

Proposal for diversion of 2.40 ha. ha. forest land for Rehabilitation and Upgradation of the Newly Declared National Highway Pandharpur to Sangola (NH-204). Gairan Identified Forest Gut No.2109, at Village Kasegaon, Tal. Pandharpur, Dist. Solapur in the State of Maharashtra (FP/MH/Road/53459/2020)

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.

The proposal is for diversion of 2.40 ha. ha. forest land for Rehabilitation and Upgradation of the Newly Declared National Highway Pandharpur to Sangola (NH-204). Gairan Identified Forest Gut No.2109, at Village Kasegaon, Tal. Pandharpur, Dist. Solapur in the State of Maharashtra (FP/MH/Road/53459/2020)

2.00 The details of the forest land proposed for diversion are as under:-

P/17

Sr. No	Item work purpose	Name of Village	District	Gut /Survey No.	Length (M)	Width (M)	Area (in ha)	Legal Status
1	Rehabilitation and Upgradation of the Newly Declared National Highway Pandharpur to Sangola (NH-204). Gairan Identified Forest Gut No.2109, at Village Kasegaon, Tal. Pandharpur, Dist. Solapur in the State of Maharashtra	Kasegaon, Tal. Pandharpur	Solapur	2109	800	30	2.40	Un-class Forest (Gairan inposion of Forest Department)
Forest Area (in ha.)							2.40	

3.00 The proposal has been initiated by the Executive Engineer, MSRDC, Pune for seeking approval under Forest (Conservation) Act, 1980. The User Agency has certified that the forest land admeasuring 2.40 ha is the minimum demand for the project. The project is for reconstruction of newly declared NH-204 Pandharpur-Sangola to Two lane with paved shoulders. It starts from Pandharpur at X- junction (with Kasadgaon railway road at RHS and Pandwad at LHS) and ends at the 3 legged junction with Solapur-Kolhapur Road (NH-204) at Patil chowk in Sangola with design length of 31+158 km (Km 48+375 to Km 79+533) to two lane with paved shoulders in the State of Maharashtra. The Forest land admeasuring 2.4 ha. is the minimum demand for the project. The details of the needs and benefits formthe Project area as follows:-

P/4

1. This road connectivity can reduce travel time, lower the cost of vehicle use, increase access to market, jobs education and health service and reduce transport costs for both freight and passengers. Thus helping development of industries in the area in the vicinity of the project.

2. The project is seen as a major generator of economic momentum, and shall benefit in a very significant way through better access and connectivity to big cities and instrial estates.
3. The project is conjunction with other state policies and initiative is expected to assist to Industrial Devleopment Bottlenecks, reduce transportation cost, and thereby benefit all sections of the society.
4. The foremost benefit for the local communities would be the increased levels of income.

The total non forest involved in project is 8.6741 ha. The site inspection report of the Deputy Conservator of Forests, Solapur Forest Division, Solapur is enclosed on page no.25 to 27.

4.00 The Deputy Conservator of Forests, Solapur Forest Division, Solapur has certified that:-

- 4.1 no suitable alternate non forest land is available other then proposed and the demand for the forest land is barest minimum (P/47) .
- 4.2 the area belongs to Eco-value class-III, having density is below 0.3 comes under Unclass Forest (P/65).
- 4.3 There are 106 trees of various species and trees is involved in implementation of the Project. The Girth wise break up is as under:- (P/66 to 68)

Tree Girth in Cm.					
15-60 cm	61-90 cm	91-120 cm	121-150 cm	Above 150 cm	Total
22	46	13	11	14	106

- 4.4 the area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc (P/62).
- 4.5 proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance (P/61).
- 4.6 there is no violation of Forest (Conservation) Act 1980 (P/52).
- 4.7 proposed project is not within 10 km from the boundary of the Sanctuary and National Park (P/63)
- 4.8 the 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 (P/60).
- 4.9 and proposed Compensatory Afforestation over 4.800 double degraded forest land, in Gut No.19, Village-Nali, Taluka-Pandharpur, Division Solapur Dist. Solapur and it is contiguous, suitable for afforestaion and management purpose and it is free from encroachment and an encumbrances (P/57).

5.00 The User Agency has submitted an undertaking that:-

- 5.1 to defray the cost of compensatory afforestation (P/50).
- 5.2 to defray the cost of Net Present Value of the forest land proposed under diversion (P/64).

- 5.3 The user agency has submitted the certificates of Collector, Solapur for 2.40 ha forest under Schedule Tribes and Other Traditional Forest Dweller's (Recognition of Forest Rights) Act 2006 issued vide letter No. 2018/RB/Desk-4/3-B/RR/1187, dated 26/11/2018 in prescribed format (Form I) as per Government of India guidelines dated. 5/7/2013 (P/131).
- 5.4 Copy of the administrative approval accorded by Government of India, Ministry of Road Transport & Highways (Project Zone-6) letter No. NH-12014/93/2016-MAH(P-6), dated 27/01/2017 (P/141)
- 5.5 Copy of the Technical approval accorded by Government of India, Ministry of Road Transport & Highways (Project Zone-6) letter No. RW/NH/12014/93/2016-MAH, dated 25/01/2017 (P/143)
- 5.6 The Deputy Conservator of Forests, Solapur Forest Division, Solapur and Chief Conservator of Forest (T), Pune have recommended the proposal for diversion of 2.40 ha. of forest land (P/5 to 10).
- 6.00 **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: -**
- 6.1 The legal status of the forest land required will remain unchanged.
- 6.2 Forest land will be handed over only after required non-forest land for the project is handed over to the User Agency.
- 6.3 **Compensatory Afforestation :-**
- a) Compensatory afforestation shall be taken up by the Forest Department 4.800 double degraded forest land, in Gut No.19, Village-Nali, Taluka-Pandharpur, Division Solapur Dist. Solapur 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.
- 6.4 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.
- 6.5 **NPV:-**
- a) The State Government shall charge the Net Present Value (NPV) for the 2.40 ha. forest area to be diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 30/10/2002, 01/08/2003, 28/03/2008, 24/04/2008 and 09/05/2008 in IA No.566 in WP (C) No.202/1995 and as per the guidelines issued by the Ministry vide letters No.5-1/1998-FC (Pt.II), dated 18/09/2003 as well as letter No.5-2/2006-FC, dated 03/10/2006 and 5-3/2007-FC, dated 05/02/2009 in this regard.
- b) 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.

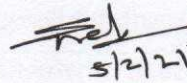
- 6.6 User Agency shall restrict the felling of trees to minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the User Agency with the State Forest Department.
- 6.7 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/>).
- 6.8 User Agency shall raise strip plantation on both sides and central verge of the road as per the IRC norms.
- 6.9 Speed regulating signage will be erected along the road at regular intervals in the Protected Areas/Forest Areas.
- 7.0 The user agency shall provide suitable under/over pass in Protected Area/ Forest Area as per recommendation of CWLW/NBWL/FAC/REC.
- 7.11 The layout plan of the proposal shall not be changed without prior approval of Central Government.
- 7.12 No labour camp shall be established on the forest land.
- 7.13 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.
- 7.14 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.
- 7.15 No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- 7.16 The forest land shall not be used for any purpose other than that specified in the project proposal.
- 7.17 It Shall be mandatory to provide underpass for safe crossing of wild animals:-
 - (a) The underpass shall have a minimum size of width 4.00 mt and Height 3.00 mt.
 - (b) Wherever natural cross drainage works are in existence, then no need to construct new underpass subject to existing structure nearly complying above mentioned dimensions, as suggested in (a) above.
 - (c) Wherever natural cross drainage works are in existence but as per engineering requirement, it is required to reconstruct then that structure shall comply with the minimum dimensions as suggested in (a) above.
 - (d) Interval between such underpasses shall not be more than 2.00 km
- 7.18 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.

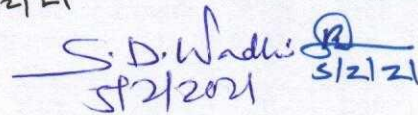
- 7.19 Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF&CC Guidelines F.No.11-42/2017-FC, dated 29/01/2018.
- 7.20 Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.
- 7.21 The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>)

(Dr. N Rambabu)

Principal Chief Conservator of Forests
(Head of Forest Force)

Maharashtra State, Nagpur


5/2/21


5/2/2021

PART -V

(To be filled in by the Secretary in charge of the Forest Department or any other authorized officer of the State Government not below the rank of under Secretary)

Sub.- Proposal for diversion of 2.40 ha. ha. forest land for Rehabilitation and Upgradation of the Newly Declared National Highway Pandharpur to Sangola (NH-204). Gairan Identified Forest Gut No.2109, at Village Kasegaon, Tal. Pandharpur, Dist. Solapur in the State of Maharashtra (FP/MH/Road/53459/2020). The details of land proposed for diversion is as under-

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Forest Area (in ha.)							2.40	

Recommended:

MoEF, Government of India, vide letter No.5-5/86-FC (Pt) dated 17/4/2000 has suggested to submit proposals for projects in social sector requiring forest area up to 5.00 Ha., directly to Government of India. Accordingly, Government of Maharashtra has delegated the power to the Nodal Officer, Maharashtra State vide No. FLD-1000/CR-187/F-10 dated 10/05/2000 to submit proposals less than 5.00 Ha. (excluding National Parks and Sanctuaries) directly to Regional Office, MoEF, Nagpur.


(Sanjeev Gaur)

Additional Principal Chief Conservator of Forests
& Nodal Officer

Date: 10/02/2021

Place: 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

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No. : Desk-17/NC/ID-1286/1203/20-21

Nagpur - 440 001, Dated :-

10/02/2021

To,

The Deputy Director General (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, MSRDC, Pune has submitted the proposal for diversion of 2.40 ha. ha. forest land for Rehabilitation and Upgradation of the Newly Declared National Highway Pandharpur to Sangola (NH-204). Gairan Identified Forest Gut No.2109, at Village Kasegaon, Tal. Pandharpur, Dist. Solapur in the State of Maharashtra. The details of forest land proposed for diversion is as given below: -

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- a) The State Government shall charge the Net Present Value (NPV) for the 2.40 ha. forest area to be diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 30/10/2002, 01/08/2003, 28/03/2008, 24/04/2008 and 09/05/2008 in IA No.566 in WP (C) No.202/1995 and as per the guidelines issued by the Ministry vide letters No.5-1/1998-FC (Pt.II), dated 18/09/2003 as well as letter No.5-2/2006-FC, dated 03/10/2006 and 5-3/2007-FC, dated 05/02/2009 in this regard.
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proposal.

7.17 It Shall be mandatory to provide underpass for safe crossing of wild animals:-

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7.19 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.

7.20 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.

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

9.00 It is therefore, requested that Government of India may kindly be moved for approving the proposal for diversion of 2.40 ha. ha. forest land for Rehabilitation and Upgradation of the Newly Declared National Highway Pandharpur to Sangola (NH-204). Gairan Identified Forest Gut No.2109, at Village Kasegaon, Tal. Pandharpur, Dist. Solapur in the State of Maharashtra under section 2 (ii) of the Forest (Conservation) Act, 1980.

Encl. :- Proposal 2 copies

Yours sincerely,

(Sanjeev Gaur)
Addl. Principal Chief Conservator of Forests
& Nodal Officer

[Signature]
10/2/21 10/2/21

[Signature]
10/2/2021

- Copy submitted to the Principal Secretary (Forests), Revenue and Forest Department, Mantralaya, Mumbai -32 for information.
- Copy to the Chief Conservator of Forest (T), Pune for information.
- Copy to the Deputy Conservator of Forests, Solapur Forest Division, Solapur for formation.
- Copy to the Executive Engineer, MSRDC, Pune for information.