

**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,
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Sub:- Proposal for diversion of 3.30 ha. forest land under section-2 of the Forest (Conservation) Act, 1980 for construction of Rajnangaon to Ukkhalgaon Doubling of Railway line a part of Daund Manmad Doubling of Railway track Daund Manmad Railway at Village Ukkhalgaon, Tal. Shrigonda, Dist. Ahmednagar in the State of Maharashtra (FP/MH/RAIL/147694/2021).

No.: Desk-17/Nodal/Pune/ID- 13095 (25)/568 /2022-23
Nagpur – 440 001, Dated :- 24/05/2023

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

The Deputy Chief Engineer (Construction), Daund, Ahmednagar Central Railway has submitted proposal for diversion of 3.30 ha. forest land under section-2 of the Forest (Conservation) Act, 1980 for construction of Rajnangaon to Ukkhalgaon Doubling of Railway line a part of Daund Manmad Doubling of Railway track Daund Manmad Railway at Village Ukkhalgaon, Tal. Shrigonda, Dist. Ahmednagar in the State of Maharashtra. The details of forest land proposed for diversion is as given below: -

Sr. No	Item work purpose	District	Name of Village	Taluka	Survey/ Gut No.	Length & Width	Area (in ha.)	Legal Status
1	Construction of Rajnangaon to Ukkhalgaon Doubling of Railway line a part of Daund Manmad Doubling of Railway track Daund Manmad Railway	Ahmednagar	Ukkhalgaon	Shrigonda	469	660 x 50	3.30	Reserved Forest
Total Forest Area (in ha)							3.30	

2.0 The proposal has been initiated by the Deputy Chief Engineer (Construction), Daund, Ahmednagar Central Railway for seeking approval under Forest (Conservation) Act, 1980 for proposal for diversion of 3.30 ha. forest land under section-2 of the Forest (Conservation) Act, 1980 for Construction of Rajnangaon to Ukkhalgaon Doubling of Railway line a part of Daund Manmad Doubling of Railway track Daund Manmad Railway at Village Ukkhalgaon, Tal. Shrigonda, Dist. Ahmednagar in the State of Maharashtra. This proposed project for doubling the rail track part of rail track is passing through GIB Sanctuary area. Forest land required from Gut No.469 at Village Ukkhalgaon, Tal. Shrigonda and Forest land required length of 800 mt. with different width. Total area required is 3.30 ha. there is no felling of trees. The new BG line is inevitably required to be laid parallel to existing BG line. The site

inspection report of the Deputy Conservator of Forests (Wildlife), Pune is enclosed on page No.28 to 31.

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

4.0 The Deputy Conservator of Forests (Wildlife), Pune Forest Division has certified that:-

4.1 No alternate alignment is possible and the forest land required is minimum. (P/11)

4.2 The area belongs to Eco-value class-III having density is below 0.01 (Open Forest). (P/22)

4.3 There is no cutting and felling of trees in proposed forest land. (P/23)

4.4 Proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance. (P/20)

4.5 There is violation of Forest (Conservation) Act, 1980. The detail violation report is enclosed herewith on file page No.26 to 24. (P/12)

4.6 Proposed project is included in the Great Indian Bustard Wildlife Sanctuary. (P/21). The Principal Chief Conservator of Forests (Wildlife), Maharashtra State vide office note dated 16/05/2023 has informed that the permission of SBWL/NBWL would be required to this project. The copy of the online wildlife report Part-I & II is enclosed herewith. The aforesaid proposal is placed in the 20th Meeting of SBWL held on 02/05/2023. (file Page No.30).

4.7 Proposed Compensatory Afforestation over 6.60 ha. degraded forest land in Gut No.1086 at Village Karjat, Taluka Karjat, Dist. Ahmednagar is contiguous, suitable for afforestation and management purpose and it is free from encroachment and an encumbrances. (File P/26)

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/19)

4.9 There is no suitable alternative non forest land is available.(P/25)

5.0 The User Agency has submitted an undertaking that:-

5.1 The User Agency has submitted an undertaking to defray the cost of Net Present Value. (P/58)

5.2 The User Agency has submitted an undertaking to defray the cost of Compensatory Afforestation. (P/56)

5.3 The User Agency has submitted an undertaking regarding the compliance under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights)

Act, 2006 has been applied and is under process and shall be submitted before final approval as per Government of India vide letter No.11-43/2013-FC, dt. 3/12/2018. **(File Page No.16)**

5.4 The copy of the Administrative approval/Technical approval is accorded by the Government of India, Ministry of Railway (Railway Board), vide letter No.2016/W-1/CR/DPR/DL/Daund Manmad, dated 04/10/2017. **(P/64 /A)**

6.0 The Deputy Conservator of Forests (Wildlife), Pune and Additional Principal Chief Conservator of Forests, Wildlife West Region, Mumbai have recommended the proposal for diversion of 3.30 ha. of Reserved Forest land. **(P/2 to P/5)**

7.0 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: –

7.1 Legal status of the forest land shall remain unchanged.

7.2 Compensatory afforestation

a) Compensatory afforestation shall be taken up by the Forest Department over 6.60 ha. degraded forest land in Gut No.1086 at Village Karjat, Taluka Karjat, Dist. Ahmednagar 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.

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 for anticipated cost increase for works scheduled for subsequent years.

7.4 NPV:

a) The State Government shall charge the Net Present Value(NPV) for the 3.30 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 and File No.5-3/2011-FC (Vol-I), dated 06/01/2022 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 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.

- 7.6 All the funds received from the user agency under the project shall be transferred/ deposited to CAMPA fund only through (<https://parivesh.nic.in/>).
- 7.7 The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
- 7.8 Speed regulating signage will be erected along the railway line at regular intervals in the Protected Areas/ Forest Areas.
- 7.9 The user agency shall provide suitable under/ over passes in Protected Area/ Forest Area as per recommendations of CWLW / NBWL / FAC / REC.
- 7.10 User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.
- 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 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.
- 7.17 The forest land shall not be used for any purpose other than that specified in the project proposal.
- 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 Govt. 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 Guideline F. No. 11-42/2017-FC dt 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/>)

8.0 It is therefore, requested that Government of Maharashtra may kindly recommended the proposal for approving the diversion of 3.30 ha. forest land under section-2 of the Forest (Conservation) Act, 1980 for construction of Rajnangaon to Ukkhalgaon Doubling of Railway line a part of Daund Manmad Doubling of Railway track Daund Manmad Railway at Village Ukkhalgaon, Tal. Shrigonda, Dist. Ahmednagar in the State of Maharashtra under section 2 (ii) of the Forest (Conservation) Act, 1980.

Encl. :- Proposal 2 copies



(Naresh Zurmure)

**Addl. Principal Chief Conservator of Forests
& Nodal Officer**

Copy to the Additional Principal Chief Conservator of Forests, Wildlife West Region, Mumbai for information.

Copy to the Deputy Conservator of Forests (Wildlife), Pune for formation.

Copy to the Deputy Chief Engineer (Construction), Daund, Ahmednagar Central Railway for information.

PART –IV

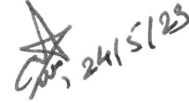
**(To be filled by Nodal Officer or Principal Chief Conservator of Forests
(Head of Forest Force))**

(Detailed opinion and specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks)

Sub.- Proposal for diversion of 3.30 ha. forest land under section-2 of the Forest (Conservation) Act, 1980 for construction of Rajnangaon to Ukkhalgaon Doubling of Railway line a part of Daund Manmad Doubling of Railway track Daund Manmad Railway at Village Ukkhalgaon, Tal. Shrigonda, Dist. Ahmednagar in the State of Maharashtra (FP/MH/RAIL/147694/2021). The details of land proposed for diversion is as under-

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Total Forest Area (in ha)							3.30	

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: 24/05/2023

Place: Nagpur

Proposal for diversion of 3.30 ha. forest land under section-2 of the Forest (Conservation) Act, 1980 for construction of Rajnangaon to Ukkhalgaon Doubling of Railway line a part of Daund Manmad Doubling of Railway track Daund Manmad Railway at Village Ukkhalgaon, Tal. Shrigonda, Dist. Ahmednagar in the State of Maharashtra (FP/MH/RAIL/147694/2021).

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.

The proposal is for diversion of 3.30 ha. forest land under section-2 of the Forest (Conservation) Act, 1980 for construction of Rajnangaon to Ukkhalgaon Doubling of Railway line a part of Daund Manmad Doubling of Railway track Daund Manmad Railway at Village Ukkhalgaon, Tal. Shrigonda, Dist. Ahmednagar in the State of Maharashtra (FP/MH/RAIL/147694/2021).

2.0 The details of the forest land proposed for diversion are as under:- (P/11)

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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.

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7.11 The layout plan of the proposal shall not be changed without prior approval of Central Government.

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- 7.16 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.
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(Dr. Y.L.P Rao)

**Principal Chief Conservator of Forests
(Head of Forest Force)
Maharashtra State, Nagpur**