

**Sub : Forest Land-Yavatmal / Washim.**

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) section of NH-161 A.

**PART - V**

**(To be filled up by the Secretary Incharge of Forest Department or by any other authorized officer of the State Government not below the rank of an Under Secretary)**

**1. Recommendation of the State Government**

The proposal is recommended  
vide Government letter  
No.FLD-2020/CR-251/F-10  
Dated: 07.01.2021

*Arvind Apte*  
07/11/2021

**(Arvind Apte)**

**Chief Conservator of Forests (Mantralaya)**

**Arvind Apte**

**Chief Conservator of Forests (Mantralaya)  
Revenue and Forests Department  
Mantralaya, Mumbai - 400032**

**Place: Mumbai.**

**Date: 07.01.2021**

# Government of Maharashtra

**By Speed Post**

No.FLD-2020/CR-251/F-10  
Revenue and Forest Department,  
Madam Cama Road,  
Hutatma Rajguru Chowk,  
Mantralaya, Mumbai – 400 032.  
Dated: 07.01.2021

To,  
Integrated Regional Officer,  
Ministry of Environment, Forests & Climate Change,  
Government of India,  
Regional Office, West Central Region,  
Civil Lines, Nagpur-440 001.

**Subject: Forest Land-Yavatmal / Washim.**

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) section of NH-161 A.

Sir,

The Additional Principal Chief Conservator of Forests and Nodal Officer, Maharashtra State, Nagpur has submitted the proposal 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) section of NH-161 A.

2.0 The details of the forest land proposed for diversion are as under:-

Sr. No	Item work purpose	Division	Village wise Chainage	Village Name	Survey No	Compt. No	Area (in ha)	Legal Status					
1	Proposal for Rehabilitation and Up-gradation of existing highway to 2 lane with paved shoulder configuration from Arni to Naigaon Bandi (Km.00+00 to 40+00) Section of NH-161 A in Washim, Yavatmal & Pusad Forest Division in Yavatmal & Washim District in the State of Maharashtra	Yavatmal	6150 to 6931	Kopara	5	C56	0.8688	Reserved Forest					
2					14		0.2172	Reserved Forest					
<b>[A] Total Forest Area (in ha)</b>							<b>1.086</b>						
3		Pusad	31354 to 31908	Rohana	120 & 122	774	1.3296	Reserved Forest					
<b>[B] Total Forest Area (in ha)</b>							<b>1.3296</b>						
4							Washim	36840 to 38690	Waigaul	652,639, 640,637, 635,634	435	2.22	Reserved Forest
5	37480 to 38140	637,635	435	0.792		Reserved Forest							
<b>[C] Total Forest Area (in ha)</b>										<b>3.012</b>			
<b>Grand Total [A]+[B]+[C]</b>							<b>5.4276</b>						

3. The proposal has been initiated by the Executive Engineer, National Highway Division, Amravati, Bandhkam Bhavan, PWD Premises, Camp Road, Amravati-444602 for seeking approval under Forest (Conservation) Act, 1980. The existing road has very poor geometry, congestion leading to traffic jams. Therefore the User Agency has decided to undertake improvement of National Highway section NH-

161 A. The total length as per assignment 40.00 km between Chainage 0+00 Km. to Chainage 40+00 km in the District of Yavatmal, Pusad & Washim. Because of the project, over all road safety situation will be improved.

**4. The Deputy Conservator of Forests, Yavatmal, Pusad & Washim Forest Divisions have certified that:-**

- 4.1 no suitable alternate land is available and the forest land required is minimum.
- 4.2 the area belongs to Eco-value class-III having density is below 0.01 (Southern Tropical Dry Deciduous Forest)
- 4.3 there are 90 trees of various species and trees is involved in implementation of the Project.
- 4.4 the area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc.
- 4.5 proposed project is not likely to affect any monumental site of cultural, historical, religious, archaeological or recreational importance.
- 4.6 there is no violation of Forest (Conservation) Act 1980.
- 4.7 proposed project is beyond 10 km from the boundary of the Protected Area.
- 4.8 the non-forest area covered under the project is not under the provision of Maharashtra Private Forest (Acquisition) Act 1975 by virtue of application of Section 35 of Indian Forest Act 1927 and are not recognized as deemed reserved forest as well as not included in the area identified as "forest" as per dictionary meaning of forest as intimated to the expert committee appointed under interim judgment of the Hon'ble Supreme Court dated 12/12/1996.
- 4.9 and proposed Compensatory Afforestation over 11.00 ha. degraded Forest land in Compartment No.C-395, at village-Manikwada, Tehsil-Ner, Dist. Yavatmal and it is contiguous, suitable for afforestation and management purpose and it is free from encroachment and an encumbrances.

**5. The User Agency has submitted an undertaking that:-**

- 5.1 agrees to defray the cost of compensatory afforestation.
- 5.2 agrees to defray the cost of Net Present Value of the forest land proposed under diversion.
- 5.3 the compliance under the Scheduled Tribes and Other Traditional forest Dwellers (Recognition of Forest Rights) Act, 2006 has been applied and is under process and shall be submitted before in-principle approval.
6. The Principal Chief Conservator of Forests (HoFF), Maharashtra State, Nagpur has recommended the proposal subject to the conditions, given in his specific recommendations, under Section-2 (ii) of the Forest (Conservation) Act, 1980. His specific recommendations are enclosed in the proposal.
7. In the circumstances explained in the aforesaid paragraphs and enclosures, the State Government recommends that the said forest land may be allowed to be diverted on the conditions proposed by the Principal Chief Conservator of Forests (HoFF), Maharashtra State, Nagpur. The matter may kindly be placed before the Government of India for its approval under Section-2 (ii) of the Forest (Conservation) Act, 1980, be obtained and communicated to this Government at earlier.

*Arvind Apte*  
07/11/2021  
(Arvind Apte)

Chief Conservator of Forests (Mantralaya)

Arvind Apte  
Chief Conservator of Forests (Mantralaya)  
Revenue and Forests Department  
Mantralaya, Mumbai - 400032

**Encl:** A) Set of case papers

B) The following documents are enclosed:-

1. Prescribed form as per Rules.
2. Certificate regarding minimum demand for forest land for the project
3. Area Statement
4. Commitment from the Applicant for defraying the cost of compensatory plantation.
5. An undertaking of Project Authority for Net Present Value.
6. Brief note of the project from the project authority
7. Map of proposed land for Compensatory Afforestation
8. Site Inspection Report.
9. Certificate that there is no violation of Forest (Conservation) Act, 1980.
10. Certificate in Part V.

**Copy to:**

1. Principal Secretary, Tribal Development Department, Mantralaya, Mumbai.
2. Additional Principal Chief Conservator of Forests and Nodal Officer, Maharashtra State Nagpur with reference to his letter No.Desk-17/NC/I/ID-1353/822/20-21, Dt. 24.11.2020.
3. Additional Principal Chief Conservator of Forests & C.E.O. (Maha-CAMPA), Nagpur.
4. Chief Conservator of Forests (T), Yavatmal.
5. Deputy Conservator of Forests, Washim / Yavatmal /Pusad.
6. Executive Engineer, National Highway Division, Amravati.
7. Select File F-10.