Office of the Deputy Conservator of Forest, Nagpur Division Nagpur

Hind Floor VANBHAVAN, Near Government Press, Zero Miles, Nagput-01, Tel; Phone-95-2564569
Email id - dycfnagpur@njahaforest.gov.inj

Subject: - Forest Land - Nagpur.

Diversion of 5.5395 ha. forest land for expansion of factory for Enhancement of production capacity in xillage Natalwadi Tal. Hingra District Nagpur Maharashtra FP/MH-IND/40697/2019.

Desk-11/Forest Conservation /CR 465/ /2021-22. 749 Nagpur, Dated 14 09 2023

19/09 Conservator of Forests (I)

Reference: - 1. Government of India, MÖEF & CC, IRO Office, Nagpur's letter No. FC-II/MH-207/2023- NGP/11389, Dated 03.04.2023.

- APCCF & Nodal Officer, M.S. Nagpur's letter No. Desk-17/Nodal/Nagpur/ID-12799/33/23-24, Dt.05/04/2023.
- 3. Letter from PIX Transmission dated 15/05/2023.

This has reference to Letter No. 1 vide which Government of Maharashtra has recommended diversion of forest land for the project considering it as site specific project involving expansion of existing factory which need land in contiguous for expansion with available natural resources and common facilities.

It is informed vide reference 2 above that the proposal has been rejected in REC meeting held on 24/3/2023, in pursuance of para 1.15 of Handbook of Forest Conservation Act 1980 and guideline 2019 and subsequent relaxation clarification dated 24/01/2022. Beside this, IRO, Nagpur also raised certain clarification for which we submit following comments.

-		
Sr. No.	Discrepancies	Compliances and clarification
1	Status of notification of the proposed zudpi land	All four survey number 18,54,58,64 in Village Nagalwadi, are
	as Reserved Forest shall be submitted by the	notified under section 4 of Indian Forest Act, 1927.
	State Government.	Notification copies are enclosed as Annexure I.
1	· ·	All four survey numbers were in possession of Revenue
Ī	1	Department till 31/03/2003 and which subsequently
	•"	transferred to Forest Department vide order of District
	L3	Collector dated 31.05.2003 as recorded in record of rights.
2	Details of extent of the enchoachment in forest	As per the guidelines of Central Covernment the sevening
	area and step taken by the State Forest	department had handed over zudpi jung a land to forest
	Department to stop the enchoachment and also	department on dt.31/5/2003 and while handing over the zudpi
	action taken against the already encroached area	Jungle land, all survey numbers were inspected and classical
	along with efforts made towards eviction of	asArea under encroachment". Area inder alternate use"
	encroachment shall be submitted by the State	Area exclude for other use". Balance area, likewise
	Government.	At the time of survey and handing over the possession of the
		land by Revenue department to Forest department area
	4	admeasuring 5.00 na. out of total area 6.44 has hearing survey.
		number to was mentioned as already engroached land. The
	į.	details of classification of area is attached herewith as
	·	Annexure II.
		As reported by RFO Hingna, Survey Number 18 is having
		lotal area 0.44 ha, and out of which 2.4105 ha in complete
	:	occupied by Indira Shim prior to 1980 known as Indira Posts
		Increase there is no expansion as REO and ACE have been
		misurcied to ensure that there is no encroschment on and
		we sumpt torest pairnes in their invisdiction. A OF Man
	F = 1	(Tendu and campa) has once again directed to initiate action
3	Specific Comments of the State Government on	on removal of encroachment on gut number 13 if any. Para 13.3.3 speaks about Industrial 7.
	inclusion of forest land in to the Industrial Zone	Para 13.3.3 speaks about Industrial Zone under NMRDP as under Industries as employment hubs are zoned closer to the city and along project and the city along project and the city and along project and the city along project and the city along the city and
	and details of any permission under FCA 1020	the city and along major road corridors. Most of these are in
	has been taken by the concern authorities.	
	2.	**************************************
	·	
1		THE DESCRIPTION OF THE PARCET CONTRACTOR OF THE PARCET OF
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		such land would attract the provisior, of FC Azt 1980.

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User Agency vide reference 4 has requested to reconsider the proposal as the project is site specific involving expansion which needs land in contagious to their existing factory due to expansion in process in series.

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Keeping into the merits of the case as it does not fall in category of project under Para 1.15, the proposal is being recommended for reconsideration for following reasons

Site specific nature of project: This is to resubmit that Para 1.15 is categorically keep restriction for diversion of forest for non-forest purpose for non-site specific project like establishing Industries, construction of residential colonies, institutes, disposal of fly ash, rehabilitation of displaced persons etc. However, our proposal is not to establish a new industry which otherwise can be built up on other land, but it is for expansion of existing factory for enhancement of production capacity, as such expansion & enhancement of production capacity requires land in contiguous with existing factory set up. User agency explained the entire process during inspection and also presented through video clips of the process that the production capacity enhancement is possible only with adding the capacity of each segment in series and therefore it needs land in contiguous for main process of production.

The proposed land is adjacent to the existing factory and is suitable for expansion and enhancement of existing production capacity. While processing the proposal from RFO level to CCF level, site inspection and process inspections have been carried out by concerned authorities to ensure that the expansion project is site specific.

Elaborated audiovisuals of the entire process submitted by user agency is to prove that this proposal is for site specific project and not a new establishment as per the para 1.15 and directives spelt out in quoted circular dated 24/1/2022. As per Field Official, said land is not suitable for forestry purpose and prone to encroachment. This diversion is win-win situation for us & forest department, because user agency has consented to provide alternate non forest in in Sahyandri Tiger Reserve which is already 60% covered with plantation.

While considering the project as site specific, the diversion is strongly justified on the following grounds:

- 1.00 The subjected land is rocky in nature, having no water, no trees and not suitable for any kind of afforestation. However non forest land which is to be provided is suitable for forestry.
- 2.00 The subjected land is in various small patches in isolation and difficult to manage, this was earlier managed by revenue department.
- 3.00 The proposed land, especially Part of Gut No. 18 is already encroached by a colony of slum. The satellite imageries for the last three decades indicating progressing encroachments over the land. Considering day by day increasing encroachment, it will be very difficult for forest department to hold vacant possession of the remaining open land for future though forest department is making best efforts to protect the land from encroachment.
- 4.00 Majority land of Gut No. 18 is declared as industrial zone by Nagpur regional development authority and is suitable for Industrial use only, because of barren nature of land which is devoid of tree growth and soil depth.
- User agency explained that they have also searched land availability in surrounding other adjacent area for such expansion of project but suitable land is not available, only barren patches of zudpi land available which is devoid of tree growth.
- By such expansion of existing industry, new employment opportunities would be generated, this will also help in the development of surrounding local area/ villages. Being a manufacturer project will be contributing in the Indian economy by selling goods in the domestic market as well as in the International Market.
- Most of the Industries in the nearby MIDC area are sick and situation are not good, by this expansion project additional direct and indirect employment for skilled, semi skilled and unskilled manpower would be generated.

User agency has already procured equivalent non forest land in Sahyandri Tiger Reserve Buffer Area which has more than 60% vegetation cover. User agency have also assured CA on equivalent degraded forest in Nagpur Division, by this diversion, forest depth is benefitting more as per vegetation cover.

Considering the above justification, Government of Maharashtra had already recommended the proposal which is being put up for reconsidering of IRO Nagpur, Enclosure - As above.

> (Dr. Bharat Singh Hada) Deputy Conservator of Forests Nagpur Division, Nagpur

Copy submitted to: - Additional Principal Chief Conservator of Forest & Nodal Officer, M.S. Nagpur for information. Copy to the Senior Manager Administration, M/s. Pix Transmission Limited, J-7, MIDC, Hingna Road, Dist. Nagpur 440016 for information and necessary action.





OFFICE OF THE CONSERVATOR OF FORESTS (TERRITORIAL), NAGPUR CIRCLE, NAGPUR

VANBHAWAN, Government Press, Zero Miles, Nagpur-440001Email-ccffnagpur@mahaforest.gov.in, PHONE NO.0712-2562250

Nagpur, Dtd. 25/09/2023

To,

Additional Principal Chief Conservator of Forest And Nodal Officer,

Maharashtra State, Nagpur

Subject:- Proposal is for diversion of 5.5395 ha. Forest land under Forest (Conservation) Act 1980 for expansion of PIX transmission factory for enchancement of production capacity in village Nagalwadi Tal. Hingna District Nagpur in Maharashtra State.

Reference:- 1. Government Of India, MOEF & CC, IRO Office, Nagpur's letter No. FC-II/MI)-207/2023-NGP/11389, Dated 03/04/2023.

- 2. Your Office letter no. Desk-17/Nodal/Nagpur/ID-12799/33, Dated 05/04/2023.
- 3. DCF Nagpur letter No. Desk-11/Forest Conservation/CR 465/748, Dated 14/09/2023.

With reference to the above letter, Dy. Conservator of Forest Nagpur Division vide letter under reference 3 has submitted point wise compliance report to this office.

Hence compliance report submitted by DCF Nagpur is here with submitted with recommendation for information & necessary action.

Enclosure:- As above

(SreeLaksimi. A)
Conservator, of Forests
(Territorial), Nagpur.

Copy to:-

- 1) Deputy Conservator of Forest, Nagpur Division for information and necessary action.
- 2) Senior Manager Administation, M/s.Pix Transmission Limited, J-7, MIDC, Hingua Road, Dist.Nagpur 440016 for information and necessary action.

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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- apecfnodal@mahaforest.gov.in No. Desk-17/FCA-SI/PID-40697/Nagpur/2023-24/2147

Nagpur = 440 001, Date: 17/10/2023

Principal Secretary (Forests). Revenue & Forest Department, Mantralaya Mumbai -32

Sub:- Diversion of 5.5395 ha. of Zudpi Jungle land in favour of M/s. PIX Transmission Ltd., Nagpur for expansion of Pix Transmission factory for enhancement of production capacity in Village Nagalwadi, Tal. Hingna, Dist. Nagpur in the State of Maharashtra-reg.

1) The Government of India, MoEF&CC, IRO Nagpur letter F.No.FC-II/MH-207/2023-Ref:-NGP/11389, dated 03/04/2023.

2) The Conservator of Forests (T), Nagpur Desk-10/Land/C.R./1000/2023-24, dated 25/09/2023.

Proposal has been rejected in REC in its meeting held on 24.03.2023 in pursuance to Section 1.15 of Handbook of Forest (Conservation) Act, 1980 published in March 2019 and the MoEF&CC's guidelines dated 24.01.2022 and the Government of India vide letter under reference No.1 has also raised certain clarification. Accordingly the Chief Conservator of Forests (T), Nagpur vide letter under reference No.2 has submitted the compliance report to this office.

S No.	same may be submitted as under:- Points	Compliances and clarification
1	Status of notification of the proposed zudpi land as Reserved Forest shall be submitted by the State Government.	
		All four survey numbers were in possession of Revenue Department till 31/05/2003 and which subsequently transferred to Forest Department vide order of District Collector dated 31.05.2003 as recorded in record of rights.
		As per the guidelines of Central Government, the
		As reported by RFO Hingna, Survey Number 18 is having total area 6.44 ha. and out of which 2.4105 ha. is actually occupied by Indira Slum prior to 1980 known as Indira Basti.
		There after there is no expansion, as RFO and ACF have been instructed to ensure that there is no

3 Specific Comments of the State Government on inclusion of forest land in to the Industrial Zone and details of any permission under FCA, 1980 has been taken by the concern authorities.

encroachment on any of the zudpi forest patches in their jurisdiction. ACF Nagpur (Tendu and campa) has once again directed to initiate action on removal of encroachment on gut number 18 if any.

Para 13.3.3 speaks about Industrial Zone under NMRDP as under Industries as employment hubs are zoned closer to the city and along major road corridors. Most of these are in existing established industrial areas such as Hingna, Butibori, Koradi-Khaparkheda and Mauda. Kapsi Khurd on the east and Hingna on the west also have proposed industrial uses.

Thus small patches of Zudpi forest interspersed within industrial zone are seen in proposed project. No specific permission is sought while preparing plan by metro region plan as this is draft proposal. However any non-forest use on such land would attract the provision of FC Act 1980.

The Deputy Conservator of Forests, Nagpur Forest Division, Nagpur vide letter dated 14/09/2023 has requested to reconsider the proposal on the following grounds.

Site specific nature of project: This is to resubmit that Para 1.15 is categorically keep restriction for diversion of forest for non-forest purpose for non-site specific project like establishing of displaced persons etc. However, the proposal is not to establish a new industry which otherwise can be built up on other land, but it is for expansion of existing factory for enhancement of production capacity, as such expansion & enhancement of production capacity requires land in contiguous with existing factory set up. User agency explained the entire process during inspection and also presented through video clips of the process that the production capacity enhancement is possible only with adding the capacity of each segment in series and therefore it needs land in contiguous for main process of production. The proposed land is adjacent to the existing factory and is suitable for expansion and enhancement of existing production capacity. While processing the proposal from RFO level to CCF level, site inspection and process inspections have been carried out by concerned authorities to ensure that the expansion project is site specific.

Elaborated audiovisuals of the entire process submitted by user agency is to prove that this proposal is for site specific project and not a new establishment as per the para 1.15 and directives spelt out in quoted circular dated 24/1/2022. As per Field Official, said land is not suitable for forestry purpose and prone to encroachment. This diversion is win-win situation for Forest Department, because user agency has consented to provide alternate non forest land in Sahyandri Tiger Reserve which is already 60% covered with plantation.

While considering the project as site specific, the diversion is strongly justified on the following grounds:

- 1.00 The subjected land is rocky in nature, having no water, no trees and not suitable for any kind of afforestation. However non forest land which is to be provided is suitable for forestry.
- 2.00 The subjected land is in various small patches in isolation and difficult to manage, this was earlier managed by Revenue Department.
- 3.00 The proposed land, especially Part of Gut No. 18 is already encroached by a colony of slum. The satellite imageries for the last three decades indicating progressing encroachments over the land. Considering day by day increasing encroachment, it will be very difficult for forest department to hold vacant possession of the

- remaining open land for future though forest department is making best efforts to protect the land from encroachment.
- 4.00 Majority land of Gut No. 18 is declared as industrial zone by Nagpur regional development authority and is suitable for Industrial use only, because of barren nature of land which is devoid of tree growth and soil depth.
- 5.00 User agency explained that they have also searched land availability in surrounding/other adjacent area for such expansion of project but suitable land is not available, only barren patches of zudpi land available which is devoid of tree growth.
- 6.00 By such expansion of existing industry, new employment opportunities would be generated, this will also help in the development of surrounding local area/villages. Being a manufacturer project will be contributing in the Indian economy by selling goods in the domestic market as well as in the International Market.
- 7.00 Most of the Industries in the nearby MIDC area are sick and situation are not good, by this expansion project additional direct and indirect employment for skilled, semi skilled and unskilled manpower would be generated.

The User agency has already procured equivalent non forest land in Sahyandri Tiger Reserve Buffer Area which has more than 60% vegetation cover. User agency have also assured CA on equivalent degraded forest in Nagpur Division, by the diversion, forest depth is benefitting more as per vegetation cover.

In view of the above facts, it is requested to process for considering the above justification the proposals to move MoEF&CC for approval under section – 2 of the Forest (Conservation) Act, 1980.

Encl:- As above

(Naresh Zurmure)
Addl. Principal Chief Conservator of Forests
& Nodal Officer

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

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

Copy to the Senior Manager Administration, M/s. Pix Transmission Limited, J-7, MIDC, Hingna Road, Dist. Nagpur-440016 for information.

Government of Maharashtra

By Speed Post

No. FLD-2022/CR-267/F-10 Revenue and Forest Department, Mantralaya, Mumbai- 400 032. Date: - 31.10.2023

To, Deputy Director General of Forests (Central), Regional Office, Ministry of Environment, Forests & Climate Change, Government of India, Ground Floor, East Wing, New Secretariat Building, Civil Lines, Nagpur-440 001.

Sub .:- Forest Land-Pune

Diversion of 5.5395 ha. of Zudpi Jungle land in favour of M/s. PIX Transmission Ltd., Nagpur for expansion of Pix Transmission factory for enhancement of production capacity in Village-Nagalwadi, Tal. Hingna, Dist. Nagpur in the State of Maharashtra.

Ref: 1. Your Office Letter No. FC-II/MH-207/2023-NGP/11389, Dt.03.04.2023.

2. APCCF & Nodal Officer Letter No. Desk-17/FCA-S1/PID-40697/ Nagpur/2023-24 / 2147, Dt.17.10.2023.

Sir,

Regional Office, MoEF&CC, Government of India, Nagpur has raised certain clarification with respect to proposal for diversion of 5.5395 ha. of Zudpi Jungle land in favour of M/s. PIX Transmission Ltd., Nagpur for expansion of Pix Transmission factory for enhancement of production capacity in Village-Nagalwadi, Tal. Hingna, Dist. Nagpur in the State of Maharashtra, vide letter under reference No.1.

Additional Principal Chief Conservator of Forests & Nodal Officer, Maharashtra State, 2. Nagpur has submitted compliance report to the Government of Maharashtra vide letter under eferencet no.2, Compliance Report submitted by the APCCF & Nodal Officer is selfand attached herewith for further necessary action in the matter.

> (¢anesh Jadhao) Under Secretary to

the Government of Maharashtra Under Secretary

Revenue and Forests Department Hutatma Rajguru Chowk Madam Cama Road, Mantralaya

Copy to:

मंत्रालय वृष्ट्य

Encl: As above.

- Mumbai 400 032

 1) Principal Chief Conservator of Forests (HoFF), Maharashtra State, Nagpur.
- 2) Additional Principal Chief Conservator of Forests and Nodal Officer, Nagpur.
- 3) Conservator of Forests (T), Nagpur.
- 4) Deputy Conservator of Forests, Nagpur.

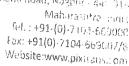


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May 16, 2023

To Dy. Conservator of Forests Nagpur Forest Division

Nagpur

Subject: Diversion of 5.5395 ha Zudpi Jungle land in favour of M/s PIX Transmissions Ltd. Nagpur for expansion and enhancement of production capacity in Village Nagalwadi, Taluka Hingna, District Nagpur in the State of Maharashtra: Submission for reconsideration of proposal.

FC-II/MH-2023-NGP/11389 dated 3/4/2023. Reference:

2.* Letter from APCCF Nodal No. Desk-17/Nodal/Nagpur/1.D 12799/33 Dt. 5/4/2023.

Dear Sir

This has reference to Letter No. 1 vide which it is informed that the proposal for diversion of 5.5395 ha Zudpi Jungle land in favour of M/s PIX Transmissions Ltd. Nagpur for expansion and enhancement of production capacity in Village Nagalwadi, Taluka Hingna, District Nagpur in the State of Maharashtra has been rejected in REC meeting held on 24/3/2023, in pursuance of para 1.15 of Handbook of Forest Conservation Act 1980 and guideline 2019 and subsequent relaxation clarification dated 24/01/2022.

We submit our clarifications for reconsideration of our proposal for diversion of land under FC Act 1980 in pursuance of para 1.15 of Handbook of Forest Conservation Act 1980 and guideline 2019 in the matter on which the proposal is rejected is as under

Site specific nature of project: This is to resubmit that Para 1.15 is categorically keep restriction for diversion of forest for non-forest purpose for non-site specific project like establishing Industries, construction of residential colonies, institutes, disposal of fly ash, rehabilitation of displaced persons

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etc. However, our proposal is not to establish a new industry which otherwise can be built up on other land, but it is for expansion of existing factory for enhancement of production capacity, as such expansion & enhancement of production capacity requires land in contiguous with existing factory set up. The entire process is such that the production capacity enhancement is possible only with adding the capacity of each segment in series and therefore it needs land in contiguous for main process of production. The proposed land is adjacent to the existing factory and is suitable for expansion and enhancement of existing production capacity. While processing the proposal from RFO level to CCF level, site inspection and process inspections have been carried out by concerned authorities to ensure that the expansion project is site specific. Elaborated audiovisuals of the entire process to prove that this proposal is for site specific project and not a new establishment as per the para 1.15 and directives spelt out in quoted circular dated 24/1/2022. As per Field Official, said land is not suitable for forestry purpose and prone to encroachment. This diversion is win-win situation for us & forest department, because we will provide non forest land too to forest department.

While considering the project as site specific, the diversion is strongly justified on the following grounds:

- a. The subjected land is rocky in nature, having no water, no trees and not suitable for any kind of afforestation. However non-forest land which is to be provided is suitable for forestry.
- b. The subjected land is in various small patches in isolation and difficult to manage, this was earlier managed by revenue department.
- c. The proposed land, especially Part of Gut No. 18 is already encroached by a colony of slum. The satellite imageries for the last three decades indicating progressing encroachments over the land. Considering day by day increasing encroachment, it will be very difficult for forest department to hold vacant possession of the remaining open land for future.
- d. Majority land of Gut No. 18 is declared as industrial zone by Nagpur regional development authority and is suitable for Industrial use only, because of barren nature of land which is devoid of tree growth and soil depth:



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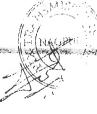
Man Harama Road Nagpur 440 016 Mah na attua India # F + C 1 (0) 7104 6630000 Las + C 1 (0) 7104 663007/2 Mahaha www.rasin.ac.com

As regarding specific information sought by IRO, State Government is requested to extend its comments. While preparing Part I of the proposal we had studied these issues raised by IRO, the para wise comments of user agency is furnished for your kind information:

1	Status of notification of the proposed zudpi land as Reserve Forest shall be submitted by State Government.	Khasara wise status of zupdi forest and reserved forest is furnished in annexure 1.
		It reveal that only one gut number is notified under section 4 of Forest Act 1927 but could not be concluded yet under section 20 and this is not notified as RF. Other gut numbers of small gut spread over around industrial zone of Nagalwadi village.
2	Details of extent of encroachment in forest area and step taken by the State Government to stop the encroachment shall be submitted by State Government	Gut number 18 was zudpi forest under the control of State Revenue Department till and part of this area was occupied by slum area known as Indira Basti prior to 1980.
	Specific comments of the State Government on inclusion of forest land into the industrial zone and details of any permission under FCA, 1980 has been taken by concerned authorities.	Para 13.3 of Draft Nagpur Metropolitan Area Development Plan 2012-32 Para 13.3.3 speaks about Industrial Zone under NMRDP as under Industries as employment hubs are zoned closer to the city and along major road corridors. Most of these are in existing established industrial areas such as

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KapsiKhurd on the east and Hingna on the west also have proposed industrial uses. About 13.39 percent urban land (and 2.84 percent of the overall NMA area) is under the industrial zone, which amounts to an area of about 101.20 km2. Commercial uses such as offices, banks are allowed in the industrial zone. Limited residential uses can be developed in industrial plots, however high density typologies such as multi-story apartments are not desired in proximity of industries and therefore restricted. On the other hand, housing for industrial workers is permitted with certain minimum requirements for access and safety

Thus small patches of Zudpi forest interspersed within industrial zone are seen in proposed project. No specific permission is sought while preparing plan by metro region plan as this is draft proposal. Any land use for non forest would attract the provision of FC Act 1980.





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Annexure 1: Status of zudpi Jungle

Sr. No	Gut number	Area	Legal status	Notification 4 of FA 1927		In possession	Land use zone as per draft. Nagour Metro region Plan	Comments	
	1 18	6.44	zudpi forest	Yes notification under section 4 dated 18/11/2017	NIL	22/7/2003 . Land was under Revenue Department GOM and	Part of 18 gut number of Industrial and land occupied by Indira Bast is shown as Residential zone	ROR shows that out of 6.44 hat 1.2 hat as recorded in 7/12) there is encroachment of mapitation. As per report of RSO dated 21/9/2019 Indira Bastistum is stated on 2.410 hat forest land and proposed diversion is reduced to that extent. The encroachment is as old as 30-40 years when the land was under possession of State Revenue Department.	
	2 54	0.22	zudpi forest	Not notified	NIL	handover to Forest	Industrial Zone		
_	3 58	0.74	-	Not notified		Department Industrial	Department	Industrial Zone	Small isolated patche within
-	4 64	0.55	zudpi forest	Not notified	NIL	on 22/7/2003	Industrial Zone	industrial zone	





