

Proposal for diversion of 34.1914 ha. forest land the proposal for construction of 3rd Railway Line between Darekasa Salekasa Station in District Gondia in the State of Maharashtra.

**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.**

Proposal is for diversion of 34.1914 ha. forest land the proposal for construction of 3rd Railway Line between Darekasa Salekasa Station in District Gondia in the State of Maharashtra. The details of forest land proposed for diversion are as under:-

Sr. No	Item of Work	Village	Survey No.	Gat No.	Compt. No	Length in Meter	Width in (Meter)	Area (in ha.)	Legal Status
1	Proposal for diversion of 34.1914 ha. forest land the proposal for construction of 3 rd Railway Line Between Darekasa Salekasa Station in District Gondia in the State of Maharashtra	Salekasa	196/1/2	300	---	120	10	0.1200	Z.J. F.D
			196/1/3	304	---	75	10	0.0750	Z.J. F.D
2		Dhansuwa	1	86	---	140	10	0.1400	U.F
			39	74	Pad	140	10	0.1400	U.F
			22	Road	---	14	22	0.0380	--
			27/1	26	---	130	21	0.2730	Z.J. F.D
					---	92	27	0.2484	
			45	23	---	165	40	0.6600	Z.J. F.D
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			44	Nala	280	325	10	0.3250	--
3		Nawatola	44/1	369	---	75	95	0.7125	Z.J. F.D
					---	27	40	0.1080	
					---	48	47	0.2256	
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4					---	62	40	0.2480					
					---	45	30	0.1350					
					60/1	237	---	100		110	1.1000	Z.J. F.D	
							---	35		130	0.4550		
							---	87		104	0.9048		
							---	196		30	0.5880		
							---	70		70	0.4900		
							253	Nala		---	30		4
					---	15				60	0.0900		
					291/1	234	---	138		60	0.8280	Z.J. F.D	
							---	60		27	0.1620		
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					234	172	---	150		22	0.3300	R.F	
							---	98		35	0.3430		
							---	50		45	0.2250		
							---	165		68	1.1220		
					233	168	---	45		45	0.2025	Z.J. F.D	
					214	167	---	46		78	0.3588	U.F	
							---	38		75	0.2850		
							---	66		85	0.5610		
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								---		25	5	0.0125	
						3	421	---		15	122	0.1830	
								---		145	130	1.8850	
---	75	20	0.1500										
---	90	125	1.1250										
---	38	95	0.3610										
3	422	---	75	108		0.8100							
Forest Land (in ha.)								34.1914					

2.00 The proposal has been initiated by the Deputy Chief Engineer (Con.) South East Railway Gondia for seeking approval under Forest (Conservation) Act, 1980. The proposed Railway Line between Rajnandagaon-Kalumna forms a part of Howarah Mumbai trunk route. Due to the construction of the proposed 3rd Railway Line between Darekasa-Salekasa Station in District Gondia shall facilitate transportation of freight and traffic movement. This route is nerve centre of Railway by virtue of connecting trunk route of Howrah Mumbai line and plays an important role for mode of transportation. The route for this railway line as proposed by S.E.C, Railway, is only feasible route and the forest land required is the barest minimum. The total route length of the railway line is 228.3 Kms, out of which 11.43 km length is passing between Darekasa to Salekasa station in Gondia District. The project is approved by Government of India, Ministry of Railway vide letter No.F.No.2015/W-2/SECR DL/DPR/22, dated 30/10/2019. The site inspection report of the Deputy Conservator of Forests, Gondai Forest Division, Gondia is enclosed on page no. 216 to 214.

3.00 The Deputy Conservator of Forests, Gondai Forest Division, Gondia has certified that:-

- 3.1 no suitable alternate land is available and the forest land required is minimum.
- 3.2 the area belongs to Eco-value class-III having density below is 0.1 to 0.7 (Open Forest)
- 3.3 there are 3132 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.											
16-25 cm	26-35 cm	36-45 cm	46-60 cm	61-75 cm	76-90 cm	91-105cm	106-120 cm	121- 135cm	136- 150 cm	150 Above cm	Total
0	0	0	970	716	518	321	206	104	108	189	3132

- 3.4 the area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc.
- 3.5 proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance.
- 3.6 there is no violation of Forest (Conservation) Act 1980.
- 3.7 the proposed area for the project is beyond 10 km from the boundary of the Protected Area, Wildlife Sanctuary and National Park
- 3.8 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.
- 3.9 and proposed Compensatory Afforestation over 68.50 ha. Protected Forest, Unclassed Forest & Reserved Forest in Compartment No.489,475,478,834,168, of Village Manegaon, Kumbhartoli, Birsi,Kohmara, Duggipar,Dist. Gondia and it is contiguous, suitable for afforestation and management purpose and it is free from encroachment and an encumbrances.
- 3.10 The Deputy Director, Nawegaon-Nagzira Tiger Reserve, Gondia has certified that the aforesaid project is not included in the National Park/Wildlife Sanctuary or Buffer Zone/Eco Sensitive Zone of the Navagaon-Nagzira Tiger Reserve.

4.00 **The User Agency has submitted an undertaking that:-**

- 4.1 to defray the cost of compensatory afforestation.
- 4.2 to defray the cost of Net Present Value of the forest land proposed under diversion.
- 4.3 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'.

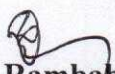
Hence, the user agency has given an undertaking regarding the compliance under the Scheduled Tribes and Other Traditional forest Dwellers (Recognition of Forest Rights) Act, 2006 has been applied and is under process and shall be submitted before in-principle approval.

- 4.4 The Collector, Gondia vide letter No.Ak/Mah-1/CR./Ws.76/2021, dt.29/01/2021 has certified that there is no suitable alternate non forest land available and the demand for the forest land required for the project is minimum.
- 4.5 The Assistant Director, Department of Archaeology, Maharashtra State, Nagpur vide his letter dt.14/09/2020 has certified that the total forest area covered by the project is not likely to affect any Monument, Archaeological site, Historical, Religious and Archaeological importance.
- 5.00 The Deputy Conservator of Forests, Gondai Forest Division, Gondia and Conservator of Forest (T), Nagpur have recommended the proposal for diversion of 34.1914 ha. of forest land.

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

- 6.1 The legal status of the land required will remain unchanged.
- 6.2 The user agency shall defray the cost of Compensatory Afforestation over 68.50 ha. Protected Forest, Unclassed Forest & Reserved Forest in Compartment No.489,475,478,834,168, of Village Manegaon, Kumbhartoli, Birsi,Kohmara, Duggipar,Dist. Gondia.
- 6.3 The user agency will defray the cost of Net Present Value of 34.1914 ha. ha. of forest land as per the latest Guideline of Government of India.
- 6.4 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.
- 6.5 The forest land shall not be used for any purpose other than specified in the proposal;
- 6.6 Ex-situ conservation of endemic species of flora/fauna lost/disturbed in the process of execution of the project may be ensured;
- 6.7 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.

- 6.9 The user agency will undertake comprehensive soil conservation measures at the project cost in consultation with the State Forest Department.
- 6.10 The User Agency shall obtain the Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.
- 6.11 No labour camp shall be established on the forest land;
- 6.12 The User Agency shall provide fuels preferably alternate fuels to the laborers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;
- 6.13 The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
- 6.14 The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government.
- 6.15 No damage to the flora and fauna of the adjoining area shall be caused;
- 6.16 No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- 6.17 The designing of culverts/bridges, if any, over the natural streams/rivers/canals should be done in such a manner that it does not hamper the natural course of water, does not give rise to water-logging, and also does not hamper movement of wild animals,
- 6.18 Forest land should not be used for construction of new station and other building. The User Agency shall ensure that such structures are established on the non-forest land.
- 6.19 The User Agency will provide retaining walls, breast walls and drainage as per requirement to make the slope stable;
- 6.20 Artificial water holes under/ near box culverts or underpasses shall be created by the Forest Department at the cost of the User Agency;
- 6.21 Sound barriers on either side of the line to reduce the sound shall be installed by the Forest Department at the cost of the User Agency;
- 6.22 Forest land shall not be used for any kind of quarrying and muck to be generated during the construction of railway line shall be dumped with the permitted RoW;
- 6.23 The user agency shall obtain the certificate of the Collector, Gondia under the Scheduled Tribes and Other Traditional before Stage II approval.
- 6.24 The User Agency will pay the cost of raising herbaceous/ shrubby medicinal plants in right of way under the railway line, wherever possible and provide funds of the said scheme prepared by the State Forest Department. Detail scheme along with financial provisions shall be submitted along with Stage- I compliance;
- 6.25 The User Agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations, Guidelines and Court! Tribunal directions for the time being in force, as applicable to the project;


(Dr. N. Rambabu)
Principal Chief Conservator of Forests
(Head of Forest Force)
Maharashtra State, Nagpur

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 34.1914 ha. forest land the proposal for construction of 3rd Railway Line between Darekasa Salekasa Station in District Gondia in the State of Maharashtra. The details of land proposed for diversion is as under-

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Forest Land (in ha.)								34.1914	

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


 (Sanjeev Gaur)
 Additional Principal Chief Conservator of Forests
 & Nodal Officer

Date: 5/02/2021
Place: 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 34.1914 ha. forest land
the proposal for construction of 3rd Railway
Line between Darekasa Salekasa Station in
District Gondia in the State of Maharashtra

No. : Desk-17/NC/I/ID-/ 1183/20-21
Nagpur - 440 001, Dated :- 5/2/2021

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

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					---	102	66	0.6732	
					---	90	60	0.5400	
			234	172	---	150	22	0.3300	R.F
					---	98	35	0.3430	
					---	50	45	0.2250	
					---	165	68	1.1220	
			233	168	---	45	45	0.2025	Z.J. F.D
			214	167	---	46	78	0.3588	U.F

4		Jamakudo			---	38	75	0.2850	U.F U.F P.F
					---	66	85	0.5610	
			214	Road	---	31	82	0.2542	
			214	166	---	57	30	0.1710	
			1	420	---	40	9	0.0360	
					---	25	5	0.0125	
			3	421	---	15	122	0.1830	
					---	145	130	1.8850	
					---	75	20	0.1500	
					---	90	125	1.1250	
					---	38	95	0.3610	
			3	422	---	75	108	0.8100	
Forest Land (in ha.)								34.1914	

2.00 The proposal has been initiated by the Deputy Chief Engineer (Con.) South East Railway Gondia for seeking approval under Forest (Conservation) Act, 1980. The proposed Railway Line between Rajnandagaon-Kalumna forms a part of Howrah Mumbai trunk route. Due to the construction of the proposed 3rd Railway Line between Darekasa-Salekasa Station in District Gondia shall facilitate transportation of freight and traffic movement. This route is nerve centre of Railway by virtue of connecting trunk route of Howrah Mumbai line and plays an important role for mode of transportation. The route for this railway line as proposed by S.E.C, Railway, is only feasible route and the forest land required is the barest minimum. The total route length of the railway line is 228.3 Kms, out of which 11.43 km length is passing between Darekasa to Salekasa station in Gondia District. The project is approved by Government of India, Ministry of Railway vide letter No.F.No.2015/W-2/SECR DL/DPR/22, dated 30/10/2019. The site inspection report of the Deputy Conservator of Forests, Gondai Forest Division, Gondia is enclosed on page no. 216 to 214.

3.00 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 copies.

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, Gondai Forest Division, Gondia 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 below is 0.1 to 0.7 (Open Forest)

4.3 there are 3132 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.											
16-25 cm	26-35 cm	36-45 cm	46-60 cm	61-75 cm	76-90 cm	91-105cm	106-120 cm	121-135cm	136-150 cm	150 Above cm	Total
0	0	0	970	716	518	321	206	104	108	189	3132

- 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 the proposed area for the project is beyond 10 km from the boundary of the Protected Area, Wildlife Sanctuary and National Park
- 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 68.50 ha. Protected Forest, Unclassed Forest & Reserved Forest in Compartment No.489,475,478,834,168, of Village Manegaon, Kumbhartoli, Birsi, Kohmara, Duggipar, Dist. Gondia and it is contiguous, suitable for afforestation and management purpose and it is free from encroachment and encumbrances.
- 4.10 The Deputy Director, Nawegaon-Nagzira Tiger Reserve, Gondia has certified that the aforesaid project is not included in the National Park/Wildlife Sanctuary or Buffer Zone/Eco Sensitive Zone of the Nawegaon-Nagzira Tiger Reserve.

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 in-principle approval.

5.4 The Collector, Gondia vide letter No.Ak/Mah-1/CR./Ws.76/2021, dt.29/01/2021 has certified that there is no suitable alternate non forest land available and the demand for the forest land required for the project is minimum.

5.5 The Assistant Director, Department of Archaeology, Maharashtra State, Nagpur vide his letter dt.14/09/2020 has certified that the total forest area covered by the project is not likely to affect any Monument, Archaeological site, Historical, Religious and Archaeological importance.

6.00 The Deputy Conservator of Forests, Gondai Forest Division, Gondia and Conservator of Forest (T), Nagpur have recommended the proposal for diversion of 34.1914 ha. of forest land.

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

7.1 The legal status of the land required will remain unchanged.

7.2 The user agency shall defray the cost of Compensatory Afforestation over 68.50 ha. Protected Forest, Unclassed Forest & Reserved Forest in Compartment No.489,475,478,834,168, of Village Manegaon, Kumbhartoli, Birsi,Kohmara, Duggipar,Dist. Gondia

7.3 The user agency will defray the cost of Net Present Value of 34.1914 ha. ha. of forest land as per the latest Guideline of Government of India.

7.4 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.

7.5 The forest land shall not be used for any purpose other than specified in the proposal

7.6 Ex-situ conservation of endemic species of flora/fauna lost/disturbed in the process of execution of the project may be ensured;

7.7 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.

7.8 All necessary precautions should be taken to protect the area from fire.

7.9 The user agency will undertake comprehensive soil conservation measures at the project cost in consultation with the State Forest Department.

7.10 The User Agency shall obtain the Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.

7.11 No labour camp shall be established on the forest land;

7.12 The User Agency shall provide fuels preferably alternate fuels to the laborers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;

7.13 The layout plan of the proposal shall not be changed without the prior approval of the Central Government.

7.14 The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government.

7.15 No damage to the flora and fauna of the adjoining area shall be caused;

- 7.16 No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- 7.17 The designing of culverts/bridges, if any, over the natural streams/rivers/canals should be done in such a manner that it does not hamper the natural course of water, does not give rise to water-logging, and also does not hamper movement of wild animals,
- 7.18 Forest land should not be used for construction of new station and other building. The User Agency shall ensure that such structures are established on the non-forest land.
- 7.19 The User Agency will provide retaining walls, breast walls and drainage as per requirement to make the slope stable;
- 7.20 Artificial water holes under/ near box culverts or underpasses shall be created by the Forest Department at the cost of the User Agency;.
- 7.21 Sound barriers on either side of the line to reduce the sound shall be installed by the Forest Department at the cost of the User Agency;.
- 7.22 Forest land shall not be used for any kind of quarrying and muck to be generated during the construction of railway line shall be dumped with the permitted RoW;
- 7.23 The user agency shall obtain the certificate of the Collector, Gondia under the Scheduled Tribes and Other Traditional before Stage II approval.
- 7.24 The User Agency will pay the cost of raising herbaceous/ shrubby medicinal plants in right of way under the railway line, wherever possible and provide funds of the said scheme prepared by the State Forest Department. Detail scheme along with financial provisions shall be submitted along with Stage- I compliance;
- 7.25 The User Agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations, Guidelines and Court! Tribunal directions for the time being in force, as applicable to the project;

9.00 It is therefore, requested that Government of India may kindly be moved for approving the proposal for diversion of 34.1914 ha. forest land the proposal for construction of 3rd Railway Line between Darekasa Salekasa Station in District Gondia in the State of Maharashtra. under section 2 (ii) of the Forest (Conservation) Act, 1980.

Encl. :- Proposal 2 copies


(Sanjeev Gaur)

Addl. Principal Chief Conservator of Forests
& Nodal Officer

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

Copy to the Deputy Conservator of Forests, Gondia Forest Division, Gondia for formation.

Copy to the Deputy Chief Engineer (Con.) South East Railway Gondia for information.

*Recd
Sub
Name :- Prakash S. Raut
Date :- 1-11-2018
7604949070*