

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 is for diversion of 18.412 ha. Forest land under Forest (Conservation) Act, 1980 in favour of Executive Engineer, Public Works Division No.2, Gadchiroli for Link Road (MH-1050) Improvement/Upgradation and maintenance of ODR 51 Dhanora to Pendhari from Km 0+000 to Km 36+650 at Dhanora Tehasil of Dist. Gadchiroli in the State of Maharashtra. (FP/MH/Road/48279/2020).

No. : Desk-17/NODAL/Gadchiroli/ID-12911/ 1044 /20-21

Nagpur - 440 001, Dated :- 22/09/2021

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

The Executive Engineer, Public Works Division No.2 Gadchiroli has submitted the proposal is for diversion of 18.412 ha. Forest land under Forest (Conservation) Act, 1980 in favour of Executive Engineer, Public Works Division No.2, Gadchiroli for Link Road (MH-1050) Improvement/Upgradation and maintenance of ODR 51 Dhanora to Pendhari from Km 0+000 to Km 36+650 at Dhanora Tehasil of Dist. Gadchiroli in the State of Maharashtra.. The details of forest land proposed for diversion is as given below: -

Sr. No.	Item work purpose	Village Name	Compt. No	Length	Width	Area (in ha)	Legal Status
1	Link Road (MH-1050)	Dhanora	520	2000	7.5	1.5	Protected Forest
2	Improvement/Upgradation and maintenance of ODR 51 Dhanora to Pendhari from Km 0+000 to Km 36+650 at Dhanora Tehasil of Dist. Gadchiroli in the State of Maharashtra	Pauni	544	1250	7.5	0.938	Reserved Forest
3		Chavela	503	250	7.5	0.188	
4		Block Forest	494	1350	7.5	1.013	
			493	927	7.5	0.695	
			486	1824	7.5	1.368	
			484	865	7.5	0.649	
5			485	1434	7.5	1.076	
		Mungner	478	1250	7.5	0.938	
6			479	1100	7.5	0.825	
7		Hatanzur	477	350	7.5	0.263	
8		Bodhin	318	2850	7.5	2.138	
		Chirmikal	301	2300	7.5	1.725	
9			300	850	7.5	0.638	
		Kamangad	299	750	7.5	0.563	
			298	1400	7.5	1.050	
			291	300	7.5	0.225	
			290	500	7.5	0.375	
10		Sawanaga (BK)	288	578	7.5	0.434	
			287	922	7.5	0.692	

11		Pekin Kurjha	286	1100	7.5	0.825	
12		Mohgaon	270	250	7.5	0.188	
13		Pendhari	267	150	7.5	0.112	
Total Forest Area						18.412	

2.00 The proposal has been initiated by the Executive Engineer, Public Works Division No.2 Gadchiroli for seeking approval under Forest (Conservation) Act, 1980. The User Agency has certified that the forest land admeasuring 18.412 ha is the minimum demand for the project. The existing road has very poor geometry, congestion leading to traffic jams. Therefore the User Agency has decided to undertake improvement of Link Road (MH-1050) Improvement/Upgradation and maintenance of ODR 51 Dhanora to Pendhari from Km 0+000 to Km 36+650 at Dhanora Tehasil of Dist. Gadchiroli. Because of the project, over all road safety situation will be improved. There will be decrease in road traffic accidents immediately after implementation of the project. Summarily, widening of the project road will have following benefits.

- The proposed project is rehabilitation and up-gradation of existing two lane alignment to four lane configuration.
- There is no suitable alternatives non-forest land to construct the road as the proposed rehabilitation is along the existing road.
- Earthwork cutting and banking is minimum.
- Minimum numbers of trees are affected.
- Road gradients are suitable for traffic.

Total non forest area involved in the project is 6.90 ha. The site inspection report of the Deputy Conservator of Forests, Gadchiroli Forests Division, Gadchiroli is enclosed on page no.126 to 127.

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.

- Prescribed form dated 10/01/2003.
- Certificate regarding minimum demand of forest land for the project,
- Area Statement,
- Index map in suitable scale

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

- no suitable alternate land is available and the forest land required is minimum.
- the area belongs to Eco-value class-III having density is more than 0.4 .

- 4.3 there are 1012 trees of various species and trees is involved in implementation of the Project. The Girth wise break up is as under:-

Tree cm in Girth					
31-60 cm	61-90 cm	91-120 cm	121-150 cm	150 Above cm	Total
208	298	200	134	172	1012

- 4.4 the area involved in the project is part of the Tiger Corridor as per TCP and TATR. However, it is part of the Tiger Corridor as per TCP and TATR. In this regard the CWLW vide office note dated 03/02/2021 has offered his comments and the same are reproduced as under-

'Proposals involving activity/ project, falling outside the protected area linking one protected area or tiger reserve with another protected area or tiger reserve, prior clearance from the Standing Committee of the National Board for Wildlife as per the section 38 O (1) (g) of the Wildlife (Protection) Act, 1972 will be required'

In this regard the User Agency has submitted the proposal for prior approval of the National Board of Wildlife and the same has been submitted by the Conservator of Forests (T) Gadchiroli vide letter dt.28/6/2021 to Additional Principal Chief Conservator (Wildlife) East, Nagpur for onward submission to Principal Chief Conservator of Forests (Wildlife) Maharashtra State Nagpur

- 4.5 proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance.
- 4.6 there is no violation of Forest (Conservation) Act 1980.
- 4.7 proposed project is distance of 56 km from the boundary of the Bhamragad Wildlife Sanctuary and 75 km from Chaprada Wildlife Sanctuary.
- 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.
- 4.9 As per Chapter 2 of the Handbook under FCA, 1980 para 2.5 special provision for CA for certain categories of project CA shall be raised and maintained at the cost of the user agency on degraded forest land twice of the forest land area diverted in case of:
- (g) Construction of link roads, small water works, minor irrigation works, school building, dispensaries, hospital, tiny rural industrial sheds of the Government or any other similar work excluding mining and encroachment cases, which directly benefit the people of the area in hill districts and in other districts having forest area exceeding 50% of the total geographical area, provided diversion of forest area does not exceed 20 hectares..
- 5.0 In the instant case the construction of the aforesaid link road in less than 20 ha. and the Gadchiroli District having forest area exceeding 50% of the total geographical area. Therefore the Deputy Conservator of Forests, Pusad Forest Division, Pusad has proposed Compensatory Afforestation over 37.00 ha degraded forest land (i) 27.00 ha double degraded forest land in Compartment No.806 of Range Digras, Tal.Digras,Dist.Yavatmal (ii) 10.00 ha. double degraded forest land in Compartment No.366 of Range Pusad,

Tal.Pusad, Dist.Yavatmal and it is contiguous, suitable for afforestation and management purpose and it is free from encroachment and encumbrances.

5.00 The User Agency has submitted an undertaking that:-

- 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.
- 5.3 Government of India vide letter No.11-43/2013-FC, dt.3/12/2018 has issued guidelines regarding compliance of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forests Right) Act, 2006. As per these guidelines:-

‘Accordingly, it is clarified that within the time period stipulated for compliance of Stage I condition, Deputy Commissioner shall complete the process of compliance of FRA (including forwarding its findings to be concerned CF), hence for the purpose of the MoEF & CC, as per the provisions under the Forest (Conservation) amendment rules, 2016 the compliance under FRA is not required for consideration of in-principle approval. This has to be furnished by the State Government for consideration of the proposal by the Ministry for final approval’.

Hence, the user agency has given 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 in-principle approval.

- 5.4 Copy of the administrative approval accorded by Government of India, Ministry of Road Development Department of Rural Development letter No. F.No.P-17024/15/2017-RC (E-358623), dated 26/02/2020
- 5.5 Copy of the technical approval accorded by the Executive Engineer, P.W.Division-II, Gadchiroli vide letter No.T.O.T.S.No.19/CE/2020-2021
- 6.00 The Deputy Conservator of Forests, Gadchiroli Forest Division, Gadchiroli and the Conservator of Forest (T), Gadchiroli have recommended the proposal for diversion of 18.412 ha. of Forest land.

7.00 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: –

- 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 37.00 ha degraded forest land (i) 27.00 ha double degraded forest land in Compartment No.806 of Range Digras, Tal.Digras,Dist.Yavatmal (ii) 10.00 ha. double degraded forest land in Compartment No.366 of Range Pusad, Tal.Pusad, Dist.Yavatmal 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 18.412 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 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 e-portal (<http://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 before Stage-II approval.
- 7.8 User Agency shall raise strip plantation on both sides and central verge of the road as per the IRC norms.
- 7.9 Speed regulating signage will be erected along the road at regular intervals in the Protected Areas/Forest Areas.
- 7.10 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 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 As the proposed is part of the Tiger Corridor as per TCP and TATR, therefore 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 as suggested by the Chief Wildlife Warden or the Standing Committee of National Board for Wildlife.
- 7.21 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.
- 7.22 The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>)

8.00 It is therefore, requested that Government of Maharashtra may kindly be moved for approving the proposal is for diversion of 18.412 ha. Forest land under Forest (Conservation) Act, 1980 in favour of Executive Engineer, Public Works Division No.2, Gadchiroli for Link Road (MH-1050) Improvement/Upgradation and maintenance of ODR 51 Dhanora to Pendhari from Km 0+000 to Km 36+650 at Dhanora Tehasil of Dist. Gadchiroli in the State of Maharashtra, under section 2 (ii) of the Forest (Conservation) Act, 1980.

Encl. :- Proposal 2 copies

 22/2/21

(Naresh Zurmure)

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

Copy to the Conservator of Forest (T), Gadchiroli for information.

Copy to the Deputy Conservator of Forests, Gadchiroli Forests Division, Gadchiroli for formation.

Copy to the Executive Engineer, Public Works Division No.2 Gadchiroli 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 is for diversion of 18.412 ha. Forest land under Forest (Conservation) Act, 1980 in favour of Executive Engineer, Public Works Division No.2, Gadchiroli for Link Road (MH-1050) Improvement/Upgradation and maintenance of ODR 51 Dhanora to Pendhari from Km 0+000 to Km 36+650 at Dhanora Tehasil of Dist. Gadchiroli in the State of Maharashtra. (FP/MH/Road/48279/2020). The details of land proposed for diversion is as under-

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2		Pauni	544	1250	7.5	0.938	Reserved Forest
3		Chavela	503	250	7.5	0.188	
4		Block Forest	494	1350	7.5	1.013	
			493	927	7.5	0.695	
			486	1824	7.5	1.368	
			484	865	7.5	0.649	
5			485	1434	7.5	1.076	
		Mungner	478	1250	7.5	0.938	
6			479	1100	7.5	0.825	
7		Hatanzur	477	350	7.5	0.263	
8		Bodhin	318	2850	7.5	2.138	
9		Chirmikal	301	2300	7.5	1.725	
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		Kamangad	299	750	7.5	0.563	
			298	1400	7.5	1.050	
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290			500	7.5	0.375		
10		Sawanaga (BK)	288	578	7.5	0.434	
287			922	7.5	0.692		
11		Pekin Kurjha	286	1100	7.5	0.825	
12		Mohgaon	270	250	7.5	0.188	
13		Pendhari	267	150	7.5	0.112	
Total Forest Area						18.412	

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: /09 /2021

Place: Nagpur

Proposal is for diversion of 18.412 ha. Forest land under Forest (Conservation) Act, 1980 in favour of Executive Engineer, Public Works Division No.2, Gadchiroli for Link Road (MH-1050) Improvement/Upgradation and maintenance of ODR 51 Dhanora to Pendhari from Km 0+000 to Km 36+650 at Dhanora Tehasil of Dist. Gadchiroli in the State of Maharashtra. (FP/MH/Road/48279/2020).

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.

1.0 Proposal is for diversion of 18.412 ha. Reserved Forest land under Forest (Conservation) Act, 1980 in favour of Executive Engineer, Public Works Division No.2, Gadchiroli for Link Road (MH-1050) Improvement/Upgradation and maintenance of ODR 51 Dhanora to Pendhari from Km 0+000 to Km 36+650 at Dhanora Tehasil of Dist. Gadchiroli in the State of Maharashtra. (FP/MH/Road/48279/2020).

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

Sr. No.	Item work purpose	Village Name	Compt. No	Length	Width	Area (in ha)	Legal Status
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		Kurjha					
12		Mohgaon	270	250	7.5	0.188	
13		Pendhari	267	150	7.5	0.112	
Total Forest Area						18.412	

3.00 The proposal has been initiated by the Executive Engineer, Public Works Division No.2 Gadchiroli for seeking approval under Forest (Conservation) Act, 1980. The User Agency has certified that the forest land admeasuring 18.412 ha is the minimum demand for the project. The existing road has very poor geometry, congestion leading to traffic jams. Therefore the User Agency has decided to undertake improvement of Link Road (MH-1050) Improvement/Upgradation and maintenance of ODR 51 Dhanora to Pendhari from Km 0+000 to Km 36+650 at Dhanora Tehasil of Dist. Gadchiroli. Because of the project, over all road safety situation will be improved. There will be decrease in road traffic accidents immediately after implementation of the project. Summarily, widening of the project road will have following benefits.

- The proposed project is rehabilitation and up-gradation of existing two lane alignment to four lane configuration.
- There is no suitable alternatives non-forest land to construct the road as the proposed rehabilitation is along the existing road.
- Earthwork cutting and banking is minimum.
- Minimum numbers of trees are affected.
- Road gradients are suitable for traffic.

Total non forest area involved in the project is 6.90 ha. The site inspection report of the Deputy Conservator of Forests, Gadchiroli Forests Division, Gadchiroli is enclosed on page no.126 to 127.

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

- no suitable alternate land is available and the forest land required is minimum.
- the area belongs to Eco-value class-III having density is more than 0.4 .
- there are 1012 trees of various species and trees is involved in implementation of the Project. The Girth wise break up is as under:-

Tree cm in Girth					
31-60 cm	61-90 cm	91-120 cm	121-150 cm	150 Above cm	Total
208	298	200	134	172	1012

- 4.4 the area involved in the project is part of the Tiger Corridor as per TCP and TATR. However, it is part of the Tiger Corridor as per TCP and TATR. In this regard the CWLW vide office note dated 03/02/2021 has offered his comments and the same are reproduced as under-

'Proposals involving activity/ project, falling outside the protected area linking one protected area or tiger reserve with another protected area or tiger reserve, prior clearance from the Standing Committee of the National Board for Wildlife as per the section 38 O (1) (g) of the Wildlife (Protection) Act, 1972 will be required'

In this regard the User Agency has submitted the proposal for prior approval of the National Board of Wildlife and the same has been submitted by the Conservator of Forests (T) Gadchiroli vide letter dt.28/6/2021 to Additional Principal Chief Conservator (Wildlife) East, Nagpur for onward submission to Principal Chief Conservator of Forests (Wildlife) Maharashtra State Nagpur

- 4.5 proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance.
- 4.6 there is no violation of Forest (Conservation) Act 1980.
- 4.7 proposed project is distance of 56 km from the boundary of the Bhamragad Wildlife Sanctuary and 75 km from Chaprada Wildlife Sanctuary.
- 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.
- 4.9 As per Chapter 2 of the Handbook under FCA, 1980 para 2.5 special provision for CA for certain categories of project CA shall be raised and maintained at the cost of the user agency on degraded forest land twice of the forest land area diverted in case of:
- (g) Construction of link roads, small water works, minor irrigation works, school building, dispensaries, hospital, tiny rural industrial sheds of the Government or any other similar work excluding mining and encroachment cases, which directly benefit the people of the area in hill districts and in other districts having forest area exceeding 50% of the total geographical area, provided diversion of forest area does not exceed 20 hectares..
- 5.0 In the instant case the construction of the aforesaid link road in less than 20 ha. and the Gadchiroli District having forest area exceeding 50% of the total geographical area. Therefore the Deputy Conservator of Forests, Pusad Forest Division, Pusad has proposed Compensatory Afforestation over 37.00 ha degraded forest land (i) 27.00 ha double degraded forest land in Compartment No.806 of Range Digras, Tal.Digras,Dist.Yavatmal (ii) 10.00 ha. double degraded forest land in Compartment No.366 of Range Pusad, Tal.Pusad, Dist.Yavatmal and it is contiguous, suitable for afforestation and management purpose and it is free from encroachment and an encumbrances.

5.00 **The User Agency has submitted an undertaking that:-**

- 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.
- 5.3 Government of India vide letter No.11-43/2013-FC, dt.3/12/2018 has issued guidelines regarding compliance of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forests Right) Act, 2006. As per these guidelines:-

‘Accordingly, it is clarified that within the time period stipulated for compliance of Stage I condition, Deputy Commissioner shall complete the process of compliance of FRA (including forwarding its findings to be concerned CF), hence for the purpose of the MoEF & CC, as per the provisions under the Forest (Conservation) amendment rules, 2016 the compliance under FRA is not required for consideration of in-principle approval. This has to be furnished by the State Government for consideration of the proposal by the Ministry for final approval’.

Hence, the user agency has given 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 in-principle approval.

- 5.4 Copy of the administrative approval accorded by Government of India, Ministry of Road Development Department of Rural Development letter No. F.No.P-17024/15/2017-RC (E-358623), dated 26/02/2020
- 5.5 Copy of the technical approval accorded by the Executive Engineer, P.W.Division-II, Gadchiroli vide letter No.T.O.T.S.No.19/CE/2020-2021
- 7.00 The Deputy Conservator of Forests, Gadchiroli Forest Division, Gadchiroli and the Conservator of Forest (T), Gadchiroli have recommended the proposal for diversion of 18.412 ha. of Forest land.

8.00 **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: –**

- 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 37.00 ha degraded forest land (i) 27.00 ha double degraded forest land in Compartment No.806 of Range Digras, Tal.Digras,Dist.Yavatmal (ii) 10.00 ha. double degraded forest land in Compartment No.366 of Range Pusad, Tal.Pusad, Dist.Yavatmal 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 18.412 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 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 e-portal (<http://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 before Stage-II approval.
- 7.8 User Agency shall raise strip plantation on both sides and central verge of the road as per the IRC norms.
- 7.9 Speed regulating signage will be erected along the road at regular intervals in the Protected Areas/Forest Areas.
- 7.10 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 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 As the proposed is part of the Tiger Corridor as per TCP and TATR, therefore 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 as suggested by the Chief Wildlife Warden or the Standing Committee of National Board for Wildlife.
- 7.21 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.
- 7.22 The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>)


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