

F. No. 8-07/2017-FC
Government of India
Ministry of Environment, Forests and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Aliganj, Jorbagh Road,
New Delhi – 110003

Dated: 3rd July, 2018

To,

The Principal Secretary (Forests),
Government of Maharashtra,
Nagpur.

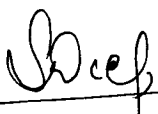
Sub: Diversion of 141.99 ha of protected Forest land & Zudpi Forest land under Forest (Conservation) Act, 1980 for the proposed Ash utilization, promotion and Research Park at village Kachewani & Mendipur, Tal. Tiroda, Dist. Gondia, Maharashtra.

Sir,

I am directed to refer to the State Government of Maharashtra's letter No.FLD-35A16/C.R-358/F-10 dated 17.12.2016 on the subject cited above seeking prior approval of the Central Government under the Forest (Conservation) Act, 1980. After careful consideration of the proposal by the Forest Advisory Committee (FAC) constituted under section-3 of the said Act, ***In-principle approval*** was granted vide this Ministry's letter of even number dated 01.05.2017 subject to fulfilment of certain conditions. The State Government has furnished compliance report in respect of the conditions stipulated in the approval and has requested the Central Government to grant final approval.

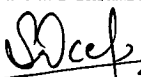
In this connection, I am directed to say that on the basis of the compliance report furnished by the Addl. Pr. Chief Conservation of Forests & Nodal Officer (FCA), State Government of Maharashtra vide his letters No. Desk-17/NC/I/I.D-12459/1830/17-18 dated 31.10.2017, No.Desk-17/NC/RS-1/I.D-12230/3165/17-18 dated 20.03.2018 and No. Desk-17/NC/RS-1/ID-12402/597/17-18 dated 12.06.2018, ***Stage-II Clearance/Final approval*** of the Central Government is hereby granted under Section-2 of the Forest (Conservation) Act, 1980 for diversion of 141.99 ha of protected Forest land & Zudpi Forest land under Forest (Conservation) Act, 1980 for the proposed Ash utilization, promotion and Research Park at village Kachewani & Mendipur, Tal. Tiroda, Dist. Gondia, Maharashtra subject to following conditions:

- (i) Legal status of the diverted forest land shall remain unchanged.
- (ii) The State Govt. shall ensure that the State Forest Department shall raise compensatory afforestation over 152.93 ha degraded forest land as identified for compensatory afforestation in Gondia District within a period of three years with effect from the date of issue of Stage-II clearance and maintained thereafter in accordance with the approved Plan from the funds of **Rs. 7,05,01,017/- deposited in Ad-hoc CAMPA** by the user agency;
- (iii) The non-forest land of 152.93 ha, as identified for compensatory afforestation in lieu of proposed diversion of **141.99 ha** of protected Forest land & Zudpi Forest land, so transferred and mutated in favour of the State Forest Department and the same shall be notified 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 local Forest Act. The Nodal officer must report compliance within a period of 6 month from the date of grant of final approval and send a copy of the 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 local Forest Act as the case may be, to this Ministry for information and record;


3.7.18

- (iv) The User Agency shall pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
- (v) User agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- (vi) The State Govt. shall ensure that the user agency shall implement the plan as prepared on "implementable forestry research for ash utilization promotion and development of research park at APML, Gondia" by Tropical Forest Research Institute (TFRI), Jabalpur, Madhya Pradesh at the cost of user agency and the research outcome with all data shall be shared with MOEF & CC and all other research institutes without charging any cost;
- (vii) The State Govt. and the user agency shall ensure that no alteration or diversion of water course with in the proposed land shall be allowed;
- (viii) The State Govt. and the user agency shall ensure that the construction of any buildings shall not be allowed on forest land being diverted;
- (ix) The State Govt. and the user agency shall ensure that the boundary of the diverted forest land shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS co-ordinates;
- (x) The State Govt. and the user agency shall ensure that ash disposal may be carried out as per the detailed plan prepared for the purpose, and is in accordance with all environmental safeguards;
- (xi) The State Govt. and the user agency shall ensure that no labour camps shall be set up inside the forest area ;
- (xii) The State Govt. shall ensure that the user agency shall provide alternate fuel to the labourers working at the site to avoid damage / felling of trees.
- (xiii) The State Govt. shall ensure that no damage to the flora and fauna of the adjoining area shall be caused.
- (xiv) The State Govt. shall ensure that the forest land shall not be used for any purpose other than that specified in the proposal.
- (xv) The State Govt. shall ensure that the forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person.
- (xvi) The State Govt. shall ensure that the User Agency shall undertake afforestation measures, wherever possible and technically feasible, along the roads within the area diverted under this approval, in consultation with the State Forest Department at the project cost;
- (xvii) The State Govt. shall ensure that the user agency shall submit the annual self compliance report in respect of the above conditions to the State Government, concerned Regional Office and this Ministry by the end of March every year regularly.
- (xviii) Any other condition that the Regional Office , Nagpur of this Ministry, may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife; and
- (xix) The State Government and user agency shall comply the provisions of the all Acts, Rules, Regulations, Guidelines & Hon'ble Court Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.

Yours faithfully,


(Sandeep Sharma) 3.7.18

Assistant Inspector General of Forests

Copy to:

1. The Principal Chief Conservator Forests, Government of Maharashtra, Nagpur.
2. Addl. Principal Chief Conservator of Forests (Central), Ministry of Environment & Forests, Regional Office (WZ), Nagpur.
3. The Nodal Officer, O/o the PCCF, Government of Maharashtra, Nagpur.
4. User Agency.
5. Monitoring Cell.
6. Guard file.


(Sandeep Sharma) 3.7.18

Assistant Inspector General of Forests

