



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

Integrated Regional Office
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New Secretariat Building
Civil Lines, Nagpur - 440001
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F.No. FC-II/MH-136/2021-NGP /11749

Date: 26.06.2023

✓ To,

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

Sub: Diversion of 5.4276 ha Reserved Forest Land under Forest (Conservation) Act, 1980 in favour of National Highway Division, Amravati for Rehabilitation and up-gradation of Arni to NaigaonBandi (km 00+00 to 40+00) and Poharadevi Link (km 0+000 to 5+132) section of NH-161 A in Yavatmal&Washim Districts in the State of Maharashtra- regarding.

Sir,

The undersigned is directed to refer to State Government of Maharashtra letter no. FLD-2020/CR-251/F-10 dated 07.01.2021 and APCCF & Nodal Officer (FCA), Maharashtra letter no. Desk-17/NC/I/ID-1353/822/20-21 dated 24.11.2020 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 26.08.2021. 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/Yavatmal/ID-12833/2386/2021-2022 dated 11.02.2022 and State Government of Maharashtra letter no FLD-2020/C.R.251/F-10 dated 29.07.2022 which was received in this office on 16.12.2022 and State Government of Maharashtra letter no FLD-2020/C.R.251/F-10 dated 04.05.2023 forwarding additional information as sought vide this office letter of even number dated 26.02.2022 and 30.01.2023, the Central Government hereby accords 'final approval' under Section- 2 of the Forest (Conservation) Act, 1980 for diversion of 5.4276 ha Reserved Forest Land under Forest (Conservation) Act, 1980 in favour of National Highway Division, Amravati for Rehabilitation and up-gradation of Arni to Naigaon Bandi (km 00+00 to 40+00) and Poharadevi Link (km 0+000 to 5+132) section of NH-161 A in Yavatmal & Washim Districts in the State of Maharashtra subject to 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 11.00 ha degraded forest land in Compt. No. C-395 at Village- Manikwada,

Taluka- Ner, 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. 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. Penal CA over 5 ha degraded forest area shall be raised and maintained by the State Forest Department at the cost of User Agency, the area adjacent to proposed CA site shall preferably be selected;
- 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;
 - iv. 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, 2002 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. User Agency in consultation with State Forest Department shall construct the wildlife passages in the form of underpasses at least at every 200 to 500 meters in forest land for smooth movement of wildlife as well as in non-forest areas where there is a traditional route of wildlife movement. The dimensions of all such wildlife passages shall be kept as suggested by Wildlife Institute of India in manual entitled "Eco-friendly Measures to Mitigate Impacts of Linear Infrastructure on Wildlife, published in 2016";
 - 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. The trees having bird nests shall not be felled without written permission from the DCF concern both in forest as well as non-forest land;
 - 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:

- 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)