

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 8.22 ha. of forest land under the Forest (Conservation) Act, 1980 for widening of Ambadi-Jawarla Road, MDR-94, chainage 00.00 km to chainage 6.850 km in Tal. Kinwat, District. Nanded in the State of Maharashtra.. The details of land proposed for diversion is as under-

Sr. No	Item of Work	Village	District	Survey /Gut No.	Comptt. No.	Area (in ha.)	Legal Status
1	Widening of Ambadi-	Jawarla	Nanded	94	143,145	4.08	Reserved Forest
2	Jawarla Road, MDR-94, Tal. Kinwat, District. Nanded	Ambadi		71	142,144	4.14	
Total Forest land						8.22	

Specific recommendation of Principal Chief Conservator of Forests (HoFF) MS Nagpur is attached on page no. 16

(Signature)
10.1

(G Sai Prakash)

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

Date: 10/01/2019

Place: Nagpur

Proposal for diversion of 8.22 ha. of forest land under the Forest (Conservation) Act, 1980 for widening of Ambadi-Jawarla Road, MDR-94, chainage 00.00 km to chainage 6.850 km in Tal. Kinwat, District. Nanded in the State of Maharashtra.

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

The proposal is for diversion of 8.22 ha. of forest land under the Forest (Conservation) Act, 1980 for widening of Ambadi-Jawarla Road, MDR-94, chainage 00.00 km to chainage 6.850 km in Tal. Kinwat, District. Nanded in the State of Maharashtra. The details of forest land proposed for diversion are as under:-

Sr. No	Item of Work	Village	District	Survey /Gut No.	Comptt. No.	Area (in ha.)	Legal Status
1	Widening of Ambadi-Jawarla Road, MDR-94,	Jawarla	Nanded	94	143,145	4.08	Reserved Forest
2	Tal. Kinwat, District. Nanded	Ambadi		71	142,144	4.14	
Total Forest land						8.22	

The forest land comprising of 4.14 ha in the proposal in Compartment no.142,144 in village Ambadi belongs to FDCM Ltd. The N.O.C for the same has been given by the FDCM Ltd vide letter No.3962, dt.3/1/2019.

The Project has been initiated by Executive Engineer, Public Works Division, Bhokar for approval under Forest (Conservation) Act, 1980. The widening of Ambadi-Jawarla Road, MDR-94, chainage 00.00 km to chainage 6.850 km is passing through Nanded Forest Division, Nanded. The village of Jawarla Tal. Kinwat Dist. Nanded in the State of Maharashtra is adopted by Hon'ble Governor of Maharashtra Shri. C. Vidyasagar Rao vide letter No. RB/DB/E-13016(6)2015/Adoption of village/356 datet. 19/05/2015. The stretch between Jawarla and kinwat is 38.00 Km and the existing

width is 3.65 mt. If this road is revived and asphalted the distance between Jawarla & Taluka headquarter of kinwat will reduce and shall be convenient access to tribal people to kinwat will be done. The Implementation of entire project will ensure fast and safe road traffic movement, reducing travel time. The proposed project also aims at creation of commercial nodes for multiple development mainly in industrial, commercial, agricultural, tourism sector resulting in to employment generation, capacity building as well as connectivity between industrial place. Due to the proposed project travel time will be saved. Fuel and maintenance of vehicles will be reduced. It will provide safe and faster transport and serve better connectivity in the region. Hence, meeting was convened on 7/9/2018 under the Chairmanship of Hon'ble Governor of Maharashtra State with Principal Secretary (Tribal Development Department, Maharashtra), Principal Secretary (Public Works Department, Maharashtra), Secretary (Forests) Revenue & Forests and wherein the instructions has been given to take the work for improvement of Ambadi-Jawarla and complete the work by the end of December, 2018. Total length for which widening in forest area is required in 6.85 km. The Project is administratively approved by Government of India, Public Works Division, Mantralaya, Mumbai, Government Resolution vide No.RMR-2018/CR-151/Road-1,dt.19/10/2018 and Technically approved by Government of Maharashtra, Public Works Department, Nanded vide letter No. Technical/R-2, dt.9/11/2018. The site inspection report of Deputy Conservator of Forests, Nanded Forest Division, Nanded is enclosed on page no. 47.

- 2) The proposed project area belongs to Eco value class-III and having density of forest below 0.4.
- 3) The Deputy Conservator of Forests, Nanded Forest Division, Nanded has certified that the no alternate alignment is possible and the forest land required is the barest minimum.
- 4) There are 1283 trees of various species and trees is involved in implementation of the Project. The Girth wise break up is as under:-

Girth in cm					
31-60	61-90	91-120	121-150	Above 150	Total
623	461	142	42	15	1283

- 5) 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, Nanded Forest Division, Nanded.
- 6) The Deputy Conservator of Forests, Nanded Forest Division, Nanded has certified that the proposed project is beyond 10 km of the boundaries of the (National Park & Wildlife Sanctuary).
- 7) The Project Authority has submitted an undertaking to defray the cost of Net Present Value of the forest land proposed for diversion.
- 8) The User Agency has agreed to defray the cost of Compensatory Afforestation.
- 9) The Deputy Conservator of Forests, Nanded Forest Division, Nanded has certified that the proposed site is not likely to affect any monuments site of cultural, historical, religious archeological or recreational importance.
- 10) The Deputy Conservator of Forests, Nanded Forest Division, Nanded 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.
- 11) The Deputy Conservator of Forests, Nanded Forest Division, Nanded has given suitability certificate for 8.22 ha non forest land in Survey no. 85 in village Bhilgaon, Tal.Kinwat, District Nanded is handed over to the Forest Department in lieu of the aforesaid project is contiguous to forest area, suitable for afforestation and free from encroachment and encumbrances.
- 12) The user agency has submitted the certificate of Collector, Nanded under Schedule Tribes and Other Traditional Forest Dweller's (Recognition of Forest Rights) Act 2006 issued vide letter dt.21/12/2018 in prescribed format Form I as per Government of India guidelines dated, 5/7/2013.
- 13) There is no violation of Forest (Conservation) Act 1980 as certified by the Deputy Conservator of Forests, Nanded Forest Division, Nanded.

- 15) The Deputy Conservator of Forests, Nanded Forest Division, Nanded and the Chief Conservator of Forest (T), Aurangabad Circle have recommended the proposal for diversion of 8.22 ha. of forest land.

In view of this, the proposal is recommended for approval under section - 2 (ii) of FCA-1980 subject to the following conditions: –

- i) The legal status of the land required will remain unchanged.
- ii) The user agency shall defray the cost of Compensatory Afforestation over 8.22 ha non forest land in Survey no. 85 in village Bhilgaon, Tal.Kinwat, District Nanded.
- iii) The user agency will defray the cost of Net Present Value of 8.22 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 1283 trees in the proposed area. However, minimum number of trees will be felled.
- 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 shall obtain the Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.
- 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) 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

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No. : Desk-17/NC/I.I.D-12687 / 1874 /18-19
Nagpur – 440 001, Dated : 10/12/19

To,

The Secretary (Forests),
Revenue & Forest Deptt.,
Mantralaya, Mumbai-400032

The Executive Engineer, Public Works Division, Bhokar has submitted proposal is for diversion of 8.22 ha. of forest land under the Forest (Conservation) Act, 1980 for widening of Ambadi-Jawarla Road, MDR-94, chainage 00.00 km to chainage 6.850 km in Tal. Kinwat, District. Nanded in the State of Maharashtra. The details of forest land proposed for diversion is as given below: -

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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-III and having density of forest below 0.4.
- 6) The Deputy Conservator of Forests, Nanded Forest Division, Nanded has certified that the no alternate alignment is possible and the forest land required is the barest minimum.
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- xv) 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 is for diversion of 8.22 ha. of forest land under the Forest (Conservation) Act, 1980 for widening of Ambadi-Jawarla Road, MDR-94, chainage 00.00 km to chainage 6.850 km in Tal. Kinwat, District. Nanded in the State of Maharashtra, under section 2 (ii) of the Forest (Conservation) Act, 1980.

Encl. :- Proposal 3 copies

(G.Saiprakash)

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) Aurangabad for information.

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

Copy to the Executive Engineer, Public Works Division, Bhokar for information.