

**OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS (HEAD OF
FOREST FORCE), MAHARASHTRA STATE, NAGPUR**
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Sub:- Proposal for diversion of 0.34 ha. forest land for Construction of Widening Existing Narayangaon-Ozar-Otur Road is passing through the Forest Compartment No.45 in Survey No.146, Gut No.136 at Village Dhalewadi Tarfe Haveli Tal. Junnar, Dist. Pune in the State of Maharashtra (FP/MH/ROAD/45244/2020).

No. : Desk-17/Nodal/Pune /I.D- 12869(21) / 729 /2022-23
Nagpur – 440 001, Dated 25/06/2022

To,
The Principal Secretary (Forests),
Revenue & Forest Department,
Mantralya, Mumbai – 400032

The Assistant Engineer, GR-I, PWD Sub Division East, Division, No.4, Pune-1 has submitted proposal for diversion of 0.34 ha. forest land for Construction of Widening Existing Narayangaon-Ozar-Otur Road is passing through the Forest Compartment No.45 in Survey No.146, Gut No.136 at Village Dhalewadi Tarfe Haveli Tal. Junnar, Dist. Pune in the State of Maharashtra. The details of forest land proposed for diversion is as given below: -

Sr. No	Item work purpose	Village Name	Taluka	District	Gut No.	Length x Width (m)	Area (in ha)	Legal Status
1	Construction of Widening Existing Narayangaon-Ozar-Otur Road	Dhalewadi Tarfe Haveli	Junnar	Pune	136	235 x 8	0.188	Reserved Forest
2					147	190 x 8	0.152	
Total Forest Area (in ha.)							0.34	

2.00 The proposal has been initiated by the Assistant Engineer, GR-I, PWD Sub Division East, Division, No.4, Pune-1 for seeking approval under Forest (Conservation) Act, 1980. The Government of Maharashtra has taken to decide to strengthening and widening the road which connect to all Astavinayak God Ganpati Devasthan road in the premises of Pune District. The existing road is an accidental spot. While passing through the road at chainage no.61/250 to 61/675 the spot in Forest area is a hill track, blind corner and the front side cannot be sighted, which creates an accident prone zone. The demand area is barest minimum and no trees are required to be felled. The site inspection report of the Deputy Conservator of Forests, Junnar Forest Division, Junnar is enclosed on page no.31 to 34.

3.0 Following documents as prescribed in Government Circular, Revenue and Forest Department No.FLD-1081/2041/(A)/F-3, dated 20/03/1982 and according to Government of India's instructions issued from time to time are enclosed in two copy.

- 3.1 Prescribed form dated 10/01/2003.
- 3.2 Certificate regarding minimum demand of forest land for the project,
- 3.3 Area Statement,
- 3.4 Index map in suitable scale

4.00 The Deputy Conservator of Forests, Junnar Forest Division, Junnar has 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 0.4 (Open Forest)
- 4.3 there are no cutting and felling of trees involved in 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, archeological or recreational importance.
- 4.6 there is no violation of Forest (Conservation) Act 1980.
- 4.7 proposed project is 18 Kms away from the boundary of nearest Protected Area i.e. Kalasubai Wildlife Sanctuary and not within 10 km from the boundary of the Sanctuary and National Park.
- 4.8 and proposed Compensatory Afforestation over 1.00 ha. degraded forest land in Gut No.153, Village Hivare Kh. Taluka Junnar, Dist. Pune and it is contiguous, suitable for afforestation and management purpose and it is free from encroachment and encumbrances.
- 4.9 there is no any alternative available except widening the accidental spot of the existing road which is in reserved forest land.

5.00 The User Agency has submitted an undertaking that:-

- 5.1 to defray the cost of compensatory afforestation.
- 5.2 to defray the cost of Net Present Value of the forest land proposed under diversion.
- 5.3 Government of India vide letter No.11-43/2013-FC, dt.3/12/2018 has issued guidelines regarding compliance of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forests Right) Act, 2006. As per these guidelines:-
‘Accordingly, it is clarified that within the time period stipulated for compliance of Stage I condition, Deputy Commissioner shall complete the process of compliance of FRA (including forwarding its findings to be concerned CF), hence for the purpose of the MoEF & CC, as per the provisions under the Forest (Conservation) amendment rules, 2016 the compliance under FRA is not required for consideration of in-principle approval. This has to be furnished by the State Government for consideration of the proposal by the Ministry for final approval’.

Hence, the user agency has given an undertaking regarding 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 final approval.

- 5.4 The cross section map is enclosed herewith on file page No.118.
- 5.5 Copy of the Administrative approval accorded by the Government of Maharashtra, Public Works Division letter No. PLN-2016/CR-(2511)/N-3, dated 01/12/2016.
- 5.6 Copy of the technical approval accorded by the Chief Engineer, Public Works Division letter No.34, dated 10/11/2017
- 6.00 The Deputy Conservator of Forests, Junnar Forest Division, Junnar and Chief Conservator of Forest (T), Pune have recommended the proposal for diversion of 0.34 ha. of forest land.
- 7.0 **In view of this, the proposal is recommended for approval under the section -2 (ii) of the Forest (Conservation) Act, 1980 subject to the following conditions: –**
- 7.1 The legal status of the forest land required will remain unchanged.
- 7.2 **Compensatory Afforestation :-**

- a) Compensatory afforestation shall be taken up by the Forest Department over 1.00 ha. degraded forest land in Gut No.153, Village Hivare Kh. Taluka Junnar, Dist.

Pune at the cost of the user agency. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided.

7.3 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 if 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.

7.4 NPV:-

a) The State Government shall charge the Net Present Value (NPV) for the 0.34 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 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 & File No.5-3/2011-FC(Vol-I), Dated 06/01/2022 in this regard.

b) Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on 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.

7.5 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.

7.6 All the funds received from the user agency under the project shall be transferred/deposited to CAMPA fund only through e-portal (<http://parivesh.nic.in/>)

7.7 The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.

7.8 User Agency shall raise strip plantation on both sides and central verge of the road as per the IRC norms.

7.9 Speed regulating signage will be erected along the road at regular intervals in the Protected Areas/Forest Areas.

7.10 It Shall mandatory to provide underpass for safe crossing of wild animals

(a) The underpass shall have a minimum size of width 4.00 mt and Height 3.00 mt.

(b) Wherever natural cross drainage works are in existence, then no need to construct new underpass subject to existing structure nearly complying above mentioned dimensions, as suggested in (a) above.

(c) Wherever natural cross drainage works are in existence but as per engineering requirement, it is required to reconstruct then that structure shall comply with the minimum dimensions as suggested in (a) above.

(d) Interval between such underpasses shall not be more than 2.00 km

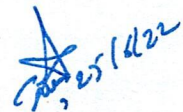
7.11 The user agency shall provide suitable under/over pass in Protected Area/ Forest Area as per recommendation of CWLW/NBWL/FAC/REC.

7.12 User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act,1986, if applicable.

- 7.13 The layout plan of the proposal shall not be changed without prior approval of Central Government.
- 7.14 No labour camp shall be established on the forest land.
- 7.15 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.
- 7.16 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.
- 7.17 No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- 7.18 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.
- 7.19 The forest land shall not be used for any purpose other than that specified in the project proposal.
- 7.20 The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Government of India.
- 7.21 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 Guidelines F.No.11-42/2017-FC, dated 29/01/2018.
- 7.22 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.
- 7.23 The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>)

8.0 This proposal falls in the category of critical development initiatives for public. In this proposal area requirement is less than 1.00 ha. and there is no tree felling involved in the proposal. Hence, this proposal fit in the category of Construction/widening of roads under 4.3 guidelines of FCA Handbook. Approval of such proposal rest with State Government, therefore this proposal is recommended for proposal for diversion of 0.34 ha. forest land for Construction of Widening Existing Narayangaon-Ozar-Otur Road is passing through the Forest Compartment No.45 in Survey No.146, Gut No.136 at Village Dhalewadi Tarfe Haveli Tal. Junnar, Dist. Pune in the State of Maharashtra.

Encl. :- Proposal 2 copies


(Naresh Zurmure)

**Addl. Principal Chief Conservator of Forests
& Nodal Officer**

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

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

Copy to the Assistant Engineer, GR-I, PWD Sub Division East, Division, No.4, Pune-1 for information

PART -IV

**(To be filled by Nodal Officer or Principal Chief Conservator of Forests
(Head of Forest Force)**

(Detailed opinion and specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks)

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Specific recommendation of Principal Chief Conservator of Forests (HoFF) Maharashtra State, Nagpur is attached on page no.



(Naresh Zurmure)
Additional Principal Chief Conservator of Forests
& Nodal Officer

Date: 25/06/2022
Place: Nagpur

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Specific Recommendation of Principal Chief Conservator of Forests, Maharashtra State (Head of Forest Force) Maharashtra State, Nagpur with regards to acceptance or otherwise of the proposal supported by reasons.

The proposal for diversion of 0.34 ha. forest land for Construction of Widening Existing Narayangaon-Ozar-Otur Road is passing through the Forest Compartment No.45 in Survey No.146, Gut No.136 at Village Dhalewadi Tarfe Haveli Tal. Junnar, Dist. Pune in the State of Maharashtra.

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

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- 7.18 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.
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(Dr. Y.L.P Rao)
Principal Chief Conservator of Forests
(Head of Forest Force)
Maharashtra State, Nagpur