

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 7.62 ha. of forest land for Construction of Two lane road with paved shoulder from Hadgaon-Tamsa-Bhokar-Umri-Karegaon-Lohgaon SH-251 Chainage 0/000 to 89/221 on Hybrid Annuity in Nanded District in the State of Maharashtra.

Area Statement for (AU-107) SH-251 Hadgaon-Tamsa-Bhokar-Umri-Karegaon-Lohgaon CH-0/00 to 89/221													
Sr. No	Purpose Upgradation/ Existing Chainage		Chainage		Village Name	Forest Copt. No	Survey No	Gut No.	Forest Area Required				
			from	To					Lt (Mtr)	Wt (Mtr)	Area (Sq. Mtr)	Area (in Ha)	Legal Status
1	19+550	to	19+550	20+050	Shiv puri	350 b	12	28	500	30	15000	1.50	R.F
2	25+200	to	25+200,	25+650,	Ghogari (Tayachi wadi)	348	70	33	450	30	13500	1.35	R.F
	26+100	to	26+100	27+100					100	30	30000	3.00	
3	27+100	to	27+100	27+280	Dhawari Bujurg	354 A	18/3	29	180	30	5400	0.54	R.F
	27+410	to	27+410	27+690					280	30	8400	0.84	
4	27+280	to	27+280	27+410	Dhawak Kh.	353	14	87	130	30	3900	0.39	R.F
Total									2540	30	76200	7.62	

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



**(Naresh Zurmure)
Additional Principal Chief Conservator of Forests
& Nodal Officer**

Date: 08/09/2022

Place:- Nagpur

Proposal for Diversion of 7.62 ha. of forest land for Construction of Two lane road with paved shoulder from Hadgaon-Tamsa-Bhokar-Umri-Karegaon-Lohgaon SH-251, Chainage 0/000 to 89/221 on Hybrid Annuity in Nanded District in the State of Maharashtra.

Specific Recommendation of Principal Chief Conservator of Forests, Maharashtra State (Head of Forest Force) Maharashtra State, Nagpur with regards to acceptance or otherwise of the proposal supported by reasons.

- 1) The project has been initiated by the Executive Engineer, Public Work Division PWD Campus, Bhakar, Dist. Nanded for diversion of 7.62 ha. of forest land for Construction of Two lane road with paved shoulder from Hadgaon-Tamsa-Bhokar-Umri-Karegaon-Lohgaon SH-251, Chainage 0/000 to 89/221 on Hybrid Annuity in Nanded District in the State of Maharashtra.
- 2) The detailed area statement of forest land is shown as under:- (P-4-5)

Area Statement for (AU-107) SH-251 Hadgaon-Tamsa-Bhokar-Umri-Karegaon-Lohgaon CH-0/00 to 89/221												
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3	27+100 to 27+280	27+100	27+280	Dhawari Bujurg	354 A	18/3	29	180	30	5400	0.54	R.F
	27+410 to 27+690	27+410	27+690					280	30	8400	0.84	
4	27+280 to 27+410	27+280	27+410	Dhawark Kh.	353	14	87	130	30	3900	0.39	R.F
Total								2540	30	76200	7.62	

- 3) The total non-forest area involved in the project is 256.09 ha. (P-7 to 9). The site inspection report of the Deputy Conservator of Forests, Nanded Forest Division, Nanded is enclosed in the proposal file on page no.44 to 46.
- 4) The User Agency has given justification for locating the project in forest land that (AU-107) Construction of Two Lane Road with paved Shoulders from Hadgaon-Tamsa-Bhokar-Umri-Karegaon-Lohgaon SH-251, Chainage 0/00 to 89/221 on Hybrid Annuity in Nanded District. The Government of Maharashtra has taken up a massive programme of up-gradation and development of existing two-lane State Highways. This stretch passes through Nanded district. The Nanded district is foremost players in tourism and aided industry along with agricultural. It is a need of an hour for better transportation facilities to cope up with future demands. This state highway connects to other State highways. Considering all the major factors, the Government has taken a policy decision of developing this state highway for better and safe transportation. This entire stretch

starting from Hadgaon CH-0/00 and ends at Lohgaon CH-89/221 provides connectivity to various important religious places, Sugarcane factories, important places of trades, other national and state highways. This project shall help in achieving the following objectives amongst others. 1) Easy and fast transfer between modes. 2) Cost saving over development of separate corridors for each transportation & utility supply modes. 3) Reduction of Pollution. 4) High speed of movement, faster connectivity and subsequent speedy disposal of vehicle. (P-24)

5) The Deputy Conservator of Forests, Nanded Forest Division, Nanded and the Chief Conservator of Forests (T), Aurangabad have recommended the proposal for diversion of 7.62 ha. of forest land. (P-154 to 155 and 159)

6) The Deputy Conservator of Forests, Nanded Forest Division, Nanded has certified that:-

6.1) No suitable alternate non-forest land is available and demand for the forest land is minimum. (P-30)

6.2) The proposed project has not been started in the forest land as well as in non-forest land and no violation of the Forest (Conservation) Act, 1980 or its guidelines has been committed. (P-31)

6.3) Proposed Compensatory Afforestation over 7.62 ha. Non-Forest land at Village-Gundawal, Tehsil-Mahur, Range-Mahur Survey/Gut No.70. This area is suitable for afforestation and management purpose and also it is free from encroachment. (P-32)

6.4) Proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance. (P-35)

6.5) Proposed area is not included in National Park, Wild Life Sanctuary or Nature Reserve. (P-36)

6.6) The proposed area belongs to Eco value class-III, Dense Forest having density below 0.4 (P-37 and 44)

6.7) There are 1286 trees cutting and felling involved in the project. (P-38)

Girth wise details is as under:- (P-162-163)

15-30	31-45	46-60	61-75	76-90	91-105	106-120	121-135	136-150	151-Above	Total
435	384	226	85	85	44	17	2	5	3	1286

6.8) The Painganga Wildlife Sanctuary is at an approximate distance of 38.40 km. from area proposed for diversion. (P-39)

6.9) The project is extremely site-specific and no alternative non-forest land can be used for the propose (P-40)

6.10) CA Scheme for Ten years. (P-49 to 57)

7) The User Agency has submitted the following undertaking/Certificate/documents:-

- 7.1) Agreed to bear the cost of exploitation of felling of trees and their allied works in forest land. (P-85)
- 7.2) Agreed to bear the cost of Compensatory afforestation. (P-86)
- 7.3) Agreed to bear the cost of Net Present Value. (P-88)
- 7.4) Copy of Technical approval issued by the Chief Engineer, PWD, Aurangabad vide letter No.MUAO/2017-18/KA-9 , dt.03/11/2017 . (P-100 and 105 to 107)
- 7.5) Copy of Administrative approval issued by Government of Maharashtra, Department of Public Works, vide Government Resolution No.PLN-2016/CR(2416)/NI-3, dt.30/11/2016 and 17/03/2017 (P-105 and 108 to 113)
- 7.6) User Agency has not submitted the FRA-2006 Certificate, However, submitted the undertaking stating that required certificate will be submitted to Forest Department after Collector Nanded will be submitted after stage-I Compliance. (P-130)
- 7.8) The KML file of the proposed diverted area and C.A area is placed in the file at the top.


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

- 8.1) The legal status of the forest land required will remain unchanged.
- 8.2) Forest land will be handed over only after required non-forest land for the project is handed over to the User Agency.
- 8.3) Compensatory afforestation shall be taken up by the Forest Department over 7.62 ha. Non-Forest land at Village-Gundawal, Tehsil-Mahur, Range-Mahur Survey/Gut No.70 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.
- 8.4) 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.
- 8.5) The State Government shall charge the Net Present Value (NPV) for the 7.62 ha. forest area to be diverted under this proposal from the User Agency as per the Government of India guidelines dated 06/01/2022, 19/01/2022 and 22/03/2022.
- 8.6) 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

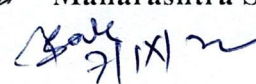
from the User Agency. The User Agency shall furnish an undertaking to this effect.

- 8.7) For violation of the Forest (Conservation) Act, 1980 the User Agency shall pay 5 times Penal NPV as per para 1.21 of Handbook of guidelines issued vide Central Government letter dated 28/03/2019.
- 8.8) 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.
- 8.9) All the funds received from the user agency under the project shall be transferred/deposited to CAMPA fund only through e-portal (<http://parivesh.nic.in/>)
- 8.10) The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
- 8.11) User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.
- 8.12) The layout plan of the proposal shall not be changed without prior approval of Central Government.
- 8.13) No labour camp shall be established on the forest land.
- 8.14) 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.
- 8.15) 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.
- 8.16) No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- 8.17) 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.
- 8.18) The forest land shall not be used for any purpose other than that specified in the project proposal.
- 8.19) The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Government of India.
- 8.20) 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 Guidelines F.No.11-42/2017-FC, dated 29/01/2018.

- 8.21) 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.
- 8.22) The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>)


(Dr. Y.L.P Rao)
Principal Chief Conservator of Forests
(Head of Forest Force)
Maharashtra State, Nagpur

o/c
7/9/22


7/11/22

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 7.62 ha. of forest land for
Construction of Two lane road with paved shoulder from
Hadgaon-Tamsa-Bhokar-Umri-Karegaon-Lohgaon SH-
251, Chainage 0/000 to 89/221 on Hybrid Annuity in
Nanded District in the State of Maharashtra.

No. : Desk-17/Nodal/Aurangabad/ID-13778/1437/2022-23
Nagpur – 440 001, Dated. 08/09/2022

To,
The Principal Secretary (Forests),
Revenue & Forest Department,
Mantralya, Mumbai – 400032

Sir,

The project has been initiated by the Executive Engineer, Public Work Division PWD Campus, Bhakar, Dist. Nanded for diversion of 7.62 ha. of forest land for Construction of Two lane road with paved shoulder from Hadgaon-Tamsa-Bhokar-Umri-Karegaon-Lohgaon SH-251, Chainage 0/000 to 89/221 on Hybrid Annuity in Nanded District in the State of Maharashtra. The detailed area statement of forest land is shown as under:- (P-4-5)

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2) 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 one copies.

- 2.1 Prescribed form dated 10/01/2003.
 - 2.2 Certificate regarding minimum demand of forest land for the project,
 - 2.3 Area Statement,
 - 2.4 Index map in suitable scale.
- 3) The total non-forest area involved in the project is 256.09 ha. (P-7 to 9). The site inspection report of the Deputy Conservator of Forests, Nanded Forest Division, Nanded is enclosed in the proposal file on page no.44 to 46.
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- 8.5) The State Government shall charge the Net Present Value (NPV) for the 7.62 ha. forest area to be diverted under this proposal from the User Agency as per the Government of India guidelines dated 06/01/2022, 19/01/2022 and 22/03/2022.
- 8.6) 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.
- 8.7) For violation of the Forest (Conservation) Act, 1980 the User Agency shall pay 5 times Penal NPV as per para 1.21 of Handbook of guidelines issued vide Central Government letter dated 28/03/2019.
- 8.8) 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.
- 8.9) All the funds received from the user agency under the project shall be transferred/deposited to CAMPA fund only through e-portal (<http://parivesh.nic.in/>)
- 8.10) The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
- 8.11) User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.
- 8.12) The layout plan of the proposal shall not be changed without prior approval of Central Government.
- 8.13) No labour camp shall be established on the forest land.
- 8.14) 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.
- 8.15) 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.
- 8.16) No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- 8.17) 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.
- 8.18) The forest land shall not be used for any purpose other than that specified in the project proposal.
- 8.19) The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Government of India.
- 8.20) 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 Guidelines F.No.11-42/2017-FC, dated 29/01/2018.
- 8.21) 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.
- 8.22) The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>)

9.0 It is therefore, requested that Government of Maharashtra may kindly be moved for approving the diversion of 7.62 ha. of forest land for Construction of Two lane road with paved shoulder from Hadgaon-Tamsa-Bhokar-Umri-Karegaon-Lohgaon SH-251, Chainage 0/000 to 89/221 on Hybrid Annuity in Nanded District in the State of Maharashtra under section 2 (ii) of the Forest (Conservation) Act, 1980.

Encl. :- (Proposal in 1 copies)

Yours sincerely



(Naresh Zurmure)

Addl. Principal Chief Conservator of Forests
& Nodal Officer

Copy forwarded for information to:-

1. The Deputy Director General (Central), Government of India, Ministry of Environment, Forest & Climate Change, Integrated Regional Office (WCZ), Ground Floor, East Wing, New Secretariat Building, Civil Lines, Nagpur-440001. (Along with 1 proposal copy)
2. The Chief Conservator of Forests (T.), Aurangabad.
3. The Deputy Conservator of Forests, Nanded Forest Division, Nanded.
4. The Deputy Executive Engineer P.W.D.Division, Nanded Behind Government Rest House Sneh Nagar, Nanded 432602.