

PART - IV

(to be filled by the Notal Officer or Principal Chief Conservator of Forests or Head of Forest Department)

17	Detailed opinion and specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks, (While giving opinion, the adverse comments made by concerned Conservator of Forests or Deputy Conservator of Forests should be categorically reviewed and critically commented upon)	<p>Specific recommendation of Principal Chief Conservator of Forests (Head of Forest Dept) is enclosed on page 11A.</p> <p>11 B to 11 E</p>
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Principal Chief Conservator of Forests

6.6.11
10/10/11

Proposal for diversion of 15.84 ha. Zudpi Jungle land of 3 villages in Nagpur City Taluka, Dist. Nagpur under Category II {Encroachments (excluding commercial purpose) prior to 12/12/1996 using simplified procedure} in consolidated form under Forest (Conservation) Act, 1980 in accordance with the procedure prescribed as per Government of India, Ministry of Environment & Forest's letter No. No.8-33/2001-Fc,dt.04/03/2014.

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

Govt. of India, Ministry of Environment & Forests, vide their letter dated 04.03.2014 have approved simplified procedure for submission of diversion proposals for Zudpi Jungle under Forest (Conservation) Act, 1980, as requested by Govt. of Maharashtra vide letter dated 03.07.2013 (Copies Enclosed). The proposals are to be prepared for six categories separately. Govt. of India has also prescribed special dispensation for submission of documents along with the proposal. Though GoI has prescribed submission of proposals in a consolidated manner for a taluka, it has been subsequently agreed that for a particular category and a particular taluka more than one proposal may be submitted by the concerned Sub Divisional Officer (SDO) so that the process of preparation and approval of proposals may be fastened.

The Word Zudpi Jungle is in use in Vidarbha area since the settlement of 1911-12. The word "Shrub Jungle" is defined in Central Provinces Grazing & Nistar Act, 1948, & it covers the lands having trees of 4 years or lesser and land covered by shrubs. The settlement of 1911-12 in Nagpur district classified forest as they existed as "big tree forests" and "small tree forests", & land covered with shrubs were described as "Zudpi Jungle". The entry therefore actually meant land on which only shrubs grew. These lands are of murmadi soil where growth of large trees is not possible. Therefore these lands are commonly known as Zudpi Jungle.

The growth in urban areas of Nagpur district is hampered by existence of these patches of Zudpi Jungle to which provisions of Forest (Conservation) Act are applicable. In response to the proposal of Government of Maharashtra the Government of India granted permission to submit proposal for diverting Zudpi Jungle for public purpose under simplified procedure under the Forest (Conservation) Act-1980 vide Government of India MoEF (FC Division) Communication No. R.No.8-33/2-1-FC, decision of 4th March 2014. As per clause 2 of the said communication the Ministry will accept submission of category wise proposal for diversion of Zudpi Jungle lands. It is further stated in the communication that the user agency may be SDO in part-I but the details of Zudpi land should be provided for different villages and Khasra wise separately along with the digital maps. It is further stated that legal status of Zudpi Jungle lands for diversion shall remain the same; the State Government shall not use the Zudpi Jungle land for the purpose other than specified in the diversion proposal. In accordance with the simplified procedure, the instant proposal is being submitted. The proposal belongs to Category II (Encroachments (excluding commercial purpose) prior to 12.12.1996 using simplified procedure} and the details are as below:

1) Proposal for diversion of 15.84 ha. Zudpi Jungle land of 3 villages in Nagpur City, Taluka & Distt. Nagpur under Category II {Encroachment (excluding commercial purpose) prior to 12/12/1996 using simplified procedure} in consolidated form under Forest (Conservation) Act, 1980 has been submitted by Sub Divisional Officer (SDO), Nagpur City. It pertains to diversion of area under the category of encroachment (Category- II) for residential purpose in Nagpur City, Tal. & Distt. Nagpur. The area comprises six survey numbers in three villages which have been jointly inspected by Forest and Revenue authorities. The encroachments are prior to 1996 and exclude encroachments for commercial purposes. The area details are as below:

Sr. No	Range	Village	Tahsil/District	Survey No	Area (in ha.)	Legal Status
1	Seminary Hills, Nagpur	Dhantoli	Nagpur City Nagpur	291	2.13	Zudpi Jungle (In-charge of Revenue Department)
2	Hingna	Jaitala		140	10.60	
3				142/3	0.56	
4				146/3	0.65	
5				144/1	1.07	
6	Seminary Hills, Nagpur	Manewada		91	0.83	
	Total Zudpi Jungle				15.84 ha.	

The area proposed for diversion has been depicted on the Topo Sheet of 1:50000 scale having Latitude and Longitude as below:

- Manewada - 0.83°79'0" 6°7.181" E-21° 5'57.427"N
- Dhantoli -2.13°79'0"5'5.81" E 21° 8'1.606"N
- Jaitala- 10.6°79'0"0'49.984" E21° 6'4.661"N
- Jaitala 0.65°79'0"1'6.536"E 21°6'6.174"N 21° 21'0" N
- Jaitala -0.7 79°1'0.817"E 21° 6'6.174N N
- Jayatala-0.5679° 0'58.319" E21° 6'6.989"N.

2) The proposal has been scrutinized with reference to the required documentation as enlisted in point B of Annexure – I to the Govt. of India's letter dated 4th March, 2014. The details are as under:

- A copy of the Record of Rights attached on page no. 33 to 55.
- Map indicating boundary and adjoining land use in suitable scale is attached. However, geo-referenced (Digital GPS Map) boundary in shape file has not submitted by the User Agency.
- Form A containing part I, II III and IV u/s 6 of the Forest (Conservation) Rules, 2003 is enclosed with the proposal.
- Site Inspection Reports: -

- a) Joint Site Inspection Reports (JSIR – I) of Circle Officer of the District Administration and Forester from Forest Department are enclosed with the proposal on page no. 16 to 21 for the following area:
1. Village - Dhantoli, Taluka & Dist. Nagpur (Area - 2.13 ha.).
 2. Village - Jaitala, Taluka & Dist. Nagpur (Area - 12.88 ha.).
 3. Village - Manewada, Taluka & Dist. Nagpur (Area - 0.83 ha.).
- b) Joint Site Inspection Reports (JSIR – II) of Tahsildar and Range Forest Officer for 5% of the forest land (Zudpi Jungle) proposed for diversion are enclosed on page no. 22 to 23 for the following area:
1. Village - Dhantoli, Taluka & Dist. Nagpur (Area - 2.13 ha.).
 2. Village - Jaitala, Taluka & Dist. Nagpur (Area - 10.60 ha.).
 3. Village - Manewada, Taluka & Dist. Nagpur (Area - 0.83 ha.).
- v) The certificate of Collector under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 and the copies of Gram Sabha / Ward Committee Resolutions are not attached.
- v) Demarcation certificate is not enclosed.

Further, other points pertaining to the proposal are as below: -

3) Density of forest is below 0.1 and Eco class value III. Southern tropical dry deciduous forests.

4) Deputy Conservator of Forest, Nagpur Forest Division and Chief Conservator of Forest (I) Nagpur Circle have recommended the proposal for diversion of 15.84 ha. Zudpi Jungle land of 3 villages in Nagpur City Taluka, & Dist. Nagpur under Category II {Encroachment (excluding commercial purpose) prior to 12/12/1996 using simplified procedure} in consolidated form under Forest (Conservation) Act, 1980.

5) Deputy Conservator of forest Nagpur Division, Nagpur has certified that the proposed project is beyond 10 km from the boundary of Protected Area (Sanctuary and National Park).

6) There are 40 trees in the area falling in proposed area for diversion in Nagpur Division; girth & class wise abstract is as follows:

Name of the village - Dhantoli

Girth (cm)	15/30	31/45	46/60	61/75	76/90	91/105	106/120	121/135	136/150	Above 150	Total
No.of trees	1	---	2	2	2	1	4	1	1	6	20

Name of the Village - Jaitala

Girth (cm)	15/30	31/45	46/60	61/75	76/90	91/105	106/120	121/135	136/150	Above 150	Total
No.of trees	0	0	0	0	0	0	0	0	0	0	0

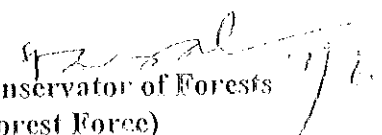
Name of the village - Manewada

Girth (cm)	15/30	31/45	46/60	61/75	76/90	91/105	106/120	121/135	136/150	Above 150	Total
No.of	9	4	5	1	--	1	--	-	--	1	20

7) Deputy Conservator of Forest, Nagpur Division, Nagpur has not certified that the proposal does not affect any monumental site of cultural, historical, religious, archeological or recreational importance.

In view of this, the proposal is recommended for approval under section - 2 (ii) of FCA-1980 subject to the following conditions:-

- The legal status of the land required will remain unchanged.
- The forest land shall not be used for any purpose other than specified in the project.
- The user agency shall pay NPV for the land to be diverted as per the latest orders in this regard.
- The Geo digital map in any suitable scale with geo-reference boundary & shape file prepared by using total stations or differential GPS and also indicating forest land, non-forest land & adjoining land proposed for diversion in different colors must be duly signed by the Deputy Conservator of Forests concerned and User Agency, as per the Government of India letter No. F.No.11-9/98-FC, dt.8/7/2011.
- All other conditions as may be mandatory under relevant Acts, Rules and guidelines shall be complied with by the user agency.


Principal Chief Conservator of Forests
(Head of Forest Force)
Maharashtra State, Nagpur

(38)

**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,
First Floor, 'B' Wing, Van Bhavan, Civil Lines, Nagpur-440001.
Tel no. (0712) 2530166, 2556916, Fax no. (0712) 2550675 E-mail- apccfnodal@mahaforest.gov.in

Sub.- Proposal for diversion of 15.84 ha. Zudpi Jungle land of 3 villages in Nagpur City Taluka, Dist. Nagpur under Category II {Encroachments (excluding commercial purpose) prior to 12/12/1996 using simplified procedure} in consolidated form under Forest (Conservation) Act, 1980 in accordance with the procedure prescribed as per Government of India, Ministry of Environment & Forest's letter No. No.8-33/2001-Fc,dt.04/03/2014.

No. : Desk-17/NC/I.I.D-/522/16-17
Nagpur - 440 001, Dated : 09/06/2016

To

The Secretary (Forests),
Revenue and Forests Department,
Mantralaya, Mumbai-32

Deputy Conservator of Forests, Nagpur Forest Division, Nagpur has submitted proposal for diversion of 15.84 ha. Zudpi Jungle land of 3 villages in Nagpur City Taluka, Dist. Nagpur under Category II {Encroachments (excluding commercial purpose) prior to 12/12/1996 using simplified procedure} in consolidated form under Forest (Conservation) Act, 1980 in accordance with the procedure prescribed as per Government of India, Ministry of Environment & Forest's letter No. No.8-33/2001-Fc,dt.04/03/2014. The location of project area is as given below -

Sr. No	Range	Village	Tahsil/District	Survey No	Area (in ha.)	Legal Status
1	Seminary Hills,	Dhantoli	Nagpur City Nagpur	291	2.13	Zudpi Jungle (In-charge of Revenue Department)
2	Hingna	Jaitala		140	10.60	
3				142/3	0.56	
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5				144/1	1.07	
6	Seminary Hills,	Manewada		91	0.83	
			Total Zudpi Jungle land			15.84 ha.

The area proposed for diversion has been depicted on the Topo Sheet of 1:50000 scale having Latitude and Longitude as below:

- Manewada - $0.83^{\circ}79'06''$ 7.181° E $21^{\circ}5'57.427''$ N
- Dhantoli - $2.13^{\circ}79'05''$ 5.81° E $21^{\circ}8'1.606''$ N
- Jaitala - $10.6^{\circ}79'00''$ 49.984° E $21^{\circ}6'4.661''$ N
- Jaitala $0.65^{\circ}79'01''$ 6.536° E $21^{\circ}6'6.174''$ N $21^{\circ}21'0''$ N
- Jaitala - $0.7^{\circ}79'01''$ 0.817° E $21^{\circ}6'6.174''$ N
- Jaitala - $0.5679^{\circ}00'58.319''$ E $21^{\circ}6'6.989''$ N

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 three copies.

- 1) Prescribed form dated 10/01/2003.
- 2) Area Statement,
- 3) Index map in suitable scale,
- 4) The proposal has been scrutinized with reference to the required documentation as enlisted in point B of Annexure - I to the Govt. of India's letter dated 4th March, 2014. The details are as under:
 - i) A copy of the Record of Rights attached on page no. 33 to 55.
 - ii) Map indicating boundary and adjoining land use in suitable scale is attached. However, geo-referenced (Digital GPS Map) boundary in shape file has not submitted by the User Agency.
 - iii) Form A containing part I, II III and IV u/s 6 of the Forest (Conservation) Rules, 2003 is enclosed with the proposal.
 - iv) Site Inspection Reports: -
 - a) Joint Site Inspection Reports (JSIR - I) of Circle Officer of the District Administration and Forester from Forest Department are enclosed with the proposal on page no. 16 to 21 for the following area:
 1. Village - Dhantoli, Taluka & Dist. Nagpur (Area - 2.13 ha.).
 2. Village - Jaitala, Taluka & Dist. Nagpur (Area - 12.88 ha.).
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 3. Village - Manewada, Taluka & Dist. Nagpur (Area - 0.83 ha.).
 - v) The certificate of Collector under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 and the copies of Gram Sabha / Ward Committee Resolutions are not attached.
 - vi) Demarcation certificate is not enclosed.

Further, other points pertaining to the proposal are as below: -

- 5) Density of forest is below 0.1 and Eco class value III. Southern tropical dry deciduous forests.
- 6) Deputy Conservator of Forests, Nagpur Forest Division and Chief Conservator of Forests (T) Nagpur Circle have recommended the proposal for diversion of 15.84 ha. Zudpi Jungle land of 3 villages in Nagpur City Taluka, & Dist. Nagpur under Category II {Encroachment (excluding commercial purpose) prior to 12/12/1996 using simplified procedure} in consolidated form under Forest (Conservation) Act, 1980.
- 7) Deputy Conservator of forest Nagpur Division, Nagpur has certified that the proposed project is beyond 10 km from the boundary of Protected Area (Sanctuary and National Park).
- 8) There are 40 trees in the area falling in proposed area for diversion in Nagpur Division; girth & class wise abstract is as follows:

Name of the village - Dhantoli

Girth (cm)	15/30	31/45	46/60	61/75	76/90	91/105	106/120	121/135	136/150	Above 150	Total
No.of trees	1	0	2	2	2	1	4	1	1	6	20

36

Name of the Village - Jaitala

Girth (cm)	15/30	31/45	46/60	61/75	76/90	91/105	106/120	121/135	136/150	Above 150	Total
No.of trees	0	0	0	0	0	0	0	0	0	0	0

Name of the village - Manewada

Girth (cm)	15/30	31/45	46/60	61/75	76/90	91/105	106/120	121/135	136/150	Above 150	Total
No.of	9	4	5	0	0	1	0	0	0	1	20

9) Deputy Conservator of Forest, Nagpur Division, Nagpur has not certified that the proposal does not affect any monumental site of cultural, historical, religious, archeological or recreational importance.

The Principal Chief Conservator of Forests, (Head of Forest Force) Maharashtra State, Nagpur has recommended the proposal for sanction on the following conditions:-

- The legal status of the land required will remain unchanged.
- The forest land shall not be used for any purpose other than specified in the project.
- The user agency shall pay NPV for the land to be diverted as per the latest orders in this regard.
- The Geo digital map in any suitable scale with geo-reference boundary & shape file prepared by using total stations or differential GPS and also indicating forest land, non-forest land & adjoining land proposed for diversion in different colors must be duly signed by the Deputy Conservator of Forests concerned and User Agency, as per the Government of India letter No. F.No.11-9/98-FC, dt.8/7/2011.
- All other conditions as may be mandatory under relevant Acts, Rules and guidelines shall be complied with by the user agency.

It is, therefore, requested that Government of India may kindly be moved for approving the Proposal for diversion of 15.84 ha. Zudpi Jungle land of 3 villages in Nagpur City Taluka, Dist. Nagpur under Category II {Encroachments (excluding commercial purpose) prior to 12/12/1996 using simplified procedure} in consolidated form under Forest (Conservation) Act, 1980 in accordance with the procedure prescribed as per Government of India, Ministry of Environment & Forest's letter No. No.8-33/2001-Fc, dt.04/03/2014.

Encl. :- Proposal 3 copies

Wao
Addl. Principal Chief Conservator of Forests

& Nodal Officer,

Maharashtra State, Nagpur.

Copy to Divisional Commissioner, Nagpur, for information.

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

Copy to Collector, Nagpur District Nagpur for information.

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