-	-	1	-	-	13

Name of the village - Bhandewadi

Girth (cm)	15/30	31/45	46/60	61/75	76/90	91/105	106/120	121/135	136/150	Above 150	Total
No.of trees	-	1	16	1	4	3	-	-	-	-	25

Name of the village - Punapur

Girth (cm)	15/30	31/45	46/60	61/75	76/90	91/105	106/120	121/135	136/150	Above 150	Total
No.of trees	-	-	3	1	-	-	-	-	-	-	4

Name of the village - Gorewada

Girth (cm)	15/30	31/45	46/60	61/75	76/90	91/105	106/120	121/135	136/150	Above 150	Total
No.of trees	-	-	4	5	8	6	7	3	2	1	36

Name of the village - Telenkhedi

Girth (cm)	15/30	31/45	46/60	61/75	76/90	91/105	106/120	121/135	136/150	Above 150	Total
No.of trees	-	-	4	3	7	4	2	3	3	1	27

8) Site inspection report of The Chief Conservator of Forests (T), Nagpur Circle, Nagpur and Deputy Conservator of Forest, Nagpur Division, Nagpur is enclosed.

9) The Deputy Conservator of Forest, Nagpur Division, Nagpur has certified that no suitable alternate land is available and the forest land required is the barest minimum.

10) There is no violation of Forest (Conservation) Act 1980, as certified by The Deputy Conservator of Forest, Nagpur Division, Nagpur. The Zudpi Jungle Lands were not treated as forest land earlier to the clarification issued by Ministry of Environment of Forests & Climate Change, Government of India vide letter No. 4-8/87/FC, dt. February 12, 1992. Hence the encroachments done on Zudpi Jungle land prior to 1992 are not considered as violation of the Forest (Conservation) Act. However, Government of India vide letter No.F.No.8-33/2001,dt.4/3/2014 has simplified the procedure to obtain the

permission of Government of India under Forest (Conservation) Act in cases of such encroachment on Zudpi Jungle Land done earlier to 1996.

11) The proposed area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc. as certified by The Deputy Conservator of Forest, Nagpur Division, Nagpur.

12) The Deputy Conservator of Forest, Nagpur Division, Nagpur has certified that there is no cutting and felling of trees involved in the project.

13) The Deputy Conservator of Forest, Nagpur Division, Nagpur has certified that the proposal does not affect any monumental site of cultural, historical, religious, archaeological or recreational importance.

14) The User Agency has submitted the certificate of Collector, Nagpur under Schedule Tribes and Other Traditional Forest Dweller's (Recognition of Forest Rights) Act 2006 issued vide letter No. Rev/B-I-a/W.s.332/2016, dt. 1/07/2016 in prescribed format Form- II. But user agency has not submitted in prescribed form as per Government of India guidelines dated 5/7/2013 and the copies of Gram Sabah/Ward Committee Resolutions are not attached.

15) The User Agency has not submitted demarcation certificate of the proposed area.

16) The User Agency has submitted consolidated digital maps with proposal.

17) 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.

18) It is therefore, requested that Government of India may kindly be moved for approving the Proposal for diversion of 104.90 ha. Zudpi Jungle land of 32 villages in Nagpur City Taluka, Dist. Nagpur under Category II {Encroachments (excluding commercial purpose) prior to 12/12/1996 using simplified procedure} in consolidated form under Forest (Conservation) Act, 1980 in accordance with the procedure prescribed as per Government of India, Ministry of Environment & Forest's letter No. No.8-33/2001-Fc,dt.04/03/2014.

Yours faithfully,

O/C

Virendra Tiwari

(Virendra Tiwari) 1/10/16
Chief Conservator of Forests (Mantralaya)

1677 Email/1-10-16
Encl: A) Set of case papers

Issued
1-10-16

B) The following documents are enclosed:-

1. Prescribed form as per Rules
2. Certificate regarding minimum demand for forest land for the project
3. Index map of suitable scale
4. Brief note of the project from the project authority
5. Site Inspection Report by Deputy Conservator of Forests, Nagpur
6. Certificate that there is no violation of Forest (Conservation) Act, 1980
7. 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/I/i.D./16-17/965, Dated-25/08/2016
4. Additional Principal Chief Conservator of Forests (CAMPA), Maharashtra State Nagpur
5. Divisional Commissioner, Nagpur
6. Chief Conservator of Forests (T), Nagpur
7. Collector, Nagpur
8. Deputy Conservator of Forests, Nagpur
9. Sub Divisional Officer, Nagpur City, Nagpur
10. Select file F-10