

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)

Sub.: Proposal for diversion of 11.78ha. of Reserved forest land under Section - 2 of the Forest (Conservation) Act, 1980 for Rehabilitation and upgradation of existing two lanning to four lanning of Aurnagabad- Koradi section of NH-211, to 4 lane from Km 290.200 to Km 376.000 and Km 390.000 to Km 452.800 (Design Chaingae 290.200Km in Aurangabad to Koradi 320.640 Km in) in village of Devli & Satara, Tal. Aurangabad, Dist.Aurangabad in the State of Maharashtra. The details of land proposed for diversion is as under-

Sr. No	Item of Work	Tahsil	Village	Compt. No.	Gut No.	Area (in ha.)	Legal Status
1	Diversion of 11.78ha. of Reserved Forest land under Section - 2 of the Forest (Conservation) Act, 1980 for 4 lanning of Aurnagabad- Koradi section of NH-211.	Aurangabad	Devli	286	73	5.63	Reserved Forest
2			Satara	287	250	0.37	
				289	330	5.78	
Total Forest Area (in ha.)						11.78	

Specific recommendation of Principal Chief Conservator of Forests (HoFF) MS Nagpur is attached on page no. 127 to 132


(G Sai Prakash)

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

Date: 01/12/2018

Place: Nagpur


20/12

Proposal for diversion of 11.78ha. of Reserved forest land under Section - 2 of the Forest (Conservation) Act, 1980 for Rehabilitation and upgradation of existing two lanning to four lanning of Aurnagabad- Koradi section of NH-211, to 4 lane from Km 290.200 to Km 376.000 and Km 390.000 to Km 452.800 (Design Chaingae 290.200Km in Aurangabad to Koradi 320.640 Km in) in village of Devli & Satara, Tal. Aurangabad, Dist.Aurangabad in the State of Maharashtra (FP/MH/Road/16793/2015)

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

- 1) The proposal is for diversion of 11.78ha. of Reserved Forest land under Section - 2 of the Forest (Conservation) Act, 1980 for Rehabilitation and upgradation of existing two lanning to four lanning of Aurnagabad- Koradi section of NH-211 from Km 290.200 to Km 376.000 and Km 390.000 to Km 452.800 (Design Chaingae 290.200Km in Aurangabad to Koradi 320.640 Km in) section of National Highway No.11 (New NH No.52) in village of Devli & Satara, Tal. Aurangabad, Dist.Aurangabad in the State of Maharashtra. The details of forest land proposed for diversion is as under.-

proposed for diversion is as under:

Sr. No.	Item of Work	Tahsil	Village	Compt. No.	Gut No.	Area (in ha.)	Legal Status
1	Diversion of 11.78ha. of Reserved Forest land under Section - 2 of the Forest (Conservation) Act, 1980 for 4 lanning of Aurnagabad- Koradi section of NH-211.	Aurangabad	Devli	286	73	5.63	Reserved Forest
2			Satara	287	250	0.37	
				289	330	5.78	
Total Forest Area (in ha.)						11.78	

The Project has been initiated by Project Director, NHAI, PIU-Aurangabad for approval under Forest (Conservation) Act, 1980. This project is for development of stretches of NH under NHDP Phase IV B on BOT Mode/EPC Mode under Phase IV, the Government is considering widening of 20,000 Km of highways that were not part of Phase I, II, or III of NHDP program. Phase IV will convert existing single lane/sub-standard two lane highways into four lanes with paved shoulders in four stages, i.e. IVA, IVB, IVC and IVD about 5000 KM of roads have been allotted in each of these stages. The subject project road will be developed under NHDP Phase IVB. The said project road (Aurangabad-Dhule) is part of National Highway-211, NH-211 starts at Solapur and ends at Dhule. This proposed road is passing through Solapur, Osmanabad, Yedshi, Pali, Beed, Rajani, crosses Godavari River at Shahgad, Pachud, Buzurg, Chitegaon, Aurangabad, Ellora, Kannad, Bhamarvadi, Autram Ghat, Challisgaon and ends at Dhule.

The project road is this proposal starts from Aurnagabad KM 290+200 and passes through Daulatabad, Khultabad world famous Ellora caves, Hatnur, Kannad, Bhamarvadi, Chalisgaon, Shirud and ends at Dhule Km 452+800. There are three railways crossing one at Chalisgaon and another just before the Aurangabad town. The project highway is crossing at grade level crossing at Gattard village. The whole stretch of the project passes through the Maharashtra State-

The user agency has examined various alternatives for this proposal. They have assessed 4 alignments options and found that option No.2 is most suitable because it affects least area i.e., 11.78 ha. of Reserved Forest land to be diverted and also least number of trees are affected due to this diversion. The comparative table for options is given as under-

Description	Option-1 (1-17,2-3-4-5-6-7-8-9)	Option-2 (10-17-11-12-13-19-6-7-8-9)	Option-3 (1-17-11-12-18-14-5-6-7-8-9)	Option-4 (15-2-3-16-14-19-6-7-8-9)
General	South of NH-211 length 65 Km	South of NH-211 length 51.5 Km	South of NH-211 length 71.85 Km	South of NH-211 length 64.4 Km
Start of Alignment on NH-211	KM 276+700	KM 278+200	KM 276+700	KM 280+800
End of Alingment on NH-211	Km 339+850	KM 339+850	KM 339+850	KM 339+850
Terrain	Rolling/Plain	Rolling/Plain	Rolling/Plain	Rolling/Plain
Land use	Agricultural	Agricultural	Agricultural	Agricultural
Bypassing Area	Aurangabad,CDICO area, Waluj, Daulatabad, Ellora	Aurangabad,CDICO area, Bidkin, Limbe,Jalgaon, Waluj, Daulatabad, Ellora	Aurangabad,CDICO area, Bidkin, Waluj, Daulatabad, Ellora	Aurangabad,CDICO area, Waluj, Daulatabad, Ellora
No of structures affected	6	---	---	---

This project has been sanctioned by the Government of India, Ministry of Road Transport and Highways, New Delhi vide Notification No. NH-24042/04/2015-H(Vol-V),dt.31/05/2015. The project can be demarcated on Survey of India Top sheet No. 47M5 in scale of map 1:50000 and the Latitude and Longitude of the Satara village, in Survey No.330, Compartment No.289 is [A] 19°49'43.02"N to 75°19'15.22"E [B] 19°49'44.24"N to 75°19'15.23"E [C] 19°49'45.15"N to 75°19'06.30"E [D] 19°49'44.27"N to 75°19'06.06"E [E] 19°49'45.99"N to 75°18'56.84"E [F] 19°49'47.09"N to 75°18'56.96"E [G] 19°49'46.65"N to 75°18'50.08"E [H] 19°49'47.01"N to 75°18'50.01"E [I] 19°49'45.79"N to 75°18'43.76"E [J] 19°49'46.91"N to 75°18'43.50"E [K] 19°49'43.00"N to 75°18'36.90"E [L] 19°49'44.30"N to 75°18'36.21"E [M] 19°49'36.15"N to 75°18'25.14"E [N] 19°49'37.36"N to 75°18'25.10"E [O] 19°49'35.52"N to 75°18'25.52"E and [P] 19°49'33.09"N to 75°18'21.92"E & Latitude and Longitude of the Devlai Village in

Survey No.73, Compartment No.286 is [A] 19°49'42.05"N to 75°21'26.12"E [B] 19°49'40.23"N to 75°21'24.45"E [C] 19°49'41.26"N to 75°21'18.13"E [D] 19°49'40.45"N to 75°21'18.03"E [E] 19°49'38.70"N to 75°20'52.50"E [F] 19°49'40.64"N to 75°20'51.33"E. The Total non forest land involved in the project is 172.25 ha. The site inspection report of the Deputy Conservator of Forests, Aurangabad Forest Division, Aurangabad is enclosed on page no.76 to 74.

- 2) The proposed project area belongs to Eco value class III and category consisting of Dry Deciduous Open Forest of density 0.4 below.
- 3) The District Collector, Aurangabad and the Deputy Conservator of Forests, Aurangabad Forest Division, Aurangabad have certified that the no alternate alignment is possible and the forest land required is the barest minimum.
- 4) There are 1568 trees of various species and trees is involved in implementation of the Project. The Girth wise break up is as under:-

Tree Girth in Cm.									Total
15-30 cm	31-45 cm	46-60 cm	61-75 cm	76-90 cm	91-105 cm	106-120 cm	121-135 cm	136-150 cm	
519	667	251	96	16	8	5	5	1	1568

- 5) There is no violation of Forest (Conservation) Act 1980 as certified by the Deputy Conservator of Forests, Aurangabad Forest Division, Aurangabad.
- 6) The area involved does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc. as certified by the Deputy Conservator of Forests, Aurangabad Forest Division, Aurangabad.
- 7) The Deputy Conservator of Forests, Aurangabad Forest Division, Aurangabad certified that the proposed project is beyond 10 km of the boundaries of the Jaikwadi Bird Sanctuary.
- 8) The user agency has submitted an undertaking to defray the cost of Net Present Value of the forest land proposed for diversion.
- 9) The user agency has agreed to defray the cost of Compensatory Afforestation.
- 10) The Deputy Conservator of Forests, Aurangabad Forest Division, Aurangabad has certified that the proposed site is not likely to affect any monuments site of cultural, historical, religious archeological or recreational importance.
- 11) The Deputy Conservator of Forests, Aurangabad Forest Division, Aurangabad has certified that 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 indentified 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.
- 12) The Deputy Conservator of Forests, Aurangabad Forest Division, Aurangabad in his Site Inspection Report has mentioned that the proposal is recommended for acceptance on a

condition that crossway and protection wall for wild animals, in sufficient number should be provided by the user agency.

- 13) The Collector, Aurangabad vide letter No. OW-2016/Mkasha/land-2/Sha.Ja./C.R.78/Kavi-1015,dt.08, October 2018 has mentioned their letter the area of 20.00 ha. non-forest forest land in Gut No.554 at village Georai-Shami, Tal.Sillod, Dist. Aurangabad which is proposed to be transferred to the Forest Department as an alternate land for Compensatory Afforestation in lieu of the 11.78 ha. of forest land required to be diverted for construction of four lane road of Aurangabad-Koradi section-211 & found it 11.78 ha. out of 20.00 ha. non-forest land. The details of non-forest land suitable for afforestation is as under-

Sr.No	Taluka	Village	Gut No.554	Total area (in ha.)	Suitable for afforestation non-forest area
1	Sillod	Gevrai Shemi	554	64.24	11.78

In this regard, the Deputy Conservator of Forests, Aurangabad Forest Division, Aurangabad has given suitability certificate for 11.78 ha. out of 20.00 ha. land offered by the user agency from non-forest land in Gut No.554 area 11.78 ha. at village Georai-Shami, Tal.Sillod, Dist. Aurangabad which is proposed to be transferred to the Forest Department as an alternate land for Compensatory Afforestation in lieu of the 11.78 ha. of forest land required to be diverted for construction of four lane road of Aurangabad-Koradi section-211 & found it 11.78 ha. out of 20.00 ha. non-forest land suitable for afforestation and management and it is free from encroachment and encumbrances.

- 14) The user agency has submitted the certificates of Collector, Aurangabad under Schedule Tribes and Other Traditional Forest Dweller's (Recognition of Forest Rights) Act 2006 issued vide letter No. 2018/LD/NH-211/Aurangabad/CR./dt.17/07/2018 in prescribed format Form I as per Government of India guidelines dated. 5/7/2013. The copy of the No Objection Certificate of Commissioner, Municipal Corporation, Aurangabad is enclosed herewith.
- 15) The user agency has submitted certificate/undertaking that the Environmental Clearance as per the provisions of the Environmental (Protection) Act notification S.O.No-1533, issued on 14th Sept' 2006 and as per the amended notification of the MoEF & CC on 22nd August, 2013 will be submitted before Stage-I approval.
- 16) The Deputy Conservator of Forests, Aurangabad Forest Division, Aurangabad and the Chief Conservator of Forests (T), Aurangabad Circle have recommended the proposal for diversion of 11.78 ha. of forest land.

In view of this, the proposal is recommended for approval under section 2 (ii) of Forest (Conservation) Act, 1980 subject to the following conditions.


- The legal status of the land required will remain unchanged.
- The user agency has agreed to defray the cost of Compensatory Afforestation over 11.78 ha. out of 20.00 ha. with provision of chain link fencing of 20 ha. including both side of the existing road over land offered by the user agency from non-forest land in Gut No.554 at village Georai-Shami, Tal.Sillod, Dist. Aurangabad which is proposed to be transferred to the Forest Department as an alternate land for Compensatory Afforestation in lieu of

the 11.78 ha. of forest land required to be diverted for construction of four lane road of Aurangabad-Koradi section-211.

- iii) The user agency will defray the cost of Net Present Value of 11.78 ha. of forest land as per the latest Guideline of Government of India.
- iv) The user agency will defray the additional / revised cost of Net Present Value of Forest land as per the latest Guideline of Government of India.
- v) The user agency will defray the cost of removal of 1568 trees in the proposed area. However, minimum number of trees will be felled.
- vi) The forest land shall not be used for any purpose other than specified in the proposal;
- vii) Ex-situ conservation of endemic species of flora/fauna lost/disturbed in the process of execution of the project may be ensured;
- viii) 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 toward and back bearing and distance from pillar to pillar.
- ix) All necessary precautions should be taken to protect the area from fire.
- x) The user agency will undertake comprehensive soil conservation measures at the project cost in consultation with the State Forest Department.
- xi) The user agency will provide sufficient number of crossways and protection wall in forest area for safe crossing of wild animals.
- xii) The user agency in consultation with the State Forest Department shall create and maintain alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project. Bird's nests artificially made out of eco-friendly material shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project;
- xiii) No taxes/ toll will be levied on the vehicles of Forest Department plying on the road. In this regard, it is to mention that suitable insertion/ amendment of the National Highway Fee (Determination of Rates and Collection), Rules 2010 dated 3.12.2010 wherein details of vehicles to be exempted from the toll tax having officials from the Forest Department have to be included in the array of exempted vehicles for this section of road. Henceforth, the vehicles of Government Department on the official duty shall be included in the list of array of exempted vehicles by National Highway, Authority of India.
- xiv) Afforestation to be done as per the norms of construction of roads along the road on either side or / and in the median shall be allocated for completion / maintenance by Forest Department / F.D.C.M. Ltd on a project basis.
- xv) Space at the cost of Project Authority should be provided in form of Booths/Kiosk/ Hall etc, at roads indicated by Forest Department to facilitate setting up of Forest Check Nakas or Jan-Van-Dhan Stall/ Information Centers by the Forest Department.

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- xvi) Vacant spaces in Toll Plaza premises to be suitably painted with wildlife and forestry theme at the cost of NHAI.
- xvii) 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

**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 11.78ha. of Reserved forest land under Section - 2 of the Forest (Conservation) Act, 1980 for Rehabilitation and upgradation of existing two lanning to four lanning of Aurnagabad-Koradi section of NH-211, to 4 lane from Km 290.200 to Km 376.000 and Km 390.000 to Km 452.800 (Design Chaingae 290.200Km in Aurangabad to Koradi 320.640 Km in) in village of Devli & Satara, Tal. Aurangabad, Dist.Aurangabad in the State of Maharashtra (FP/MH/Road/16793/2015)

No. : Desk-17/NC/MLD-/ 1697 /17-18

Nagpur - 440 001, Dated : 01/12/2018

To,
The Secretary (Forests),
Revenue & Forest Department,
Mantralaya,Mumbai - 400032

The Project Director, NHAI, PIU-Aurangabad has submitted proposal for diversion of 11.78ha. of Reserved forest land under Section - 2 of the Forest (Conservation) Act, 1980 for Rehabilitation and upgradation of existing two lanning to four lanning of Aurnagabad- Koradi section of NH-211, to 4 lane from Km 290.200 to Km 376.000 and Km 390.000 to Km 452.800 (Design Chaingae 290.200Km in Aurangabad to Koradi 320.640 Km in) in village of Devli & Satara, Tal. Aurangabad, Dist.Aurangabad in the State of Maharashtra. The details of forest land proposed for diversion is as given below: -

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2			Satara	287	250	0.37 ✓	
				289	330	5.78 ✓	
Total Forest Area (in ha.)						11.78 ✓	

The Project has been initiated by Project Director, NHAI, PIU-Aurangabad for approval under Forest (Conservation) Act, 1980. This project is for development of stretches of NH under NHDP Phase IV B on BOT Mode/EPC Mode under Phase IV, the Government is considering widening of 20,000 Km of highways that were not part of Phase I, II, or III of NHDP program. Phase IV will convert existing single lane/sub-standered two lane highways into four lanes with paved shoulders in four stages, i.e. IVA, IVB, IVC and IVD about 5000 KM of roads have been allotted in each of these stages. The subject project road will be developed under NHDP Phase IVB. The said project road (Aurangabad-Dhule) is part of National Highway-211, NH-211 starts at Solapur and ends at Dhule. This proposed road is passing through Solapur, Osmanabad, Yedishi, Pali, Beed, Rajani, crosses Godavari River at Shahgad, Pachud, Buzurg, Chitegaon, Aurangabad, Ellora, Kannad, Bhamarvadi, Autram Ghat, Challisgaon and ends at Dhule.

The project road is this proposal starts from Aurnagabad KM 290+200 and passes through Daulatabad, Khultabad world famous Ellora caves, Hatnur, Kannad, Bhamarvadi, Chalisgaon, Shirud and ends at Dhule Km 452+800. There are three railways crossing one at Chalisgaon and another just before the Aurangabad town. The project highway is crossing at grade level crossing at Gattard village. The whole stretch of the project passes through the Maharashtra State-

The user agency has examined various alternatives for this proposal. They have assessed 4 alignments options and found that option No.2 is most suitable because it affects least area i.e., 11.78 ha. of Reserved Forest land to be diverted and also least number of trees are affected due to this diversion. The comparative table for options is given as under-

Description	Option-1 (1-17,2-3-4-5-6-7-8-9)	Option-2 (10-17-11-12-13-19-6-7-8-9)	Option-3 (1-17-11-12-18-14-5-6-7-8-9)	Option-4 (15-2-3-16-14-19-6-7-8-9)
General	South of NH-211 length 65 Km	South of NH-211 length 51.5 Km	South of NH-211 length 71.85 Km	South of NH-211 length 64.4 Km
Start of Alignment on NH-211	KM 276+700	KM 278+200	KM 276+700	KM 280+800
End of Alingment on NH-211	Km 339+850	KM 339+850	KM 339+850	KM 339+850
Terrain	Rolling/Plain	Rolling/Plain	Rolling/Plain	Rolling/Plain
Land use	Agricultural	Agricultural	Agricultural	Agricultural
Bypassing Area	Aurangabad, CDIC O area, Waluj, Daulatabad, Ellora	Aurangabad, CDICO area, Bidkin, Limbe, Jalgaon, Waluj, Daulatabad, Ellora	Aurangabad, CDIC O area, Bidkin, Waluj, Daulatabad, Ellora	Aurangabad, CDIC O area, Waluj, Daulatabad, Ellora
No of structures affected	6	---	---	---

This project has been sanctioned by the Government of India, Ministry of Road Transport and Highways, New Delhi vide Notification No. NH-24042/04/2015-H(Vol-V), dt.31/05/2015. The project can be demarcated on Survey of India Top sheet No. 47M5 in scale of map 1:50000 and the Latitude and Longitude of the Satara village, in Survey No.330, Compartment No.289 is [A] 19°49'43.02"N to 75°19'15.22"E [B] 19°49'44.24"N to 75°19'15.23"E [C] 19°49'45.15"N to 75°19'06.30"E [D] 19°49'44.27"N to 75°19'06.06"E [E] 19°49'45.99"N to 75°18'56.84"E [F] 19°49'47.09"N to 75°18'56.96"E [G] 19°49'46.65"N to 75°18'50.08"E [H] 19°49'47.01"N to 75°18'50.01"E [I] 19°49'45.79"N to 75°18'43.76"E [J] 19°49'46.91"N to 75°18'43.50"E [K] 19°49'43.00"N to 75°18'36.90"E [L] 19°49'44.30"N to 75°18'36.21"E [M] 19°49'36.15"N to 75°18'25.14"E [N] 19°49'37.36"N to 75°18'25.10"E [O] 19°49'35.52"N to 75°18'25.52"E and [P] 19°49'33.09"N to 75°18'21.92"E & Latitude and Longitude of the Devlai Village in Survey No.73, Compartment No.286 is [A] 19°49'42.05"N to 75°21'26.12"E [B] 19°49'40.23"N to 75°21'24.45"E [C] 19°49'41.26"N to 75°21'18.13"E [D] 19°49'40.45"N to 75°21'18.03"E [E] 19°49'38.70"N to 75°20'52.50"E [F] 19°49'40.64"N to 75°20'51.33"E. The Total non forest land involved in the project is 172.25 ha. The site inspection report of the Deputy Conservator of Forests, Aurangabad Forest Division, Aurangabad is enclosed on page no.76 to 74.

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) Certificate regarding minimum demand of forest land for the project,
- 3) Area Statement,
- 4) Index map in suitable scale,
- 5) The proposed project area belongs to Eco value class III and category consisting of Dry Deciduous Open Forest of density 0.4 below.
- 6) The District Collector, Aurangabad and the Deputy Conservator of Forests, Aurangabad Forest Division, Aurangabad have certified that the no alternate alignment is possible and the forest land required is the barest minimum.
- 7) There are 1568 trees of various species and trees is involved in implementation of the Project. The Girth wise break up is as under:-

Tree Girth in Cm.									
15-30 cm	31-45 cm	46-60 cm	61-75 cm	76-90 cm	91-105 cm	106-120 cm	121-135 cm	136-150 cm	Total
519	667	251	96	16	8	5	5	1	1568

- 8) There is no violation of Forest (Conservation) Act 1980 as certified by the Deputy Conservator of Forests, Aurangabad Forest Division, Aurangabad.
- 9) The area involved does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc. as certified by the Deputy Conservator of Forests, Aurangabad Forest Division, Aurangabad.
- 10) The Deputy Conservator of Forests, Aurangabad Forest Division, Aurangabad certified that the proposed project is beyond 10 km of the boundaries of the Jaikwadi Bird Sanctuary.
- 11) The user agency has submitted an undertaking to defray the cost of Net Present Value of the forest land proposed for diversion.
- 12) The user agency has agreed to defray the cost of Compensatory Afforestation.
- 13) The Deputy Conservator of Forests, Aurangabad Forest Division, Aurangabad has certified that the proposed site is not likely to affect any monuments site of cultural, historical, religious archeological or recreational importance.
- 14) The Deputy Conservator of Forests, Aurangabad Forest Division, Aurangabad has certified that 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 indentified 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.
- 15) The Deputy Conservator of Forests, Aurangabad Forest Division, Aurangabad in his Site Inspection Report has mentioned that the proposal is recommended for acceptance on a condition that crossway and protection wall for wild animals, in sufficient number should be provided by the user agency.
- 16) The Collector, Aurangabad vide letter No. OW-2016/Mkasha/land-2/Sha.Ja./C.R.73/Kavi-1015,dt.08, October 2018 has mentioned their letter the area of 20.00 ha. non-forest forest

land in Gut No.554 at village Georai-Shami, Tal.Sillod, Dist. Aurangabad which is proposed to be transferred to the Forest Department as an alternate land for Compensatory Afforestation in lieu of the 11.78 ha. of forest land required to be diverted for construction of four lane road of Aurangabad-Koradi section-211 & found it 11.78 ha. out of 20.00 ha. non-forest land. The details of non-forest land suitable for afforestation is as under-

Sr.No	Taluka	Village	Gut No.554	Total area (in ha.)	Suitable for afforestation non-forest area
1	Sillod	Gevrai Shemi	554	64.24	11.78

In this regard, the Deputy Conservator of Forests, Aurangabad Forest Division, Aurangabad has given suitability certificate for 11.78 ha. out of 20.00 ha. land offered by the user agency from non-forest land in Gut No.554 area 11.78 ha. at village Georai-Shami, Tal.Sillod, Dist. Aurangabad which is proposed to be transferred to the Forest Department as an alternate land for Compensatory Afforestation in lieu of the 11.78 ha. of forest land required to be diverted for construction of four lane road of Aurangabad-Koradi section-211 & found it 11.78 ha. out of 20.00 ha. non-forest land suitable for afforestation and management and it is free from encroachment and encumbrances.

- 15) The user agency has submitted the certificates of Collector, Aurangabad under Schedule Tribes and Other Traditional Forest Dweller's (Recognition of Forest Rights) Act 2006 issued vide letter No. 2018/I.D/NH-211/Aurangabad/CR./dt.17/07/2018 in prescribed format Form I as per Government of India guidelines dated. 5/7/2013. The copy of the No Objection Certificate of Commissioner, Municipal Corporation, Aurangabad is enclosed herewith.
- 16) The user agency has submitted certificate/undertaking that the Environmental Clearance as per the provisions of the Environmental (Protection) Act notification S.O.No-1533, issued on 14th Sept' 2006 and as per the amended notification of the MoEF & CC on 22nd August, 2013 will be submitted before Stage-I approval.
- 17) The Deputy Conservator of Forests, Aurangabad Forest Division, Aurangabad and the Chief Conservator of Forests (T), Aurangabad Circle have recommended the proposal for diversion of 11.78 ha. of forest land.

In view of this, the proposal is recommended for approval under section 2 (ii) of Forest (Conservation) Act, 1980 subject to the following conditions.

- i) The legal status of the land required will remain unchanged.
- ii) The user agency has agreed to defray the cost of Compensatory Afforestation over 11.78 ha. out of 20.00 ha. with provision of chain link fencing of 20 ha. including both side of the existing road over land offered by the user agency from non-forest land in Gut No.554 at village Georai-Shami, Tal.Sillod, Dist. Aurangabad which is proposed to be transferred to the Forest Department as an alternate land for Compensatory Afforestation in lieu of the 11.78 ha. of forest land required to be diverted for construction of four lane road of Aurangabad-Koradi section-211.
- iii) The user agency will defray the cost of Net Present Value of 11.78 ha. of forest land as per the latest Guideline of Government of India.
- iv) The user agency will defray the additional / revised cost of Net Present Value of Forest land as per the latest Guideline of Government of India.
- v) The user agency will defray the cost of removal of 1568 trees in the proposed area. However, minimum number of trees will be felled.
- vi) The forest land shall not be used for any purpose other than specified in the proposal;

- vii) Ex-situ conservation of endemic species of flora/fauna lost/disturbed in the process of execution of the project may be ensured;
- viii) 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 toward and back bearing and distance from pillar to pillar.
- ix) All necessary precautions should be taken to protect the area from fire.
- x) The user agency will undertake comprehensive soil conservation measures at the project cost in consultation with the State Forest Department.
- xi) The user agency will provide sufficient number of crossways and protection wall in forest area for safe crossing of wild animals.
- xii) The user agency in consultation with the State Forest Department shall create and maintain alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project. Bird's nests artificially made out of eco-friendly material shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project;
- xiii) No taxes/ toll will be levied on the vehicles of Forest Department plying on the road. In this regard, it is to mention that suitable insertion/ amendment of the National Highway Fee (Determination of Rates and Collection), Rules 2010 dated 3.12.2010 wherein details of vehicles to be exempted from the toll tax having officials from the Forest Department have to be included in the array of exempted vehicles for this section of road. Henceforth, the vehicles of Government Department on the official duty shall be included in the list of array of exempted vehicles by National Highway, Authority of India.
- xiv) Afforestation to be done as per the norms of construction of roads along the road on either side or / and in the median shall be allocated for completion / maintenance by Forest Department / F.D.C.M. Ltd on a project basis.
- xv) Space at the cost of Project Authority should be provided in form of Booths/Kiosk/ Hall etc, at roads indicated by Forest Department to facilitate setting up of Forest Check Nakas or Jan-Van-Dhan Stall/ Information Centers by the Forest Department.
- xvi) Vacant spaces in Toll Plaza premises to be suitably painted with wildlife and forestry theme at the cost of NHAI.
- xvii) 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 11.78ha. of Reserved forest land under Section - 2 of the Forest (Conservation) Act, 1980 for Rehabilitation and upgradation of existing two lanning to four lanning of Aurnagabad- Koradi section of NH-211, to 4 lane from Km 290.200 to Km 376.000 and Km 390.000 to Km 452.800 (Design Chaingae 290.200Km in Aurangabad to Koradi 320.640 Km in) in village of Devli & Satara, Tal. Aurangabad, Dist. Aurangabad in the State of Maharashtra, under section 2 (ii) of the Forest (Conservation) Act, 1980.

Encl. :- Proposal 3 copies

(G. Saiprakash)

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

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

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

Copy to the Project Director, NHAI, PIU-Aurangabad for information.