

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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No. Desk-17/NC/RS-1/ID-12457 (47)/68/17-18
Nagpur - 440 001, Date : 14/06/2017

To,

Shri. Deepak Kumar Sinha (IFS)
Inspector General of Forests (FC),
425, Agni Wing, Ministry of Environment, Forests and Climate Change,
Indira Paryavaran Bhawans, Jor Bagh Road, Aliganj,
New Delhi-110003.

Sub:- Diversion of 564.00 ha. of forest land under Section-2 (ii) and 2 (iii) of Forest Conservation Act for development of proposed International Standard Zoo under Forest (Conservation) Act, 1980.

Ref:- 1. MoEF & CC, Government of India, New Delhi letter No. F.No.8-25/2016-FC, dt.8/06/2017.
2. Chief Conservator of Forests (T), Nagpur vide letter No. Desk-1/5/land/C.R.741/289/2017,dt.14/06/2017.

Sir,

Ministry of Environment, Forests and Climate Change, Government of India, New Delhi conveyed the 'in-principle' approval proposal for diversion of 564.00 ha. of forest land under Section-2 (ii) and 2 (iii) of Forest Conservation Act for development of proposed International Standard Zoo under Forest (Conservation) Act, 1980 subject to fulfillment of the conditions stated in the letter under reference. The compliance report of the conditions is furnished as under-

Sr. no.	Conditions	Compliances
i.	The legal status of the forest land shall remain unchanged.	The user agency has agreed to the said condition.
ii.	The proposal involves both forestry and non-forestry activities and under 15 per cent area may be used for non-forestry activities:	It is agreed that out of the 564 Ha. sought for diversion, non-forestry uses/activities will be restricted to 79.07 Ha., which is 14.02 per cent of the total area.
iii	NPV at the rate of 15 per cent of the total NPV of the entire area of 564 Ha sought for diversion under section 2(ii) and 2(iii) of FCA 1980 will be charged. The user agency shall transfer the funds at the ratio of 15 per cent of the total Net Present Value (NPV) of the entire area of 564 Ha. As per the orders of Hon. Supreme court of India dated 28.3.2008, 24.4.2008 and 9.5.2008 in Writ Petition(Civil) No.202/1995 and the guidelines issued by the ministry vide it's letter No.53/2007-FC dated 5.2.2009 through online portal of ad-hoc CAMPA account of the state concerned.	Net Present Value at the rate of 15 per cent of total NPV of entire area of 564 ha. sought for diversion under section 2(ii) and 2 (iii) of FCA 1980. i.e. @ Rs. 6,26,000/- per ha. of the 84.6 ha. forest land calculated Rs. 5,29,59,600/- and the same has been transferred to the Ad-hoc CAMPA in savings Bank A/c No. 15078199200372016835 Corporation Bank, FCS Bangalore.
iv	Compensatory afforestation should be raised on Zudpi forest area over double the area diverted, equivalent to 30 per cent (i.e. 170 Ha.) of the total area (i.e. 564 Ha.) sought for diversion under FCA 1980. The compensatory afforestation over 170 Ha. Of Zudpi Forest shall be raised within a period of three years with effect from date of issue of stage II clearance and maintained thereafter as per approved plan of the state forest department at the cost of user	Agreed. The Forest Department will take compensatory afforestation on zudpi Forest area over double the 170 ha. of area identified. The Deputy conservator of Forest, Nagpur has given the assurance letter regarding raising and maintaining the compensatory afforestation within 3 years from the date of issuance of Stage-II Clearance are Attached as Appendix A with soft copy Kml files of the Compensatory Afforestation area.

	agency.	
v	Permanent diversion under non-Forestry use shall not be more than 15 per cent of the total area sought for diversion and shall be restricted to 79.07 Ha.	The user agency has agreed the laid condition.
vi	Before establishing international Zoo, the necessary clearance from Central Zoo Authority shall be obtained before seeking stage II clearance	Central Zoo Authority has already cleared the project vide its letter No. F.No. 23-11/99-CZA(403)(Vol.I)(AK)/7196 dated 27.05.2016 (Attached as Appendix -B)
vii	The land identified for CA shall be clearly depicted on Survey of India Toposheet of 1:50,000 scale.	170.00 Ha. of identified Zudpi forest has been depicted on 1:50000 scale Topo sheet Survey of India is attached as Appendix-C .
viii	The user agency shall transfer the cost of raising and maintaining the admissible compensatory afforestation at the current wage rate in consultation with the state forest department in the account of the ad-hoc CAMPA of Maharashtra state through online portal. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.	The cost of Compensatory Afforestation equivalent to 30 per cent (i.e. 170 ha.) of the total area (i.e. 564 ha. of Zudpi Forest land as per Ready Recknor for the year 2017-18 @ Rs. 4,96,523/- per ha. calculated and the total amount of CA is Rs. 8,44,08,910/- transferred to the Ad-hoc CAMPA in savings Bank A/c No. 15078199200372016835 Corporation Bank, FCS Bangalore.
ix	At the time of Payment of Net Present Value (NPV) at the present rate the user agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of Supreme Court of India.	The User Agency has furnished the required undertaking to pay the additional amount of NPV.
x	All the funds received from the user agency under the project shall be transferred to Ad-hoc CAMPA in the concerned Saving bank account in Corporation Bank, Lodhi Road New Delhi-110003.	The user agency has already transferred the funds to the Ad-hoc CAMPA in savings Bank A/c No. 15078199200372016835 Corporation Bank, FCS Bangalore vide UTR No. MAHBR52017062038-02804 dt. 12.6.2017 as under:- NPV – Rs. 52959600.00 CA – Rs. 84408910.00 <u>Total – Rs. 137386510.00</u>
xi	User agency shall obtain environment Clearance as per provisions of Environment (Protection) Act 1986, if required	Environment Clearance is not required for the aforesaid project as this project involves Development of forest land as International Zoo which is a Eco-tourism activity, however in accordance with Ministry of Environment, Forests and Climate Change, Government of India, Notification published in Gazzettee REGD No.D.L.33004/99,dt.22/12/2014 clause No. 8 (a) as the total construction under this project is 18,700 sq.mtr which is less than 20,000 sq.mtr.
xii	No labour camps shall be established on the forest land.	The user agency has agreed the laid condition.
xiii	User agency shall provide firewood preferably alternate fuel to the laborers and the staff working on the site so as to avoid any damage and pressure on the adjacent forest areas	The user agency has agreed the laid condition.
xiv	Forest land shall not be used for any purpose other than that specified in the proposal.	The user agency has agreed the laid condition.
xv	State government shall complete settlement of rights in terms of scheduled tribes and traditional forest Dwellers (Recognition of Forest Rights) act 2006,if any, on the forest land to be diverted and submit the documentary evidence as prescribed by this Ministry in it's	A certificate to this effect received from the District Collector, Nagpur vide no. Rev/B-1-a/C.R.47/W.s 382/2016, dated 27.7.2016 is enclosed as Appendix-D

	letter No.11-9/1998-FC(pt.) dated 3 rd August 2009 read with 5.7.2013 in support thereof.	
xvi	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.	The user agency has agreed the laid condition.
xvii	Any other condition that the Regional Office, Nagpur of this Ministry from time to time, in the interest of conservation, protection and development of forest and wildlife.	The user agency has agreed the laid condition.
xviii	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.	The user agency has agreed the laid condition.

In view of the above, it is requested that the Government of Maharashtra may kindly be moved for approval under section-2 (ii) of the Forest (Conservation) Act-1980, at the earliest.

Encl:- As above

Yours faithfully,

(G.Sai Prakash)

Addl. Principal Chief Conservator of Forests
& Nodal Officer,
Maharashtra State, Nagpur.

Copy submitted with The Managing Director, FDCM, Ltd., Nagpur for information.

Copy submitted with The Secretary (Forests), Revenue & Forest Department, Mantralaya, Mumbai-32 for information.

Copy submitted with The Additional Principal Chief Conservator of Forests (Central), Ministry of Environment, Forests, and Climate Change, Regional Office, Ground Floor, East wing, New Secretariat Building, Civil Lines, Nagpur-440001 for information.

Copy to Regional Manager, FDCM Ltd., Nagpur for information.

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

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