

**Diversion of 1.1248 ha. Reserved Forest land for four laning of Khudus to Dharmapuri Section of NH-965 from Km 77/800 to Km 115/350 at Village Morchi, Tal-Malshiras, Distt-Solapur in the State of Maharashtra.**

**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 Project Director, National Highway Authority of India, P. I. U. Solapur has submitted the proposal for Diversion of 1.1248 ha. Reserved Forest land for four laning of Khudus to Dharmapuri Section of NH-965 from Km 77/800 to Km 115/350 at Village Morchi, Tal-Malshiras, Distt-Solapur in the State of Maharashtra. There is total 85.6052 ha non-forest land involved in this project. The detailed area statement of forest land is shown as under :-

| Item of work / Purpose   | Village | Taluka    | Forest land required |                 |                  |            | Legal Status of Forest Land |
|--|---------|-----------|----------------------|-----------------|------------------|------------|-----------------------------|
|  |         |           | Gut No.              | Length & Width  | Area in Sq. Mtr. | Area (Ha.) |                             |
| 1  | 2       | 3         | 4                    | 5               | 6                | 7          | 8                           |
| Four laning of Khudus to Dharmapuri section of NH-965 from Km. 77/800 to Km. 115/350 in the State of Maharashtra | Morchi  | Malshiras | 129                  | Irregular Shape | 7893             | 0.7893     | Reserved Forest             |
|  |         |           | 130                  |                 | 3355             | 0.3355     |                             |
| Total  |         |           |                      |                 | 11248            | 1.1248     |                             |

2. The User Agency has highlighted that Ministry of Road Transport and Highways Govt of India has decided to develop various National highways/State highways & corridors, where the intensity of traffic has increased significantly and there is requirement of augmentation of capacity for safe and efficient movement of traffic.

2.1 Kudus to Dharmapuri through NH No 965 @ Highway starting from Khudus connecting Pandharpur, Malshiras, Phaltan, Nira, Jejuri, Saswad near Pune and terminating at junction with NH-60 near Alandi in the State of Maharashtra to four lanes with paved shoulder configuration by observing today's traffic on both sides and crossing of various highways links. This link is beneficial for exchange of traffic from one highway to another highway. Therefore the User Agency has submitted the proposal for diversion of 1.1248 ha Reserved Forest land under section 2 (ii) of the FCA, 1980

3. Chief Conservator of forests (T), Pune vide their letter No Desk-1/Land/ FCA/2019-20/231 dated 11/03/2020 has submitted the proposal along with requisite documents for recommending the proposal :-

4. **Deputy Conservator of Forests Solapur has certified that :-**

4.1 No suitable Alternate non forest land is available for the purpose and demand for the required forest land is minimum.



- 4.2 Provisions of the Forest (Conservation) Act, 1980 and guidelines, under it, have not been violated by user agency.

P/30

4.3 **Wildlife Certificate**

The proposed area is not included in the area of any National Park/Wildlife Sanctuary or Nature reserve.

P/36

The proposed area is 61.59 km from the Great Indian Bustard Sanctuary Wildlife Sanctuary.

P/39,81

- 4.4 The proposed area not likely to affect any monument site of culture, historical, religious, archeological importance.

P/35

- 4.5 The proposed area belongs to Eco-value Class-III, Open forest Density 0.01.

P/37,60

- 4.6 Deputy Conservator of Forests, Solapur has submitted Site Inspection Report dated 13/05/2020.

P/43-45

- 4.7 2.25 Ha. (double degraded land) of Gut. No 285, at Village-Khudus, Tah- Malshiras, Dist Solapur, proposed for Compensatory Afforestation is suitable for Afforestation and it is free from encroachment.

P/31

- 4.8 There are 145 trees cutting and felling involved in the project. Girthwise details is as under :-

P/38,32A-E

| 15-30 | 31-45 | 46-60 | 61-75 | 76-90 | Above 90 | Total |
|-------|-------|-------|-------|-------|----------|-------|
| 118   | 11    | 12    | 2     | 2     | 0        | 145   |

- 4.9 Deputy Conservator of Forests Solapur has certified that the non forest land 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 under interim judgment of the Hon'ble Supreme Court dated 12/12/1996

P/32-34

5. **User Agency has submitted the following undertaking/documents :-**

- 5.1 Agreed to bear the cost of Compensatory afforestation.

P/63

- 5.2 Agreed to bear the cost of Net Present Value.

P/65

- 5.3 To bear the cost of clearance/removal of the vegetation growth from the proposed forest land.

P/62

- 5.4 Compliance of FRA-2006 has not been submitted by User Agency, however, it submitted the undertaking stating that the FRA-2006 certificate will be submitted as and when received from District Collector.

P/85,85B  
C/16

- 5.5 The User Agency has submitted the copy of Minutes of Meeting of project appraisal and Technical scrutiny Committee (PATSC) held on 15/01/2019 at NHAHQ.

C/4-15

6. **In view of this, the proposal is recommended for approval under section - 2 (ii) of the Forest (Conservation) Act, 1980 subject to the following conditions :-**

- 6.1 The legal status of the land required will remain unchanged

- 6.2 Compensatory afforestation will be raised at the cost of the user agency on 2.25 Ha. (double degraded land) of Gut. No 285, at Village-Khudus, Tah- Malshiras, Dist Solapur As per GOI guidelines dated 08/11/2017 at least 1000 plants per ha. to be planted on degraded forest land identified for compensatory afforestation.



- 6.3 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
- 6.4 The user agency will defray the cost of Net Present Value of 1.1248 ha. of forest land as per latest guidelines of Government of India
- 6.5 The user agency will defray the additional / revised cost of Net Present Value of forestland as per the latest Guideline of Government of India.
- 6.6 The user agency should submit the complete compliance of FRA-2006 at the earliest or along with compliance of Stage-I approval.
- 6.7 User Agency shall raise strip plantation on both sides and central verge of the road as per the IRC norms
- 6.8 Speed regulating signage will be erected along the road at regular intervals in the Forest areas
- 6.9 The user agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, , if applicable
- 6.10 The User Agency shall restrict the felling of trees to minimum number in the proposed forest land and trees shall be felled under the strict supervision of the concerned Forest Department and cost of felling of trees shall be deposited by the User Agency with the State Forest Department.
- 6.11 The layout plan of the proposal shall not be changed without prior approval of Central Government.
- 6.12 No labour camps shall be established on forest land.
- 6.13 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.
- 6.14 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.
- 6.15 No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- 6.16 The forest land shall not be used for any purpose other than that specified in the project proposal
- 6.17 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.
- 6.18 The user agency shall pay the cost for erection of 4 feet tall cement concrete pillars alongwith chain link fencing along the road affected in forest Gut No 129 and 130 at Village Morchi, Tal-Malshiras, Distt-Solapur.
- 6.19 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.




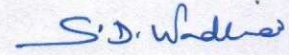
- 6.20 Any other condition that the Ministry of Environment, Forest & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & Wildlife.
- 6.21 All other conditions as may be mandatory under relevant Acts, rules and guidelines shall be complied with by the user agency.



(Dr. N Rambabu)

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

  
25/7/2020

  
25/7/2020



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**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.: - The Project Director, National Highway Authority of India, P. I. U. Solapur has submitted the proposal for diversion of 1.1248 ha. Reserved Forest land for four laning of Khudus to Dharmapuri Section of NH-965 from Km 77/800 to Km 115/350 at Village Morchi, Tal-Malshiras, Distt-Solapur in the State of Maharashtra under section (ii) of the Forest (Conservation) Act 1980. The details of the forest land proposed for diversion is as under :-

| Item of work / Purpose   | Village | Taluka    | Forest land required |                 |                  |            | Legal Status of Forest Land |
|--|---------|-----------|----------------------|-----------------|------------------|------------|-----------------------------|
|  |         |           | Gut No.              | Length & Width  | Area in Sq. Mtr. | Area (Ha.) |                             |
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|  |         |           | 130                  |                 | 3355             | 0.3355     |                             |
| Total  |         |           |                      |                 | 11248            | 1.1248     |                             |

**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&CC.)

Date : /08/2020  
Place : Nagpur

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



**PART -IV****Nodal Officer or Principal Chief Conservator of Forests (Head of Forest Force)**

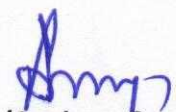
(Detailed opinion and specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks)

Sub.:- The Project Director, National Highway Authority of India, P. I. U. Solapur has submitted the proposal for diversion of 1.1248 ha. Reserved Forest land for four laning of Khudus to Dharmapuri Section of NH-965 from Km 77/800 to Km 115/350 at Village Morchi, Tal-Malshiras, Distt-Solapur in the State of Maharashtra under section (ii) of the Forest (Conservation) Act 1980. The details of the forest land proposed for diversion is as under :-

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**Specific recommendation of Principal Chief Conservator of Forests (HoFF) MS Nagpur is attached on page no. 10A.**

Date : /08/2020  
Place : Nagpur

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





Certified by ISO

9001:2015

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

**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) 2556916, Fax no. (0712) 2550675**

**E-mail- apccfnodal@mahaforest.gov.in Website: www.mahaforest.gov.in**

**Sub.:-** Diversion of 1.1248 ha. Reserved Forest land for four laning of Khudus to Dharmapuri Section of NH-965 from Km 77/800 to Km 115/350 at Village Morchi, Tal-Malshiras, Distt-Solapur in the State of Maharashtra.

No. : Desk-17/NC/II/ID 12787/( 20)/353/2020-21  
Nagpur - 440 001, Dated: 10-08-2020

To ,

The Deputy Director General Forests (Central) ,  
Government of India, Ministry of Environment, Forests & Climate Change,  
Regional Office (WCZ), Ground Floor, East Wing,  
New Secretariat Building, Civil Lines,  
Nagpur 440001

**Ref:-** Chief Conservator of forests, (T) Pune letter No Desk-1/Land/ FCA/2019-20/231 dated 11/03/2020

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**6. In view of this, the proposal is recommended for approval under section - 2 (ii) of the Forest (Conservation) Act, 1980 subject to the following conditions :-**

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- 6.19 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.
- 6.20 Any other condition that the Ministry of Environment, Forest & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & Wildlife.
- 6.21 All other conditions as may be mandatory under relevant Acts, rules and guidelines shall be complied with by the user agency.

7. It is therefore requested that the Central Government may kindly be moved to approve diversion of 1.1248 ha. Reserved Forest land in favour of Project Director, National Highway Authority of India, P. I. U. Solapur for four laning of Khudus to Dharmapuri Section of NH-965 from Km 77/800 to Km 115/350 at Village Morchi, Tal-Malshiras , Distt-Solapur in the State of Maharashtra under section (ii) of the Forest (Conservation) Act 1980.

Encls : As above

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

Copy submitted to Additional Chief Secretary (Forest) , Revenue & Forest Department, Mantralaya, Mumbai -32 for information alongwith a copy of proposal.

Copy forwarded to Chief Conservator of forests, (T) Pune for information.

Copy forwarded to Deputy Conservator of Forests Solapur for information.

Copy forwarded to The Project Director, National Highway Authority of India, P. I. U. Solapur

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