



Deputy Conservator of Forest (T.) Washim Division Office, Washim

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Violation Note

A Note regarding the circumstances under which the work has undertaken in violation of Forest (Conservation) Act, 1980

The Maharashtra State Road Development Corporation Limited (MSRDC), Government of India has decided to up take up the development of Section 161 E – Washim – Dastapur in the State of Maharashtra for augmentation of capacity for safe and efficient movement of traffic by upgrading to Two Lane with paved shoulder configuration based on the traffic demand.

The total length of the project stretch selected for up-gradation is 29.074 Km in this package from which road is passing through forest area in Washim Forest Division. The proposed widening requires diversion 0.72 Ha. in Washim Forest Division. Therefore the widening of this stretch requires forest clearance from Ministry of Environment Forest and Climate change (GOI).

The diversion of forest area has been limited to the minimum that satisfies the National Highway standards. As the project road is passing through the middle of the forest area, bypassing the forest area is not possible. Alternative has been examined and found that no better option is available. The widening has been limited to non-forest areas where the road is passing / abutting the forest land only on side of the existing road, to reduce the requirement of forest area diversion.

The existing Washim – Dastapur Road was under the possession of Public Works Department, State of Maharashtra. Now the said Road is declared as National Highway No. 161E and the road is handed over to Maharashtra State Road Development Corporation Limited, Mumbai by Public Works Department, State of Maharashtra for further works and maintenance. While handing over the said road to MSRDC, Public Works Department, State of Maharashtra has mentioned the 30 mtr. ROW of the said road. And MSRDC has started the work in forest area assuming the existing ROW of the said road.

But Public Works Department, State of Maharashtra has never acquired the Forest area of the 30 mtr. ROW for the said road. And hence, as the said area is still forest land, the forest offence case is booked under Indian Forest Act, 1927 with POR No. 8/19 dated on 20.05.2019. The work started in the forest area is stopped by Forest Department.


The Project authority has submitted the proposal as required under Section 2 of the Forest (Conservation) Act, 1980 for obtaining prior approval from Government of India.

The project authority has given undertaking to bear the cost of Compensatory Afforestation as directed by Forest Department.

As the proposal is for up-gradation of existing road, and there is no alternative for the same and the project authority has submitted the proposal for obtaining approval from Government of India the proposal is recommended subject to agency shall pay penalty for violation equal to Net Present Value (NPV) of forest land per hectore for each year of violation from the date of actual diversion reported under POR No. 8/19 dated on 20.05.2019 with maximum up to five (5) times the NPV plus 12 % simple interest till the deposited is made.

Date : 23 / 10 / 2020

Place : Washim


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Deputy Conservator of Forests (T)
Washim Forest Division, Washim