

OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS (HEAD OF FOREST FORCE), MAHARASHTRA STATE, NAGPUR

ADDITIONAL PRINCIPAL CHIEF CONSERVATOR OF FORESTS AND NODAL OFFICER, MAHARASHTRA STATE, NAGPUR,
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Sub:- Diversion of 1.9425 ha of Forest Land in favour of the Executive Engineer (B & C) Zila Parishad, Pune (South) for joining SH-121, Baramati-Indapur to MDR159 Nimgaon Ketaki-Bijawadi road named as village road no. 3 at Village- Gokhali and Tarangewadi, Tal- Indapur in Pune District in the State of Maharashtra-reg

No. Desk-17/NC/2/ID-12647(66)/ 255/2021-22
Nagpur – 440 001, Date :-

To,

The Deputy Director General (Central)
Ministry of Environment, Forests, and Climate Change,
Regional Office, Ground Floor, East Wing,
New Secretariat Building,
Civil Lines, Nagpur-440001

08/06/2021

- Ref:- 1. Government of India, Ministry of Environment, Forests and Climate Change, Regional Office, Nagpur letter No. FC-I/MH-189/2020-NGP/7693, dated 14/01/2021.
2. The Chief Conservator of Forests (T), Pune letter No.Desk-1/Land/FCA-299/2021-22/05, dated 09/04/2021

Sir,

Government of India, Ministry of Environment, Forests and Climate Change, Regional Office, Nagpur conveyed the 'in-principle' approval for diversion of 1.9425 ha of Forest Land in favour of the Executive Engineer (B & C) Zila Parishad, Pune (South) for joining SH-121, Baramati-Indapur to MDR159 Nimgaon Ketaki-Bijawadi road named as village road no. 3 at Village- Gokhali and Tarangewadi, Tal- Indapur in Pune District in the State of Maharashtra. The compliance report of the conditions of in-principle approval is submitted as under-

Sr. No.	Condition	Compliance
i.	Legal status of the forest land shall remain unchanged;	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure No.I)
ii.	Forest land will be handed over only after required non-forest land for the project is handed over to the user agency;	Non forest land comprising 1.9425 ha. in gut no 51 of village Pale N.M. Tal- Maval Dist- Pune has been handed over to forest department and 7/12 extract and mutation entry no 386 is recorded in Revenue department as "Government of Maharashtra Forest Department" same is attached herewith as (Annexure No.II)
iii.	Compensatory afforestation	
	a) Compensatory afforestation shall be taken up by the Forest Department over 1.9425 ha non forest land of Gut No. 51 at village- Pale N.M., Tal Maval, Distt Pune at the cost of the User Agency. As far as possible, a mixture of local indigenous species along with 10% RET species off pune District shall be planted and monoculture of any species may be avoided;	Compensatory afforestation will be taken up by the Forest Department over 1.9425 ha non forest land of Gut No. 51 at village- Pale N.M., Tal Maval, Distt Pune In this regard User agency has deposited Rs. 13,50,599/- towards the cost of compensatory afforestation. The copy of the same is enclosed herewith as (Annexure No.- III).

	<p>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 Forest Act as the case may be, to this Office for information and record;</p>	<p>Non forest land comprising 1.9425 ha in gut no 51 of village Pale N.M. Tal- Maval Dist- Pune has been handed over to forest department and 7/12 extract and mutation entry no 386 is recorded in Revenue department as "Government of Maharashtra Forest Department" same is attached herewith as (Annexure No. II). The process for declaration of the said non forest land u/s 4 of the Indian Forest Act, 19827 is under process. In this regard Undertaking for the said condition is enclosed herewith as (Annexure No. IV)</p>
iv.	<p>The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars required on the CA land shall be deposited in advance with the Forest Department by the project authority. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years;</p>	<p>The User agency has deposited Rs. 7,30,053/- towards the cost of compensatory afforestation and cost of survey, demarcation and erection of permanent pillars Rs.77,682/- The copy of the same is enclosed herewith as (Annexure No.- III).</p>
v.	<p>NPV:</p>	
	<p>a) The State Government shall charge the Net Present Value (NPV) for the 1.9425 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</p>	<p>The User agency has deposited Rs. 12,16,005/- towards the cost of Net Present Value. The copy of the same is enclosed herewith as (Annexure No.- III).</p>

	WP (C) No. 202/1995 and as per the guidelines issued by the Ministry vide letters No. 5-1/1998-FC (Pt.II) dated 18.09.2003, as well as letter No. 5-2/2006-FC dated 03.10.2006 and 5-3/2007-FC DATED 05.02.2009 in this regard;																		
	b) Additional amount of the NPV of the diverted forest land in any, becoming due after finalization of the same by the Hon'ble Supreme Court of India of 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;	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure No.V)																	
vi.	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.	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure No.VI)																	
vii.	All the funds received from the user agency under the project shall be transferred / deposited to CAMPA fund only through e-portal (https://pariveshnicin/);	<div>The total amount of Rs. 26,44,286/- has been deposited by User Agency in Ad-hoc CAMPA State CAMPA Account No. 150786135403328, through vide UTR No BARB20210330 1089904740, dated 30/03/2021 is enclosed herewith as (Annexure-III). The details are as below – (Ad hoc CAMPA Proforma)</div> <table><tr><th>Sr. No</th><th>Particulars</th><th>Amount transferred to Ad-hoc CAMPA (Rs.)</th><th>Details of amount transferred</th></tr><tr><td>1</td><td>Compensatory Afforestation</td><td>Rs.13,50,599/-</td><td rowspan="4">UTR No BARB20210330 1089904740, dated 30/03/2021</td></tr><tr><td>2</td><td>Net Present Value</td><td>Rs.12,16,005/-</td></tr><tr><td>3</td><td>Cost of Survey & Demarcation</td><td>Rs.77,682/-</td></tr><tr><td></td><td>Total</td><td>Rs.26,44,286/-</td></tr></table>	Sr. No	Particulars	Amount transferred to Ad-hoc CAMPA (Rs.)	Details of amount transferred	1	Compensatory Afforestation	Rs.13,50,599/-	UTR No BARB20210330 1089904740, dated 30/03/2021	2	Net Present Value	Rs.12,16,005/-	3	Cost of Survey & Demarcation	Rs.77,682/-		Total	Rs.26,44,286/-
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3	Cost of Survey & Demarcation	Rs.77,682/-																	
	Total	Rs.26,44,286/-																	
viii.	The completed of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.	The User Agency has submitted the certificates of Collector, Pune under Schedule Tribes and Other Traditional Forest Dweller's (Recognition of Forest Rights) Act, 2006 issued vide letter No. PMF/WS/166/2021, dated 09/02/2021 in prescribed format (Form-I) as per Government of India latest guidelines dated 05/07/2013. A copy of the same is enclosed herewith as (Annexure No.-VII)																	

ix.	Action against violation shall be undertaken as per the provision made under Para 1.21 of Handbook of Forest Conservation Act, 1980 published in 28.03.2020 and detailed report in this regard shall be submitted along with Stage-I compliance;	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure No.VIII)
x.	To improve the Forest / Tree cover and to reduce pollution, a mandated in National Forest Policy, 1988 and Environmental (Protection) Act, 1986 respectively, the User Agency shall develop a separate nursery at one or more places to raise at least 5,000 seedlings of forestry species along with bamboo, fruit bearing, medicinal, ornamental and indigenous / local every year. At least 50% of seedlings shall be planted by User Agency in the vicinity of project area including forest area and for hand holding with local people residing in vicinity of proposed road, User Agency shall voluntary distribute remaining 50% of seedling to them free of cost. A compliance report including species wise details of seedling realised, location of plantation area and details of villagers whom seedlings have been distributed need to be prepared every six month and submitted to Regional Office of MoEF&CC;	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure No.IX)
xi.	User Agency shall raise strip plantation on both sides and central verge of the road as per the IRC norms;	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure No.-X)
xii.	Speed regulating will be erected along the road at regular intervals in the Protected Area / Forest Areas;	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure No.-XI)

xiii.	User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986 if applicable;	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure No.XII)
xiv.	The layout plan of the proposal shall not be changed without prior approval of Central Government;	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure No.-XIII)
xv.	No labour camp shall be established on the forest land;	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure No.-XIV)
xvi.	Sufficient firewood, preferably the alternate fuel, shall provide by the User Agency to the labourer after purchasing the same from the State Forest Department of the Forest Development Corporation or the Forest Development Corporation or any other legal source of alternate fuel;	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure No.-XV)
xvii.	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;	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure No.-XVI)
xviii.	No boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned of the project work;	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure No.-XVII)
xix.	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;	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure No.-XVIII)
xx.	The forest land shall not be used for any purpose other than that specified in the project proposal;	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure No.-XIX)
xxi.	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.	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure No.-XX)

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.	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure No.-XXI)
xxiii.	Any other condition that the Ministry of Environment, Forest & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife;	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure No.-XXII)
xxiv.	The compliance report shall be uploaded on e-portal (https://parivesh.nic.in/);	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure No.-XXIII)
xxv.	The State Government, in so desire, may pass an order for tree cutting and commencement of work in accordance with the provision as contained in Section 11.2, Chapter-11 of Handbook of Forest (Conservation) Act, 1980 and Forest Conservation Rules, 2003 (Guidelines and Clarification) issued in 2019.	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure No.-XXIV)

In view of the above facts, it is requested that Government of India may kindly be moved for approval order under section – 2 of the Forest (Conservation) Act, 1980 as early as possible.

Enclose : As above

Yours sincerely

(Naresh Zurmure)

**Additional Principal Chief Conservator of Forests
& Nodal Officer**

Copy submitted to Principal Secretary (Forest), Revenue & Forest Department, Mantralaya, Mumbai -32 for information.

Copy to the Chief Conservator of Forests (T), Pune for information.

Copy to the Deputy Conservator of Forests, Pune Forest Division, Pune for information.

Copy to the Executive Engineer, Zilla Parishad (Construction), South Division, Pune for information