

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 28.667 ha. of Forest land under Section - 2 of the Forest (Conservation) Act, 1980 for Rehabilitation of Nagpur-Umred-Nagbhir, Brahmapuri-Armori section of NH-353D in the State of Maharashtra to two/four lane with paved shoulder (package-IA Start km 7.300 to End Km 48.400) (FP/MH/ROAD/34146/2018). The details of land proposed for diversion is as under-

Sr. No.	Purpose	Village	Compt No.	Survey No.	Area (in ha.)	Legal Status
1	Rehabilitation of Nagpur-Umred-Nagbhir, Brahmapuri-Armori section of NH-353D	Bhivapur	43-PF & 404-RF	----	4.800	Reserved Forest
			----	147	0.012	Zudpi Jungle (FD)
			----	24	0.4095	Zudpi Jungle (RD)
			----	139	0.08	Protected Forest
			356-PF	17	1.3685	FDCM
				30	0.81	
2		Pachgaon	328-PF	446	0.81	Protected Forest
				447	0.621	
				459	0.588	
3		Champa	348-PF	168	0.5405	Protected Forest
				169	0.1058	
				167	0.7032	
				178	0.027	Zudpi Jungle (RD)
				70	0.207	
				166	0.078	
				160	0.0084	
				156	0.0325	
				48	0.0805	
4		Uti		49	0.115	Zudpi Jungle (FD)
				----	119	
				----	0.042	
5		Ukarwahi	370-PF	64	1.188	Protected Forest
				66	0.18	
				98	0.572	
				132/1	0.325	
				127	0.225	
				106	1.15	
			-----	92	0.0384	Zudpi Jungle (RD)

6		Udasa	385-PF	38	2.6595	Protected Forest
				44	3.1225	
			-----	36	0.0585	Zudpi Jungle (RD)
			-----	45	0.2400	
			-----	47	0.042	
			-----	48	0.135	
7		Khapri (Raja)	----	76/1	1.6575	Zudpi Jungle notified under Section-4 of IFA, 1927
			-----	86	0.4872	Zudpi Jungle (FD)
			-----	87	0.979	Zudpi Jungle (RD)
8		Davalimeth	----	1/1	1.5065	Zudpi Jungle notified under Section-4 of IFA, 1927
			-----	18	1.625	Zudpi Jungle (FD)
9		Welsakhara	-----	209	0.285	Zudpi Jungle (RD)
	-----		212	0.06		
10	Gangapur	-----	10	0.336	Zudpi Jungle (RD)	
		-----	11	0.18		
11	Umrer	-----	517	0.056	Zudpi Jungle (RD)	
		-----	514	0.12		
Total Forest land (in ha.)				28.6670		

The abstract of proposed forest area is as under:-

Sr. No	Purpose	Legal Status	Area (ha)
1	Rehabilitation of Nagpur-Umred-Naghbir, Brahmapuri-Armori section of NH-353D	Reserved Forest	4.8000
2		Protected Forest	12.8705
3		Zudpi Jungle notified under Section-4 of IFA, 1927	3.1640
4		Zudpi Jungle (FD)	2.1662
5		Zudpi Jungle (RD)	3.4878
6		FDCM	2.1785
Grand Total			28.6670

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

(G Sai Prakash) *[Signature]* 13/7

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

Date: 13/7/2017

Place: Nagpur

[Signature] 13/07

Proposal for diversion of 28.667 ha. of Forest land under Section - 2 of the Forest (Conservation) Act, 1980 for Rehabilitation of Nagpur-Umred-Nagbhir, Brahmapuri-Armori section of NH-353D in the State of Maharashtra to two/four lane with paved shoulder (package-IA Start km 7.300 to End Km 48.400) (FP/MH/ROAD/34146/2018)

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

The proposal is for diversion of 28.667 ha. of Protected Forest/Reserved Forest/Zudpi Jungle land under Section - 2 of the Forest (Conservation) Act, 1980 for Construction of Nagpur-Umred-Nagbhir, Brahmapuri-Armori section of NH-353D in the State of Maharashtra to two/four lane with paved shoulder (package-IA Start km 7.300 to End Km 48.400). The detailed area statement is shown as under-

Sr. No.	Purpose	Village	Compt No.	Survey No.	Area (in ha.)	Legal Status
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Total Forest land (in ha.)					28.6670					

The abstract of proposed forest area is as under:-

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6		FDCM	2.1785
Grand Total			28.6670

The proposal has been initiated by Project Director, NHAI, PIU, Nagpur for Construction of Nagpur-Umred-Naghbir, Brahmapuri-Armori section of NH-353D in the State of Maharashtra to two/four lane with paved shoulder (package-IA Start km 7.300 to End Km 48.400)) under Forest (Conservation) Act, 1980. This project road predominantly has a carriageway width ranging from

intermediate to two lane configurations with earthen shoulder 0.5 to 1.5 m on both sides except at a few locations. Paved shoulders are observed at cope up with the increasing traffic. Being a national highway, the project road requires minimum up gradation to two lane with paved shoulder configuration. Entire length of the stretch passes through plain terrain, this section has gentle horizontal geometry mostly straight. Vertical geometry needs substantial improvement to met HFL criteria as per IRC SP 73 2015. Inadequate carriageway width and lack of adequate safety appurtenances including including highway lighting at build up areas are major causes for accident along the stretch. The junctions present at the built-up areas are lacking channelization, signs, place identification boards, marking and maintenance. The pedestrian crossing facilities such as zebra crossings and signs are nowhere observed.

The total length of the project stretch is 41.100 km of which 13.595 km is passing through forest area. The proposed widening requires diversion of 28.667 ha. of forest land in Pachgaon, Khapri, Vihir-Gaon, Dawlimet, Champa, Uti, Bhiwapur, Ukadwahi, Welsakhara, Udasa, Gangapur & Umred Tahil Nagpur, Kuhi & Umred District Nagpur. 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-6/12037/91/2015-MAH (P-6.),dt.29/04/2016. The project is demarcated on Survey of India Top sheet No. 55P/5 and the village wise forest area lies within Latitude and Longitude is 20°56'45.04" and 79°14'41.51" to 20°56'43.3" and 79°14'40.6". The site inspection report of the Deputy Conservator of Forests, Nagpur Division, Nagpur is enclosed on page no.67 to 68.

- 2) The area belongs to Eco-value class-III and having density 0.20 of Southern Tropical Dry Deciduous Forests.
- 3) The Deputy Conservator of Forests, Nagpur Forest Division, Nagpur has certified that no alternate alignment is possible and the forest land required is the lowest minimum.
- 4) There are 1508 trees of various species and girth in the area proposed for diversion. Girth class wise abstract is given as under:-

Girth	15/22 cm.	22/30 cm.	31/45 cm.	46/60 cm.	61/75 cm.	76/90 cm.	91/105 cm.	106/120 cm.	121/135 cm.	136/150 cm.	Above 150 cm.	Total
Total	764	126	195	203	84	52	26	25	13	10	10	1508

- 5) The Deputy Conservator of Forests, Nagpur Forest Division, Nagpur has certified that the proposed project is beyond the boundary of Eco Sensitive Zone of Umred-Karhandla Wildlife Sanctuary.
- 6) The proposed area does not form part of any existing National Park, Wildlife Sanctuary, and Nature Reserve etc. as certified by the Deputy Conservator of Forests, Nagpur Forest Division, Nagpur
- 7) The Deputy Conservator of Forests, Nagpur Forest Division, Nagpur has certified that proposed project is not likely to affect monumental site of cultural, historical, religious, archeological or recreational importance.
- 8) The Deputy Conservator of Forest Nagpur Forest Division, Nagpur has given suitability certificate for 58.014 ha in compartment No.403-RF village North Umred, Umred/Nagpur taluka & District for rehabilitation and upgradation of NH-353D Nagpur Umred Section Km. 7.300 to 48.00 (Package-1A)

and found it to be suitable for afforestation and management and, it is free from encroachment and any encumbrances.

- 9) The Deputy Conservator of Forests, Nagpur Forests Division, Nagpur 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 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.
- 10) There is no violation of Forest (Conservation) Act 1980, as certified by the Deputy Conservator of Forests, Nagpur Division, Nagpur
- 11) The User Agency has given an undertaking to defray the cost of Net Present Value.
- 12) The User Agency has agreed to defray the cost of compensatory afforestation over 28.667 ha Forest land.
- 13) The User Agency shall obtain environmental clearance, if required.
- 14) The User Agency has submitted the certificates of Collector, Nagpur under Schedule Tribes and Other Traditional Forest Dweller's (Recognition of Forest Rights) Act 2006 issued vide letter No.Rev/B-1-a/C.R.20/W.S.1077/2018, dt.12/07/2018 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, Nagpur Division, Nagpur and the Chief Conservator of Forests (T), Nagpur Circle have recommended the proposal for diversion of 28.667 ha. of forest land.

In view of this, the proposal is recommended for approval under section 2 (ii) subject the following conditions.

- i) The legal status of the land required will remain unchanged.
- ii) Compensatory Afforestation will be raised at the cost of User Agency on 58.014 ha in compartment No.403-RF village North Umred, Umred/Nagpur taluka & District for rehabilitation and upgradation of NH-353D Nagpur Umred Section Km. 7.300 to 48.00 (Package-IA).
- iii) The User Agency will defray the cost of Net Present Value of 26.877 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) Vehicles and persons of Forest Department should be allowed access on the road free of any sort of fee / toll.
- vi) The User Agency will defray the cost of removal of 1508 trees in the proposed area. However, minimum number of trees will be felled.
- vii) The forest land shall not be used for any purpose other than specified in the proposal;
- viii) Ex-situ conservation of endemic species of flora/fauna lost/disturbed in the process of execution of the project may be ensured;
- viii a) The user agency shall obtain the Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.
- b) Tree felling by F.D.C.M

- ix) 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.
- x) All necessary precautions should be taken to protect the area from fire.
- xi) The User Agency will undertake comprehensive soil conservation measures at the project cost in consultation with the State Forest Department.
- xii) 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;
- 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**