



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



Regional Office, Ground Floor, East Wing,
 New Secretariat Building Civil Lines,
 Nagpur - 440001,
 apccfcetral-ngp-mef@gov.in

F.No. FC-I/MH-281/2022-NGP/ 12811 **Date: 05.02.2024**

To,

The Principal Secretary (Forests),
 Revenue and Forest Department,
 Hutatma Rajguru Chowk
 Madam Cama Marg, Mantralaya, Mumbai- 400032.

Sub: Diversion of 0.60 ha of forest land in favour of Public Works Department, Division Yavatmal for construction of Minor Bridge in Chainage K.M. 1/600. Up gradation and Rehabilitation between K.M.1/200 to 1/800 on Wadgaon Jamb, Nakarpardi Road, M.D.R.92 in Yavatmal District in the State of Maharashtra.

Sir,

The undersigned is directed to refer to The Government of Maharashtra, Letter No. FLD-2022/CR-83/F-10 dated 13.06.2022 and APCCF & Nodal Officer (FCA), Maharashtra Letter No. Desk-17/Nodal/Yavatmal/ID-13257/2779/2021-22 dated 25.03.2022 and the State Government of Maharashtra, vide his letter no. FLD-2022/CR-83/F-10 dated 16.10.2023 and The Addl. PCCF and Nodal Officer (FCA), Government of Maharashtra, vide his letter no. Desk-17/FCA-S1/PID-143935/Yavatmal/2069 dated 11.10.2023 seeking prior approval of the Central Government under Section-2 of the **Van (Sanrakshan Evam Samvardhan) Adhiniyam 1980**

After careful examination of the proposal, I am directed to convey Central Government '**in-principle**' approval under Section - 2 of the **Van (Sanrakshan Evam Samvardhan) Adhiniyam 1980** for diversion of **0.60 ha** of forest land in favour of Public Works Department, Division Yavatmal for construction of Minor Bridge in Chainage K.M. 1/600. Up gradation and Rehabilitation between K.M.1/200 to 1/800 on Wadgaon Jamb, Nakarpardi Road, M.D.R.92 in Yavatmal District in the State of Maharashtra subject to the fulfillment of the following conditions

- Legal status of the forest land shall remain unchanged;
- The boundary of the diverted forest land shall be suitably

demarcated on ground by the **State Forest Department at the User Agency;**

- iii. As proposed by the State Government, compensatory afforestation shall be taken up by the Forest Department over **1.20 ha Non Forest Land** in Gut no. 143 of Village-Murzadi, Taluka- Yavatmal, District- Yavatmal at the cost of the User Agency. As far as possible, a mixture of local indigenous species along with 10% RET species of Yavatmal District shall be planted and monoculture of any species may be avoided;
- iv. CA scheme shall be implemented as per the provision of the Van (Samrakshan Evam Samvardhan) Rules 2023;
- v. The State Government shall charge the Net Present Value (NPV) for the **0.60 ha** forest area to be diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 30/10/2002, 01/08/2003, 28/03/2008, 24/04/2008 and 09/05/2008 in IA No. 566 in WP (C) No. 202/1995 and as per the guidelines issued by the Ministry;
- vi. Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State Government from the User Agency. **The User Agency shall furnish an undertaking to this effect;**
- vii. All the funds received from the user agency under the project shall be transferred/ deposited to CAMPA fund only through **e-portal** (<https://parivesh.nic.in/>);
- viii. **No tree felling or cutting shall be permitted under instant proposal;**
- ix. 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 the provision of Van (Sanrakshan Evam Samvardhan) Rules 2023;
- vi. Speed regulating signage will be erected along the road at regular intervals in the Protected Areas/ Forest Areas;
- vii. The User Agency in consultation with Forest Department shall provide under/ over pass for safe passage of wild animals at suitable places at the project cost;
- viii. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;

- ix. The layout plan of the proposal shall not be changed without prior approval of Central Government;
- x. No labour camp shall be established on the forest land;
- xi. 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;
- xii. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;
- xiii. 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;
- xiv. The forest land shall not be used for any purpose other than that specified in the project proposal **and diverted forest area shall not exceed 0.60 ha;**
- xv. 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;
- xvi. Violation of any of these conditions will amount to violation of **Van (Sanrakshan Evam Samvardhan) Adhiniyam 1980** and action would be taken as per the provision of **Adhiniyam** and rules /guidelines issued there under;
- xvii. 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;
- xviii. The compliance report shall be uploaded on *e-portal* (<https://parivesh.nic.in/>);
- xix. After ensuring settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (2 of 2007) and compliance to all such conditions, the State Government shall issue order for working permission and diversion as the case may be as per the provisions of Van (Sanrakshan Evam Samvardhan) Rules 2023.

The in-principle approval shall be valid for a period of **2 years** from the date of issue of the same. In the event of non-compliance of the above conditions within the stipulated period, this in-principle approval **shall be deemed to be null and void;**



This issues with the approval of DDGF (Central), 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 for information please
- ii. The PCCF (HoFF), Government of Maharashtra, Nagpur.
- iii. The Addl. PCCF & Nodal Officer (FCA), Government of Maharashtra, Nagpur.
- iv. User agency.
- v. Guard file.


(C.B. Tashildar)
AIGF (Central)