

Proposal for diversion of 0.9286 ha. forest land under Forest (Conservation) Act, 1980 for construction of Rope Suspension Bridge (Skywalk) connecting Hurricane Point and Goreghat Point at Chikhaldara Hill Station Municipal Council, Tal. Chikhaldara, Dist. Amravati in the State of Maharashtra (FP/MH/OTHERS/35309/2018).

Specific Recommendations 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 0.9286 ha. forest land under Forest (Conservation) Act, 1980 for construction of Rope Suspension Bridge (Skywalk) connecting Hurricane Point and Goreghat Point at Chikhaldara Hill Station Municipal Council, Tal. Chikhaldara, Dist. Amravati in the State of Maharashtra. The details of the forest land proposed for diversion are as under-

Sr. No	Item work purpose	Name of Village	Survey No./Compt No.	Length (MTR)	Width (MTR)	Area (in Sqm.)	Area (in ha)	Legal Status
1	Main pylon no.P1 Hurricane Point	Municipal Council,	29	17.50	5.00	87.50	0.0088	Reserve Forest
2	Main anchor 2 Goraght Point 2	Chikhaldara Tal.	29	12.00	8.25	99.00	0.0099	
3	Wind anchor 2 Hurricane Point	Chikhaldara District	29	4.00	5.00	20.00	0.0020	
4	Wind anchor 2 Hurricane Point	Amravati	29	4.00	5.00	20.00	0.0020	
5	Wind anchor 1 Goraght Point		29	4.00	5.00	20.00	0.0020	
6	Wind anchor 2 Goraght Point		29	4.00	5.00	20.00	0.0020	
7	Skywalk platform		29	380.000	2.350	893.00	0.0893	
8	Area under wind ropes R1 over forest land		29	0	0	4270.27	0.4270	
9	Area under wind ropes R2 over forest land		29	0	0	3856.49	0.3856	
Total Forest Area (in ha)						9286.260	0.9286	

2.00 The proposal has been initiated by the Executive Engineer, CIDCO, SPA Chikhaldara Tourist Information Center for seeking approval under Forest (Conservation) Act, 1980. In this regard purpose of construction of Rope Suspension Bridge (Skywalk) is giving emphasis on development of tourist spot by providing infrastructure and facilities to attract domestic, national and international tourists in Chikhaldara Hill Station, rich in biodiversity and scenic beauty is one of the major attraction of tourists. Providing Skywalk of State of art has been proposed to attract more tourist.

Construction of Skywalk to connect strategic location through a pedestrian Skywalk will involve some of the forest land location required for wind anchors and area under the bridge.

The Project is administratively approved by the Government of Maharashtra, Urban Development Department, Mantralaya, Mumbai vide notification dt.09/01/2008. This project is demarcated on Survey of India Top sheet No. F43R7 and the forest area lies within Latitude and Longitude is as under-

A]	N-21°23'56.342" to E-77°18'45.369"	C]	N-21°23'50.482" to E-77°18'32.944"
B]	N-21°23'54.035" to E-77°18'46.105"	D]	N-21°23'53.405" to E-77°18'34.520"

The site inspection report of the Deputy Conservator of Forests, East Melghat Forest Division, Chikhaldara is enclosed on page no.67 to 66.

3.00 The Deputy Conservator of Forests, East Melghat Forest Division, Chikhaldara has certified that:-

- P/90
P/25
P/33
- 3.1 no suitable alternate land is available and the forest land required is minimum.
3.2 the area belongs to Eco-value class-III comes under Southern Tropical "Dry Deciduous Forests" and Constitutes Very Dense Forest.
3.3 there are 7 trees of various species and trees are involved in implementation of the Project. The Girth wise break up is as under:-

P/50

Sr.No	Scientific Name	Local Name	31-60 cm	61-90 cm	91-120 cm	121-150 cm	Above 150 cm	Total
1	Terminalia bellerica	Behda	0	0	0	0	2	2
2	Teak	Sagvan	0	1	0	0	0	1
3	Casuarina	Saru	1	0	0	0	0	1
4	Others	Dhawda Anogeissus latifoliya	0	0	0	1	0	1
5	Others	Kumbhi	0	0	0	1	1	2
Total tree felling			1	1	0	2	3	7

- P/77
file P/16
file /29
N/22
Nohy
Nohy
- 3.4 the area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc.
"However, As per the Ministry of Environment, Forest and Climate Change notification dt.27/12/2016 the area is lies within buffer zone of Melghat Tiger Reserve. In this regard the Additional Principal Chief Conservator of Forests and Field Director, Melghat Tiger Reserve, Amravati vide his letter No.Desk-2/TRP/Survey/FCA-1980/Project/1204, dt.03/02/2020 has offered remarks that the said area is included in the buffer zone of Melghat Tiger Reserve."
3.5 Having considered the comments of the Additional Principal Chief Conservator of Forests and Field Director, Melghat Tiger Reserve, the CWLW has offered the following comments:-

'This file is regarding the forest clearance to the proposal. Forest clearance is recommended subject to SBWL/NBWL clearance as the project falls under the buffer area of Melghat Tiger Reserver'.

- 3.6 proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance.
- 3.7 there is no violation of Forest (Conservation) Act 1980.
- 3.8 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.
- 3.9 and proposed compensatory afforestation area over 1.00 ha. degraded forest land in compartment No.28 Village Lawada, Dist.Amravati in Jamli Wild life Range and and it is contiguous, suitable for afforestation and management purpose and it is free from encroachment and an encumbrances.

4.0 The User Agency has submitted an undertaking:-

- 4.1 to defray the cost of compensatory afforestation.
- 4.2 to defray the cost of Net Present Value of the forest land proposed under diversion.

5.00 The Collector, Amravati has issued certificate-

- 5.1 under Schedule Tribes and Other Traditional Forest Dweller's (Recognition of Forest Rights) Act 2006 issued vide their letters No. IC/FRA/101/19,dt.03/01/2019 prescribed format Form- I as per Government of India guidelines dated 5/7/2013.
- 6.00 The Deputy Conservator of Forests, East Melghat Forest Division, Chikhaldara and Additional Principal Chief Conservator of Forests and Field Director, Melghat Tiger Reserve, Amravati Circle have recommended the proposal for diversion of 0.9286 ha. of forest land.

7.00 In view of this, the proposal may be submitted with recommendation section -2 (ii) of the Forest (Conservation) Act, 1980 subject to the following conditions: -

7.1 The legal status of the forest land required will remain unchanged.

7.2 Compensatory Afforestation:-

compensatory afforestation shall be taken up by the Forest Department over 1.00 ha. degraded forest land in compartment No.28 Village Lawada, Dist.Amravati in Jamli Wild life Range at the cost of the User Agency. As far as practicable a mixture of local indigenous species will be planted and monoculture of a species has to be avoided.

7.3 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 cost increase for works scheduled for subsequent years.

7.4 NPV

(a) The State Government shall charge the Net Present Value (NPV) for the 0.9286 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.

7.5 The cost of felling of trees shall be deposited by the User Agency with the State Forest Department.

7.6 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/>)

7.7 As the proposed area is included in the buffer area of the Melghat Tiger Reserve, the project proponent will seek prior clearance from the Standing Committee of National Board for Wildlife. The User Agency shall bear the cost of implementation of any mitigation or conservation plan which may be suggested by Chief Wildlife Warden or the Standing Committee of National Board for Wildlife.


7.8 An amount of 2 % cost of project to the extent of the length passing through the buffer zone of the Melghat Tiger Reserve, shall be deposited with Additional Principal Chief Conservator of Forests & Field Director, Melghat Tiger Reserve Amravati for habitat development, protection and conservation in accordance with the approved Government of India management plan.

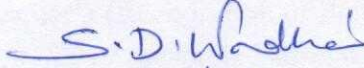
7.9 User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act,1986, if applicable.

7.10 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.

7.11 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.

- 7.12 The forest land shall not be used for any purpose other than specified in the project.
- 7.13 The user agency shall provide fuels preferably alternate fuels to the labours and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas.
- 7.14 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, forward and back bearing and distance from pillar to pillar.
- 7.15 The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
- 7.16 The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central government.
- 7.17 No damage to the flora and fauna of the adjoining area shall be caused.
- 7.18 All other conditions as may be mandatory under relevant Acts, Rules and guidelines shall be complied with by the user agency.


(Dr. N. Rambabu)
Principal Chief Conservator of Forests
(Head of Forest Force)
Maharashtra State, Nagpur


S.D. Wadke
7/9/2020


M/S
14/9/20

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 0.9286 ha. forest land under Forest (Conservation) Act, 1980 for construction of Rope Suspension Bridge (Skywalk) connecting Hurricane Point and Goreghat Point at Chikhaldara Hill Station Municipal Council, Tal. Chikhaldara, Dist. Amravati in the State of Maharashtra (FP/MH/OTHERS/35309/2018). The details of land proposed for diversion is as under-

Sr. No	Item work purpose	Name of Village	Survey No./Compt No.	Length (MTR)	Width (MTR)	Area (in Sqm.)	Area (in ha)	Legal Status
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Total Forest Area (in ha)						9286.260	0.9286	

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


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

Date: /09/2020
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

Sub:- Proposal for diversion of 0.9286 ha. forest land under Forest (Conservation) Act, 1980 for construction of Rope Suspension Bridge (Skywalk) connecting Hurricane Point and Goreghat Point at Chikhaldara Hill Station Municipal Council, Tal. Chikhaldara, Dist. Amravati in the State of Maharashtra (FP/MH/OTHERS/35309/2018)

No. : Desk-17/NC/I/ID- / 509 /2020-21
Nagpur - 440 001, Dated :- 18/09/2020

To,
The Principal Secretary (Forests),
Revenue and Forest Department,
Mantralaya, Mumbai -32

The Executive Engineer, CIDCO, SPA Chikhaldara submitted proposal for diversion of 0.9286 ha. forest land under Forest (Conservation) Act, 1980 for construction of Rope Suspension Bridge (Skywalk) connecting Hurricane Point and Goreghat Point at Chikhaldara Hill Station Municipal Council, Tal. Chikhaldara, Dist. Amravati in the State of Maharashtra. The details of forest land proposed for diversion is as given below: -

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The Project is administratively approved by the Government of Maharashtra, Urban Development Department, Mantralaya, Mumbai vide notification dt.09/01/2008. This project is demarcated on Survey of India Top sheet No. F43R7 and the forest area lies within Latitude and Longitude is as under-

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The site inspection report of the Deputy Conservator of Forests, East Melghat Forest Division, Chikhaldara is enclosed on page no.67 to 66.

3.00 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 two copies.

3.1 Prescribed form dated 10/01/2003.

3.2 Certificate regarding minimum demand of forest land for the project,

3.3 Area Statement,

3.4 Index map in suitable scale

4.00 The Deputy Conservator of Forests, East Melghat Forest Division, Chikhaldara has certified that:-

4.1 no suitable alternate land is available and the forest land required is minimum.

4.2 the area belongs to Eco-value class-III comes under Southern Tropical "Dry Deciduous Forests" and Constitutes Very Dense Forest.

4.3 there are 7 trees of various species and trees are involved in implementation of the Project. The Girth wise break up is as under:-

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5	Others	Kumbhi	0	0	0	1	1	2
Total tree felling			1	1	0	2	3	7

4.4 the area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc.

“However, As per the Ministry of Environment, Forest and Climate Change notification dt.27/12/2016 the area is lies within buffer zone of Melghat Tiger Reserve. In this regard the Additional Principal Chief Conservator of Forests and Field Director, Melghat Tiger Reserve, Amravati vide his letter No.Desk-2/TRP/Survey/FCA-1980/Project/1204, dt.03/02/2020 has offered remarks that the said area is included in the buffer zone of Melghat Tiger Reserve.”

4.5 Having considered the comments of the *Additional Principal Chief Conservator of Forests and Field Director, Melghat Tiger Reserve, the CWLW has offered the following comments:-*

‘This file is regarding the forest clearance to the proposal. Forest clearance is recommended subject to SBWL/NBWL clearance as the project falls under the buffer area of Melghat Tiger Reserve’.

4.6 proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance.

4.7 there is no violation of Forest (Conservation) Act 1980.

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.

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5.00 The User Agency has submitted an undertaking:-

- 5.1 to defray the cost of compensatory afforestation.
- 5.2 to defray the cost of Net Present Value of the forest land proposed under diversion.

6.00 The Collector, Amravati has issued certificate-

6.1 under Schedule Tribes and Other Traditional Forest Dweller's (Recognition of Forest Rights) Act 2006 issued vide their letters No. IC/FRA/101/19,dt.03/01/2019 prescribed format Form-I as per Government of India guidelines dated 5/7/2013.

7.00 The Deputy Conservator of Forests, East Melghat Forest Division, Chikhaldara and Additional Principal Chief Conservator of Forests and Field Director, Melghat Tiger Reserve, Amravati Circle have recommended the proposal for diversion of 0.9286 ha. of forest land.

8.00 In view of this, the proposal may be submitted with recommendation 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.

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8.3 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 cost increase for works scheduled for subsequent years.

8.4 NPV

(a) The State Government shall charge the Net Present Value (NPV) for the 0.9286 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.
- 8.5 The cost of felling of trees shall be deposited by the User Agency with the State Forest Department.
- 8.6 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/>)
- 8.7 As the proposed area is included in the buffer area of the Melghat Tiger Reserve, the project proponent will seek prior clearance from the Standing Committee of National Board for Wildlife. The User Agency shall bear the cost of implementation of any mitigation or conservation plan which may be suggested by Chief Wildlife Warden or the Standing Committee of National Board for Wildlife.
- 8.8 An amount of 2 % cost of project to the extent of the length passing through the buffer zone of the Melghat Tiger Reserve, shall be deposited with Additional Principal Chief Conservator of Forests & Field Director, Melghat Tiger Reserve Amravati for habitat development, protection and conservation in accordance with the approved Government of India management plan.
- 8.9 User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.
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- 8.11 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.
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- 8.15 The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
- 8.16 The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central government.
- 8.17 No damage to the flora and fauna of the adjoining area shall be caused.
- 8.18 All other conditions as may be mandatory under relevant Acts, Rules and guidelines shall be complied with by the user agency.

9.00 It is therefore, requested that Government of India may kindly be moved for approving the proposal for diversion of 0.9286 ha. forest land under Forest (Conservation) Act, 1980 for construction of Rope Suspension Bridge (Skywalk) connecting Hurricane Point and Goreghat Point at Chikhaldara Hill Station Municipal Council, Tal. Chikhaldara, Dist. Amravati in the State of Maharashtra under section 2 (ii) of the Forest (Conservation) Act, 1980.

Encl. :- Proposal 2 copies

(Sanjeev Gaur)

Adl. Principal Chief Conservator of Forests
& Nodal Officer

Copy to the Additional Principal Chief Conservator of Forests and Field Director, Melghat Tiger Reserve, Amravati for information.

Copy to the Deputy Conservator of Forests, East Melghat Forest Division, Chikhaldara for formation.

Copy to the Executive Engineer, CIDCO, SPA Chikhaldara for information.