

प्रधान मुख्य वनसंरक्षक, (वनबल प्रमुख) महाराष्ट्र राज्य, नागपूर यांचे कार्यालय.

अपर प्रधान मुख्य वनसंरक्षक व केंद्रस्थ अधिकारी, महाराष्ट्र राज्य, नागपूर, पहिला माळा, बी विंग, वनभवन, सिव्हील लाईन्स, नागपूर - ४४० ००१,
दूरध्वनी क्र. (०७१२) २५३०१६६, २५५६९१६ फॅक्स क्र. (०७१२) २५५०६७५ ई मेल- apccfnodal@mahaforest.gov.in

विषय:- Diversion of 2.00 ha. Forest land for the purpose of Construction of Civil Court Building and their Residential Quarters in Gut No.167/1 of Village Ghoti. Taluka-Goregaon under Section-2 of Forest (Conservation) Act, 1980 in Gondia District in the State of Maharashtra-reg. (FP/MH/OTHERS/32981/2018)

क्रमांक कक्ष-१७/नोसेल/१/ आयडी-१२७१४/ 1237/१९-२०
नागपूर - ४४० ००१, दिनांक:- 25/10/2019

प्रति,
मुख्य वनसंरक्षक (प्रा),
नागपूर

संदर्भ:- केंद्र शासन, नागपूर यांचे पत्र एफ.क्र.एफसी-I/MH-१६३/२०१९-NGP/५८५६, दि.२४/१०/२०१९. 1132

उपरोक्त केंद्र शासनाचे संदर्भित पत्रान्वये विषयांकित प्रस्तावास वन (संवर्धन) अधिनियम-१९८० अंतर्गत अट ३१ ते ३९ यास अधिन राहून तत्त्वतः मंजूरी प्रदान केलेली आहे. सदर पत्राची प्रत सोबत जोडली आहे.

२.०० तरी आपणास कळविण्यात येते की, सदर प्रस्तावाचे प्रगतीबाबत केंद्र शासन/राज्य शासनाकडून वेळोवेळी आढावा घेण्यात येत असल्याने वन (संवर्धन) अधिनियम-१९८० अंतर्गत केंद्र शासनाचे तत्त्वतः मान्यता प्राप्त पत्रातील संपूर्ण अटींची पूर्तता करून अटी निहाय स्वतंत्र हमीपत्रासह अहवाल प्राधान्याने या कार्यालयास सादर करावा. जेणेकरून पूर्वील कार्यवाही करणे सोईचे होईल.

सहपत्र:- वरीलप्रमाणे

(संजीव गौड)

अपर प्रधान मुख्य वनसंरक्षक व केंद्रस्थ अधिकारी,

प्रतिलिपी:- प्रधान सचिव (वने), महसूल व वनविभाग, मंत्रालय, मुंबई -३२ यांना संदर्भित पत्राचे अनुषंगाने माहितीसाठी सादर.

प्रतिलिपी:- उपवनसंरक्षक, गोंदिया वनविभाग, गोंदिया यांना माहिती व आवश्यक कार्यवाहीस अग्रेषित.

प्रतिलिपी:- उपविभागीय अधिकारी, तिरोडा यांना माहिती व आवश्यक कार्यवाहीसाठी अग्रेषित.



भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FORESTS
& CLIMATE CHANGE

Regional Office (WCZ)
Ground Floor, East Wing
New Secretariat Building
Civil Lines, Nagpur - 440001
E-mail: apccfcentral-ngp-mef@goi.gov.in

F.No. FC-I/MH-163/2019-NGP/5856

Date: 24.10.2019

To.

The Secretary (Forests),
Revenue and Forest Department,
Hutatma Rajguru Chowk
Madam Cama Marg
Mantralaya, Mumbai - 400032.

Sub: Diversion of 2.0 ha Forest land in favour of Sub Divisional Officer Tiroda for Construction of Civil Court Building in Gut No. 167/1 of Village Ghoti, Taluka- Goregaon under Section-2 of Forest Conservation Act-1980 in Gondia District in the State of Maharashtra - Regarding.

Sir,

The undersigned is directed to refer to APCCF & Nodal Officer (FCA), Maharashtra letter No. Desk-17/NC/II/ID-12714/654/19-20 dated 17.07.2019 on the above subject seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 and Nodal Officer (FCA), Maharashtra letter no. Desk-17/NC/RS-I/ID-12714/1098/19-20 dated 30.09.2019, letter no. Desk-17/NC/RS-I/ID-12714/1195/19-20 dated 17.10.2019 & letter No. Desk-17/NC/RS-I/ID-12714/1211/19-20 dated 19.10.2019 forwarding additional information as sought by this Office vide letters of even number dated 24.07.2019, 16.10.2019 & 17.10.2019 and to say that the said proposal has been examined by the Regional Office (WCZ) in light of relevant provisions of the Forest (Conservation) Act, 1980 and Guidelines issued thereunder.

After careful examination of the proposal and on the basis of the recommendation of APCCF & Nodal Officer (FCA), Maharashtra, the Central Government hereby accords 'in-principle' under Section - 2 of the Forest (Conservation) Act, 1980 for diversion of 2.0 ha Forest land in favour of Sub Divisional Officer Tiroda for Construction of Civil Court Building in Gut No. 167/1 of Village Ghoti, Taluka- Goregaon in Gondia District in the State of Maharashtra under Section-2 of Forest Conservation Act-1980 subject to the fulfilment of the following conditions:

- i. Legal status of the forest land shall remain unchanged;
- ii. **Compensatory afforestation**
 - a. Compensatory afforestation shall be taken up by the Forest Department over 4.00 ha degraded forest land (Gut./ Comptt. No. 547, Goregaon Range, Village- Kawlewada.) 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;

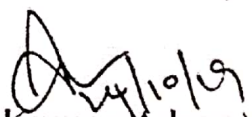
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- iii. The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars if required on the CA land shall be deposited in advance with 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;
- iv. NPV:
- a. The State Government shall charge the Net Present Value(NPV) for the 2.0 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 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;
- v. 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;
- vi. All the funds received from the User Agency under the project shall be transferred/ deposited to CAMPA fund only through e-portal (<https://parivesh.nic.in/>);
- vii. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector;
- viii. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;
- ix. The layout plan of the proposal shall not be changed without prior approval of Central Government;
- x. No labour camp shall be established on the forest land;
- xi. 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;
- xii. 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;
- xiii. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;
- xiv. 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;
- xv. The forest land shall not be used for any purpose other than that specified in the project proposal;

- xvi. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India;
- xvii. 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 Guideline F. No. 11-42/2017-FC dt 29/01/2018;
- xviii. 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;
- xix. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in>).

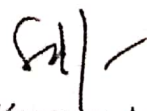
After receipt of a report on the compliance of conditions no iii, iv (a), vi, vii and undertakings, duly authenticated by the competent authority in the State Government, in respect of all other conditions, from the State Government, formal approval will be considered in this regard under Section-2 of the Forest (Conservation) Act, 1980. This in-principal approval shall be valid for a period of 5 years and the forest land shall not be transferred to the user-agency prior to the issue of final approval.

Yours faithfully,


(Suresh Kumar Adapa)
Scientist 'D'

Copy to:

- i. The PCCF, Government of Maharashtra, Nagpur.
- ii. The Addl. PCCF & Nodal Officer (FCA), Government of Maharashtra, Nagpur.
- iii. Director (RoHQ), Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jorbagh Road, Aliganj, New Delhi.
- iv. User agency.
- v. Guard file.


(Suresh Kumar Adapa)
Scientist 'D'