

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 3.4659 ha. of forest land under Section - 2 of the Forest (Conservation) Act, 1980 for Construction of upgradation existing 2 lane of NH-66 to 4 lane configuration starts from Talegaon to Kalmat between Km 367/200 to Km 406/030 in Sindhudurg, District (under NHDP Phase-IV under) in the State of Maharashtra. The details of land proposed for diversion is as under-

Sawantwadi Forest Division:-

Sr. No.	Item of Work	Range	Tahsil	Village	Survey No.	Area (in ha.)	Legal Status
1	Construction of upgradation existing 2 lane of NH-66 to 4 Lane configuration starts from Talegaon to Kalmat between Km 367/200 to Km 406/030 in Sindhudurg, District (under NHDP Phase-IV under) in the State of Maharashtra	Kankavali	Kankavali	Jinawali	591	0.2310	Identified Forest
					598/A1	0.0280	
					598/B	0.0400	
					598/K	0.1828	
					622/1	0.2840	
					622/3	0.1360	
					1841	0.0860	
					1891	0.2350	
					1886/1	0.1270	
					623/A	0.1075	
					623/B	0.1075	
					1843	0.0670	
					1844	0.0710	
					1847	0.4298	
					1848	0.2000	
					1850	0.1370	
					1849	0.1880	
					1882/5	0.0200	
					1882/6	0.0262	
					1882/7	0.0074	
					1883/A	0.0523	
					1883/K	0.0712	
					1884	0.0440	
					1895	0.0520	

					1893	0.0442	
					1892 B	0.4910	
	Total Forest Area					3.4659	

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

 (C.B.S. Hudda)

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

Date: 01/02/2018
Place: Nagpur

Proposal for diversion of 3.4659 ha. of forest land under Section - 2 of the Forest (Conservation) Act, 1980 for Construction of upgradation existing 2 lane of NH-66 to 4 lane configuration starts from Talegaon to Kalmat between Km 367/200 to Km 406/030 in Sindhudurg, District (under NHDP Phase-IV under) in the State of Maharashtra.

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 3.4659 ha. of forest land under Section - 2 of the Forest (Conservation) Act, 1980 for Construction of upgradation existing 2 lane of NH-66 to 4 Lane configuration starts from Talegaon to Kalmat between Km 367/200 to Km 406/030 in Sindhudurg, District under NHDP Phase-IV in the State of Maharashtra. The details of forest land proposed for diversion in four divisions is as under.-

Sawantwadi Forest Division:-

Sr. No.	Item of Work	Range	Tahsil	Village	Survey No.	Area (in ha.)	Legal Status
1	Construction of upgradation existing 2 lane of NH-66 to 4 Lane configuration starts from Talegaon to Kalmat between Km 367/200 to Km 406/030 in Sindhudurg, District (under NHDP Phase-IV under) in the State of Maharashtra	Kankavali	Kankavali	Jinawali	591	0.2310	Identified Forest
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					1883/K	0.0712	
					1884	0.0440	
					1895	0.0520	
					1893	0.0442	
					1892 B	0.4910	
					Total Forest Area		3.4659

The Project has been initiated by Executive Engineer, National Highway Division, Ratnagiri, Maharashtra for approval under Forest (Conservation) Act, 1980. This project for construction of upgradation existing 2 lane of NH-66 to 4 Lane configuration under NHDP Phase-IV starts from Talegaon to Kalmat between Km 367/200 to Km 406/030 in Sindhudurg, District) in the State of Maharashtra. The proposed envisages widening of existing two lane highway to four lane configuration with additional features such as providing of service roads, bypasses, underpasses, flyovers and bridges so as to enhance operational and safety in general. The total non-forest area involved in the project is 100.090 ha. The length-wise distribution of the project is 38.83 kms. The existing carriageway width for the project road is 7.00 m. From the traffic data and the probable future growth both commercial and non-commercial, expected in the particular road section, economic benefits to the residing population as the area being tourist prone and lies in between Mumbai, Ratnagiri and Goa, all being the most sought after destinations, to shorten the travel time and for better connectivity with important developments taking place in that section. It has been decided that the pavement shall be upgraded as per the cross sections and the manual of specification and standards for Four laning of Highways. Improvement have been proposed for all the junctions along the proposed project road. This project involves five major junction in the urban influence area/ rural area of the proposed road are as under-

Table-I

Sr. No	Existing Chainage (km)	Type of Junction	Side		Remarks
			LHS	RHS	
1	369.7	3-Arm	L.H.S	--	Kolhapur (SH-114)
2	384.35	3-Arm	--	--	Kolhapur
3	392.4	4-Arm	L.H.S	R.H.S	Kolhapur (L)/ Devgad (R)
4	400.5	3-Arm	L.H.S	--	Kolhapur

The Project is administratively approved by Government of India, Ministry of Road Transport and Highways Notification published in the Gazette of India vide No.RW/NH-37015/21/2016/NHDP-IVA, dt. 25/11/2016. Because of the project, over all road safety situation will be improved. There will be decrease in road traffic accidents immediately after implementation of the project. The site inspection

report of Deputy Conservator of Forests, Sawantwadi Forest Division, Sawantwadi is enclosed on page no.40 to 41 . Summarily, widening of the project road will have following benefits.

- a) To accelerate regional economic development in terms of industry, tourism and agriculture.
 - b) The proposed Highway links the State of Goa to Maharashtra at the same time joins the Mumbai Metropolis thus becoming the de facto base for the extensive development of the two States.
 - c) To reduce vehicle operating and maintenance costs by improving road conditions.
 - d) To reduce travel time by minimizing congestion in urban stretches and providing a four lane facility over there.
 - e) To minimize road accidents by increasing road widths, improving intersections and road geometry.
 - f) The project may also generate local employment opportunities through the construction activities and local business.
 - g) Abatement of ambient air and noise pollution in comparison to a do nothing situation.
- 1) The proposed project area belongs to Eco value class I and having density of forest 0.4.
 - 3) The Deputy Conservator of Forests, Sawantwadi Forest Division, Sawantwadi has certified that the no alternate alignment is possible and the forest land required is the barest minimum.
 - 5) There are 713 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.		
31-60 cm	Above 60 cm	Total
270	443	713

- 6) There is no violation of Forest (Conservation) Act 1980 as certified by the Deputy Conservator of Forests, Sawantwadi Forest Division, Sawantwadi.
- 7) 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, Sawantwadi Forest Division, Sawantwadi .
- 8) The Deputy Conservator of Forests, Sawantwadi Forest Division, Sawantwadi has certified that the proposed project is beyond 10 km of the boundaries of the Protected area Sanctuary and National Park).
- 9) The Project Authority has submitted an undertaking to defray the cost of Net Present Value of the forest land proposed for diversion.
- 10) The User Agency has agreed to defray the cost of Compensatory Afforestation.
- 11) The Deputy Conservator of Forests, Sawantwadi Forest Division, Sawantwadi has certified that the proposed site is not likely to affect any monuments site of cultural, historical, religious archeological or recreational importance.

- 12) The Deputy Conservator of Forests, Sawantwadi Forest Division, Sawantwadi 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.
- 13) The Deputy Conservator of Forests, Sawantwadi Forest Division, Sawantwadi has given suitability certificate for 7.00 ha. degraded forest land in Survey no. 271, 273, 275 of village Amboli (Nagartash) Tal. Sawantwadi, Distt. Sindhudurg as alternate and it is contiguous to forest area, suitable for afforestation and free from encroachment and encumbrances.
- 14) The User Agency has submitted the certificate of Collector, Sindhudurg under Schedule Tribes and Other Traditional Forest Dweller's (Recognition of Forest Rights) Act 2006 issued vide letter No.GAD-37/80/2013, dt.20/1/2018 in prescribed format Form I as per Government of India guidelines dated. 5/7/2013 with all annexures as required.
- 15) The Deputy Conservator of Forests, Sawantwadi Forest Division, Sawantwadi and the Chief Conservator of Forest (T), Kolhapur, Circle have recommended the proposal for diversion of 3.4959 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 7.00 ha. degraded forest land in Survey no. 271, 273, 275 of village Amboli (Nagartash) Tal. Sawantwadi, Distt. Sindhudurg.
- iii) The User Agency will defray the cost of Net Present Value of 3.4659 ha. 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 713 trees in the proposed area. ~~However, minimum number of trees will be felled, the user agency shall pay the cost for~~ afforestation of saplings 5 times number trees to be felled under the project at the site decided by Deputy Conservator of Forests, Sawantwadi Forest Division, Sawantwadi and the Chief Conservator of Forest (T), Kolhapur, Circle in the rainy season of 2018. Feasibility to transplant young trees shall also be explored and the DCF, Sawantwadi shall explore this possibility with the user agency and decide the spot for transplanting suitable trees separately marked.
- .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 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;
- xii) 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.
- xiii) 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.
- xiv) 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.
- xv) Vacant spaces in Toll Plaza premises to be suitably painted with wildlife and forestry theme at the cost of NHAI.
- xvi) 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 3.4659 ha. of forest land under Section - 2 of the Forest (Conservation) Act, 1980 for Construction of upgradation existing 2 lane of NH-66 to 4 lane configuration starts from Talegaon to Kalmat between Km 367/200 to Km 406/030 in Sindhudurg, District (under NHDP Phase-IV under) in the State of Maharashtra.

No. : Desk-17/NC/I.I.D- / 2582/17-18
Nagpur - 440 001, Dated : 01/02/2018

To,
The Additional Principal Chief Conservator of Forests (Central),
Ministry of Environment, Forests, and Climate Change,
Regional Office, Ground Floor, East Wing,
New Secretariat Building,
Civil Lines, Nagpur-440001.

Sir,

The Executive Engineer, National Highway Division, Ratnagiri, Maharashtra has submitted proposal for diversion of 3.4659 ha. of forest land under Section - 2 of the Forest (Conservation) Act, 1980 for Construction of upgradation existing 2 lane of NH-66 to 4 lane configuration starts from Talegaon to Kalmat between Km 367/200 to Km 406/030 in Sindhudurg, District (under NHDP Phase-IV under) in the State of Maharashtra. The details of forest land proposed for diversion is as given below: -

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Total Forest Area		3.4659	

The Project has been initiated by Executive Engineer, National Highway Division, Ratnagiri, Maharashtra for approval under Forest (Conservation) Act, 1980. This project for construction of upgradation existing 2 lane of NH-66 to 4 Lane configuration under NHDP Phase-IV starts from Talegaon to Kalmat between Km 367/200 to Km 406/030 in Sindhudurg, District) in the State of Maharashtra. The proposed envisages widening of existing two lane highway to four lane configuration with additional features such as providing of service roads, bypasses, underpasses, flyovers and bridges so as to enhance operational and safety in general. The total non-forest area involved in the project is 100.090 ha. The length-wise distribution of the project is 38.83 kms. The existing carriageway width for the project road is 7.00 m. From the traffic data and the probable future growth both commercial and non-commercial, expected in the particular road section, economic benefits to the residing population as the area being tourist prone and lies in between Mumbai, Ratnagiri and Goa, all being the most sought after destinations, to shorten the travel time and for better connectivity with important developments taking place in that section. It has been decided that the pavement shall be upgraded as per the cross sections and the manual of specification and standards for Four laning of Highways. Improvement have been proposed for all the junctions along the proposed project road. This project involves five major junction in the urban influence area/ rural area of the proposed road are as under-

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The Project is administratively approved by Government of India, Ministry of Road Transport and Highways Notification published in the Gazette of India vide No.RW/NH-37015/21/2016/NHDP-IVA, dt. 25/11/2016. Because of the project, over all road safety situation

will be improved. There will be decrease in road traffic accidents immediately after implementation of the project. The site inspection report of Deputy Conservator of Forests, Sawantwadi Forest Division, Sawantwadi is enclosed on page no. 40 to 41. Summarily, widening of the project road will have following benefits.

- a) To accelerate regional economic development in terms of industry, tourism and agriculture.
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- e) To minimize road accidents by increasing road widths, improving intersections and road geometry.
- f) The project may also generate local employment opportunities through the construction activities and local business.
- g) Abatement of ambient air and noise pollution in comparison to a do nothing situation.

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 I and having density of forest 0.4.
- 6) The Deputy Conservator of Forests, Sawantwadi Forest Division, Sawantwadi has certified that the no alternate alignment is possible and the forest land required is the barest minimum.
- 7) There are 713 trees of various species and trees is involved in implementation of the Project. The Girth wise break up is as under:-

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- 11) The Project Authority 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.
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- 14) The Deputy Conservator of Forests, Sawantwadi Forest Division, Sawantwadi 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.
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- 16) The user agency has submitted the certificate of Collector, Sindhudurg under Schedule Tribes and Other Traditional Forest Dweller's (Recognition of Forest Rights) Act 2006 issued vide letter No.GAD-37/80/2013, dt.20/1/2018 in prescribed format Form I as per Government of India guidelines dated. 5/7/2013 with all annexure as required.
- 17) The Deputy Conservator of Forests, Sawantwadi Forest Division, Sawantwadi and the Chief Conservator of Forest (T), Kolhapur, Circle have recommended the proposal for diversion of 3.4959 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 7.00 ha. degraded forest land in Survey no. 271, 273, 275 of village Amboli (Nagartash) Tal. Sawantwadi, Distt. Sindudurg.
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- 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 713 trees in the proposed area. However, minimum number of trees will be felled. the user agency shall pay the cost for afforestation of saplings 5 times number trees to be felled under the project at the site decided by Deputy Conservator of Forests, Sawantwadi Forest Division, Sawantwadi and the Chief Conservator of Forest (T), Kolhapur, Circle in the rainy season of 2018. Feasibility to transplant young trees shall also be explored and the DCF, Sawantwadi shall explore this possibility with the user agency and decide the spot for transplanting suitable trees separately marked.
- 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 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;
- xii) 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.
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- xiv) 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.
- xv) Vacant spaces in Toll Plaza premises to be suitably painted with wildlife and forestry theme at the cost of NHAI.
- xvi) 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 3.4659 ha. of forest land under Section - 2 of the Forest (Conservation) Act, 1980 for Construction of upgradation existing 2 lane of NH-66 to 4 lane configuration starts from Talegaon to Kalmat between Km 367/200 to Km 406/030 in Sindhudurg, District (under NHDP Phase-IV under) in the State of Maharashtra, under section 2 (ii) of the Forest (Conservation) Act, 1980.

Encl. :- Proposal 3 copies

Yours faithfully,


01.02.18

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

Copy submitted to The Secretary (Forests), Revenue & Forest Department, Mantralaya,
Mumbai – 400032 for information.

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

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

Copy to The Executive Engineer, National Highway Division, Ratnagiri for information.