

Proposal is for diversion of 1.64 ha. Zudpi Jungle land under Forest (Conservation) Act, 1980 for Establishment Transport City and Industrial Estate in Nagpur District of Maharashtra State.

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 1.64 ha. Zudpi Jungle land under Forest (Conservation) Act, 1980 for Establishment Transport City and Industrial Estate in Nagpur District of Maharashtra State. The details of the forest land proposed for diversion are as under-

Sr. No	Item work purpose	Name of Village	Survey No.	Area (in Sqm.)	Area (in ha)	Legal Status
1	Road	Tarodi (BK), Tal. Kamptee	88	3000	0.30	Zudpi Jungle
2	Industry			9000	0.90	
3	Open Space Park & Garden			4400	0.44	
	Total Forest land (in ha.)				1.64	

2.00 The proposal has been initiated by Chairman, Umiya Audhyogik Sahakari Vasahat Maryadit, Kapsi (BK), Tahsil-Kamthi, District Nagpur for seeking approval under Forest (Conservation) Act, 1980. The User Agency has certified the Co-operative Society registered on 06/10/1997 under Section 9 (1) of Maharashtra Co-operative Societies Act, 1960 by the Director of Industries, Maharashtra State vide registration No.NGP/KTE/RSR/105/97-98 .

3.0 The User Agency has certified that in exercise of power conferred under the Maharashtra Regional and Town Planning Act, 1966, the Government of Maharashtra vide Urban Development Department Notification No.TPS 2496-1505-CR-273-UD-9,dated 06/05/2000 read with Notification No.TPS-2402-313-CR-137-UD-9,dated. 30/06/2003 have sanctioned Regional Plan for Nagpur District and the land baring survey numbers as specified therein from Kapsi, Tarodi and Asoli villages of Taluka Kamthi were earmarked for "Transport City and Industrial Estate" user in the said Regional Plan. The total land comprising 164.8 ha has been earmarked in these three villages for "Transport City and Industrial Estate." The zudpi jungle land proposed for diversion in S.No.88 of village Tarodi is in possession of Revenue Dapartment and the same has been certified by Deputy Conservator of Forest, Nagpur Forest Division, Nagpur.

4.00 This project is demarcated on Survey of India Top sheet No. 55/O/3 and the forest area lies within Latitude and Longitude is A] N-21°7'47.22 to E-79°11'41.07" B] N-21°7'46.07 to E-79°11'45.70" C] N-21°7'43.46 to E-79°11'44.99" and D] N-21°7'44.69 to E-79°11'40.26". The site

inspection report of the Deputy Conservator of Forests, Nagpur Forest Division, Nagpur is enclosed on page no.35 to 37.

5.00 The Deputy Conservator of Forests, Nagpur Forest Division, Nagpur has certified that:-

- 5.1 no suitable alternate land is available and the forest land required is minimum.
- 5.2 the area belongs to Eco-value class-III and having density of forest 0. (Tropical Dry Deciduous Forest)
- 5.3 there is no cutting and felling of trees involved in this project.
- 5.4 the area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc.
- 5.5 proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance.
- 5.6 The User Agency is in Private Agency and have encroached the said zudpi jungle land in Survey No.88 of Mauza Tarodi (BK), Taluka Kamptee, District Nagpur by constructing work of Maa Umiya Textiles Private Limited on the East-West 55 Mt. and North-South 41 Mt. i.e. 0.225 ha. Moreover kuchcha road has also been constructed on the North-South 115 x 10 Mt. i.e. 0.115 ha. zudpi jungle land

He has further clarified that zudpi jungle land in question is an isolated patch as per the 7/12 extract and other related available documents shows the ownership as Maharashtra Government Gut Gram Panchayat, Tarodi (BK) under possession of the Revenue Department and therefore Forest Department has no administrative control over the aforesaid Survey No.88. In his certificate the Deputy Conservator of Forests, Nagpur Forest Division has submitted violation report under Forest (Conservation) Act 1980. However, Government of India vide letter No.F.No.11-42/2017-FC has issued guidelines for activities which constitute violation of FCA, 1980 and rules made thereof and guidelines issued in this behalf, by user agencies and quantum of penalty to be imposed. The same has been dealt in para B. in cases where the proposal under FC Act is under consideration and forest land is diverted before grant of FC:

- 5.7 the proposed area for the project is beyond 10 km from the boundary of the protected area (Sanctuary and National Park).
- 5.8 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.

- 5.9 and proposed compensatory afforestation over 1.64 ha. Private land in Survey No.51/1 of village Suvardhara Tal. Parsivani in Dist. Nagpur and it is contiguous, suitable for afforestation and management purpose and it is free from encroachment and encumbrances.
- 6.0 The Collector, Nagpur has certified that the Revenue Zudpi Jungle Land bearing Survey No.88, area 1.64 Hectare of Mauza Tarodi, Tal. Kamptee, Dist. Nagpur is quite essential for development of IID, Kapsi, involving establishment of Park & Garden for the residents of the area as well as neighboring villages. There is no other alternative, except to utilize the said land since it is located in the middle of the Industrial Area.

7.0 The User Agency has submitted an undertaking that:-

- 7.1 to defray the cost of compensatory afforestation.
- 7.2 to defray the cost of Net Present Value of the forest land proposed under diversion.
- 7.3 to obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.
- 7.4 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 Forest Rights) 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.

- 8.00 The Deputy Conservator of Forests, Nagpur Forest Division, Nagpur and Chief Conservator of Forests (T), Nagpur Circle have recommended the proposal for diversion of 1.64 ha. of forest land.
- 9.00 **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: –**
- 9.1 The legal status of the forest land required will remain unchanged.
- 9.2 Compensatory afforestation shall be taken at the cost of user agency over 1.64 ha. Private land in Survey No.51/1 of village Suvardhara Tal. Parsivani in Dist. Nagpur
- 9.3 The forest land shall not be used for any purpose other than specified in the project.
- 9.4 For violation of FCA, 1980 the user agency shall pay as penalty the NPV of the forest land per hectare for each year of violation from the date of actual diversion as reported by the inspecting officer with maximum up to five (5) times the NPV plus 12 percent simple interest till the deposits is made.

- 9.5 The user agency will defray the cost of Net Present Value of 1.64 ha. of forest land as per the latest guidelines of the Government of India.
- 9.6 The user agency will defray the additional cost of Net Present Value of forest land as per the latest guidelines of Government of India.
- 9.7 user agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.
- 9.8 The user agency shall provide fuels preferable 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.
- 9.9 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.
- 9.10 The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
- 9.11 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.
- 9.12 No damage to the flora and fauna of the adjoining area shall be caused.
- 9.13 felling of trees shall be undertaken during the implementation of the project. The State Forest Department shall ensure strict compliance of this condition.
- 9.14 The user agency shall obtain the certificate of the Collector, Nagpur under the Scheduled Tribes and Other Traditional forest Dwellers (Recognition of Forest Rights) Act, 2006 after Stage I approval.
- 9.15 The forest land shall not be used for any purpose other than that specified in the proposal.
- 9.16 All other conditions as may be mandatory under relevant Acts, Rules and guidelines shall be complied with by the user agency.



(U.K. Agrawal)

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

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 1.64 ha. Zudpi Jungle land under Forest (Conservation) Act, 1980 for Establishment Transport City and Industrial Estate in Nagpur District of Maharashtra State. The details of land proposed for diversion is as under-
(FP/MH/IND/16347/2015)

Sr. No	Item work purpose	Name of Village	Survey No.	Area (in Sqm.)	Area (in ha)	Legal Status
1	Road	Tarodi (BK), Tal. Kamptee	88	3000	0.30	Zudpi Jungle
2	Industry			9000	0.90	
3	Open Space Park & Garden			4400	0.44	
	Total Forest land (in ha.)				1.64	

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

(Sanjeev Gaur)

**Additional Principal Chief Conservator of Forests
& Nodal Officer**

Date: 26/11/2019

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 is for diversion of 1.64 ha. Zudpi Jungle
land under Forest (Conservation) Act, 1980
for Establishment Transport City and Industrial
Estate in Nagpur District of Maharashtra State.
(FP/MH/IND/16347/2015)

No. : Desk-17/NC/II.D- / 1365 /19-20
Nagpur - 440 001, Dated : 26/11/2019

To,

The Principal Secretary (Forests),
Revenue & Forest Department,
Mantralaya, Mumbai-400032

The Chairman, Umiya Audhyogik Sahakari Vasahat Maryadit, Kapsi (BK), Tahsil-Kamthi, District Nagpur has submitted the proposal for diversion of 1.64 ha. Zudpi Jungle land under Forest (Conservation) Act, 1980 for Establishment Transport City and Industrial Estate in Nagpur District of Maharashtra State. The details of forest land proposed for diversion are given as below: -

Sr. No	Item work purpose	Name of Village	Survey No.	Area (in Sqm.)	Area (in ha)	Legal Status
1	Road	Tarodi (BK), Tal. Kamptee	88	3000	0.30	Zudpi Jungle
2	Industry			9000	0.90	
3	Open Space Park & Garden			4400	0.44	
	Total Forest land (in ha.)				1.64	

2.00 The proposal has been initiated by Chairman, Umiya Audhyogik Sahakari Vasahat Maryadit, Kapsi (BK), Tahsil-Kamthi, District Nagpur for seeking approval under Forest (Conservation) Act, 1980. The User Agency has certified the Co-operative Society registered on 06/10/1997 under Section 9 (1) of Maharashtra Co-operative Societies Act, 1960 by the Director of Industries, Maharashtra State vide registration No.NGP/KTE/RSR/105/97-98 .

3.0 The User Agency has certified that in exercise of power conferred under the Maharashtra Regional and Town Planning Act, 1966, the Government of Maharashtra vide Urban

Development Department Notification No.TPS 2496-1505-CR-273-UD-9,dated 06/05/2000 read with Notification No.TPS-2402-313-CR-137-UD-9,dated. 30/06/2003 have sanctioned Regional Plan for Nagpur District and the land baring survey numbers as specified therein from Kapsi, Tarodi and Asoli villages of Taluka Kamthi were earmarked for "Transport City and Industrial Estate" user in the said Regional Plan. The total land comprising 164.8 ha has been earmarked in these three villages for "Transport City and Industrial Estate." The zudpi jungle land proposed for diversion in S.No.88 of village Tarodi is in possession of Revenue Dapartment and the same has been certified by Deputy Conservator of Forest, Nagpur Forest Division, Nagpur.

4.00 This project is demarcated on Survey of India Top sheet No. 55/O/3 and the forest area lies within Latitude and Longitude is A] N-21°7'47.22 to E-79°11'41.07" B] N-21°7'46.07 to E-79°11'45.70" C] N-21°7'43.46 to E-79°11'44.99" and D] N-21°7'44.69 to E-79°11'40.26". The site inspection report of the Deputy Conservator of Forests, Nagpur Forest Division, Nagpur is enclosed on page no.35 to 37.

5.0 The required 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 as well as on the following points are enclosed in two copies.

5.1 Prescribed form dated 10/01/2003.

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

5.3 Area Statement,

5.4 Index map,

6.00 The Deputy Conservator of Forests, Nagpur Forest Division, Nagpur has certified that:-

- 6.1 no suitable alternate land is available and the forest land required is minimum.
- 6.2 the area belongs to Eco-value class-III and having density of forest 0. (Tropical Dry Deciduous Forest)
- 6.3 there is no cutting and felling of trees involved in this project.
- 6.4 the area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc.
- 6.5 proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance.
- 6.6 the User Agency is a Private Agency and have encroached the said zudpi jungle land in Survey No.88 of Mauza Tarodi (BK), Taluka Kamptee, District Nagpur by constructing work of Maa Umiya Textiles Private Limited on the East-West 55 Mt. and North-South

41 Mt. i.e. 0.225 ha. Moreover kuchcha road has also been constructed on the North-South 115 x 10 Mt. i.e. 0.115 ha. zudpi jungle land

He has further clarified that zudpi jungle land in question is an isolated patch as per the 7/12 extract and other related available documents shows the ownership as Maharashtra Government Gut Gram Panchayat, Tarodi (BK) under possession of the Revenue Department and therefore Forest Department has no administrative control over the aforesaid Survey No.88. In his certificate the Deputy Conservator of Forests, Nagpur Forest Division has submitted violation report under Forest (Conservation) Act 1980. However, Government of India vide letter No.F.No.11-42/2017-FC has issued guidelines for activities which constitute violation of FCA, 1980 and rules made thereof and guidelines issued in this behalf, by user agencies and quantum of penalty to be imposed. The same has been dealt in para B. in cases where the proposal under FC Act is under consideration and forest land is diverted before grant of FC:

- 6.7 the proposed area for the project is beyond 10 km from the boundary of the protected area (Sanctuary and National Park).
- 6.8 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.
- 6.9 and proposed compensatory afforestation over 1.64 ha. Private land in Survey No.51/1 of village Suvardhara Tal. Parsivani in Dist. Nagpur and it is contiguous, suitable for afforestation and management purpose and it is free from encroachment and an encumbrances.
- 7.0 The Collector, Nagpur has certified that the Revenue Zudpi Jungle Land bearing Survey No.88, area 1.64 Hecter of Mauza Tarodi, Tal. Kamptee, Dist. Nagpur is quit essential for development of IID, Kapsi, involving establishment of Park & Garden for the residents of the area as well as neighboring villeges. There is no other alternative, except to utilize the said land since it is located in the middle of the Industrial Area.

8.0 The User Agency has submitted an undertaking that:-

- 8.1 to defray the cost of compensatory afforestation.
- 8.2 to defray the cost of Net Present Value of the forest land proposed under diversion.
- 8.3 to obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.
- 8.4 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.

- 9.00 The Deputy Conservator of Forests, Nagpur Forest Division, Nagpur and Chief Conservator of Forests (T), Nagpur Circle have recommended the proposal for diversion of 1.64 ha. of forest land.
- 10.00 **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: -**
 - 10.1 The legal status of the forest land required will remain unchanged.
 - 10.2 Compensatory afforestation shall be taken at the cost of user agency over 1.64 ha. Private land in Survey No.51/1 of village Suvardhara Tal. Parsivani in Dist. Nagpur
 - 10.3 The forest land shall not be used for any purpose other than specified in the project.
 - 10.4 For violation of FCA, 1980 the user agency shall pay as penalty the NPV of the forest land per hectare for each year of violation from the date of actual diversion as reported by the inspecting officer with maximum up to five (5) times the NPV plus 12 percent simple interest till the deposits is made.
 - 10.5 The user agency will defray the cost of Net Present Value of 1.64 ha. of forest land as per the latest guidelines of the Government of India.
 - 10.6 The user agency will defray the additional cost of Net Present Value of forest land as per the latest guidelines of Government of India.

- 10.7 user agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.
- 10.8 The user agency shall provide fuels preferable 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.
- 10.9 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.
- 10.10 The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
- 10.11 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.
- 10.12 No damage to the flora and fauna of the adjoining area shall be caused.
- 10.13 felling of trees shall be undertaken during the implementation of the project. The State Forest Department shall ensure strict compliance of this condition.
- 10.14 The user agency shall obtain the certificate of the Collector, Nagpur under the Scheduled Tribes and Other Traditional forest Dwellers (Recognition of Forest Rights) Act, 2006 after Stage I approval.
- 10.15 The forest land shall not be used for any purpose other than that specified in the proposal.
- 10.16 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 for diversion of diversion of 1.64 ha. Zudpi Jungle land under Forest (Conservation) Act, 1980 for Establishment Transport City and Industrial Estate in Nagpur District of Maharashtra State under section 2 (ii) of the Forest (Conservation) Act, 1980.

Encl. :- Proposal 2 copies

(Sanjeev Gaur)

Additional Principal Chief Conservator of Forests
& Nodal Officer,

Copy to the Chief Conservator of Forests (T), Nagpur for information.
Copy to the Deputy Conservator of Forests (T), Nagpur Forest Division, Nagpur for information.
Copy to the Chairman, Umiya Audhyogik Sahakari Vasahat Maryadit, Kapsi (BK), Tahsil-Kamthi, District Nagpur for information.

26/11/2019

प्रधान मुख्य वनसंरक्षक, (वनबल प्रमुख) महाराष्ट्र राज्य, नागपूर यांचे कार्यालय.

अपर प्रधान मुख्य वनसंरक्षक व केंद्रस्थ अधिकारी, महाराष्ट्र राज्य, नागपूर, पहिला माळा, बी विंग, वनभवन, सिव्हील लाईन्स, नागपूर - ४४० ००१,
दूरध्वनी क्र. (०७१२) २५३०१६६, २५५६११६ फॅक्स क्र. (०७१२) २५५०६७५ ई मेल- apccfnodal@mahaforest.gov.in

36

क्रमांक : कक्ष-१७/नोसेल/१/आयडी-१२७३४/ 1842 /२०१९-२०
नागपूर - ४४० ००१, दिनांक:- ०६/०२/२०२०

प्रति,
प्रधान सचिव (वने),
महसूल व वनविभाग,
मंत्रालय, मुंबई-४०००३२

विषय:- वनजमिन-नागपूर

ट्रान्सपोर्ट सिटी अँड इंडस्ट्रीअल इस्टेट उभारण्याकरीता माँ. उमिया औद्योगिक सहकारी वसाहत मर्या. यांना १.६४ हे. वनजमिन वळती करणेबाबत.

संदर्भ:- शासन पत्र क्रमांक एफएलडी-२०१९/प्र.क्र.३२४/फ-१०, दिनांक ०४/०२/२०२०.

P/34

उपरोक्त संदर्भित शासन पत्रान्वये विषयांकित प्रकरणी माँ. उमिया औद्योगिक सहकारी वसाहत मर्या. यांना १.६४ हे. वनजमिन वळतीकरणाच्या प्रस्तावास मंजूरी दिल्यास प्रस्तुत प्रकरणी आणखी अतिक्रमण होण्यास मदत होईल किंवा कसे? याबाबत अहवाल सादर करणेस कळविण्यात आले आहे. त्यानूषंगाने सदर प्रकरणी या कार्यालयाचे अभिप्राय खालील प्रमाणे आहे-

- १) सदर प्रस्तावात जिल्हा नागपूर/कामठी, गाव तरोडी (बुरड), सर्व्हे क्र.८८, एकूण क्षेत्र १.६४ हे. वनजमीनीचा वैधानिक दर्जा हा झुडजी जंगल आहे. सदरील झुडपी जंगल क्षेत्र हे अदयापही महसूल विभागाच्या अखत्यारीत आहे. सदरच्या प्रती सोबत सहपत्रीत करण्यात येत आहे
- २) प्रकल्प यंत्रणेने पर्यायी वनीकरणासाठी आवश्यक असलेले १.६४ हे. वनेत्तर खाजगी क्षेत्राची सर्व्हे क्रमांक ५१/१ मौजे सुवरधरा ता.पारशिवनी येथील क्षेत्राची निवड करून सदर क्षेत्र वनविभागाला हस्तांतरीत करण्याची हमी दिलेली आहे.
- ३) त्यानूषंगाने सदर प्रकरणी माँ. उमिया औद्योगिक सहकारी वसाहत मर्या. यांना १.६४ हे. वनजमिन वळतीकरणाच्या प्रस्तावास मंजूरी दिल्यास प्रस्तुत प्रकरणी आणखी अतिक्रमण होण्यास मदत होईल असा निष्कर्ष काढणे संयुक्तीक दिसून येत नाही.

क. ६५० व्य/ल प्रमो

(संजीव गौड)

अपर प्रधान मुख्य वनसंरक्षक व केंद्रस्थ अधिकारी

प्रतिलिपी:- मुख्य वनसंरक्षक (प्रा), नागपूर यांना माहीतीकरीता अग्रेषित.

प्रतिलिपी:- उपवनसंरक्षक (प्रा), नागपूर यांना माहीतीकरीता अग्रेषित.

प्रतिलिपी:- अध्यक्ष, माँ उमिया औद्योगिक सहकारी वसाहत मर्या., कापसी (बु.), ता.कामठी, जि.नागपूर यांना माहीतीकरीता अग्रेषित.

Pb Enclure closed on page 71-74
is the folder below
ly

36/a

78

CERTIFICATE

This is to certify that the Revenue Zudpi Jungle Land bearing Survey No. 88, Area 1.64 Hecter of Mauza Tarodi, Tah. Kamptee, Dist. Nagpur. is quite essential for development of I I D, Kapsi, involving establishment of Park & Garden for the residents of the area as well as neighboring villogess.

There is no other alternative, except to utilize the said land since it is located in the middle of the Industrial Area.

सचिव
महाराष्ट्र राज्य वन विभाग
वसाहत मर्या., कापसी (दु.)

Collector, Nagpur

3416

72

क्र./प्रस्तु-1/उबिअ-मौदा/कावि-3871/2019
उपविभागीय अधिकारी मौदा यांचे कार्यालय
दि. 16/03/2019

प्रति,

मा. जिल्हाधिकारी,
नागपूर

विषय :- मौजा तरोडी (बु), ता. कामठी, येथील सर्व्हे नं. 88 चरील ट्रान्सपोर्ट सिटी व औद्योगिक वसाहततीत औद्योगिक वापरासाठी जागेचे मागणीबाबत.

- संदर्भ :-
1. अर्जदार श्री जिवराज रतनशी पटेल, अध्यक्ष माँ उमिया औद्योगिक वसाहत कापसी यांचा अर्ज
 2. अध्यक्ष माँ उमिया औद्योगिक वसाहत मर्या. कापसी (बु) नागपूर यांचे पत्र क्र. 98 15-16 दिनांक 16/01/2016
 3. उपवनसंरक्षक, नागपूर वनविभाग, नागपूर यांचे पत्र क्र.कक्ष-11/वनसंवर्धन/प्र.क्र.4479/ 15-16 दिनांक 14/01/2016 आणि पत्र क्र. 4391/16 17 दिनांक 17/02/2017
 4. मा. उपजिल्हाधिकारी (महसुल) यांचे दिनांक 14/12/2018 चे पत्र

महोदय,

उपरोक्त संदर्भीय विषयाचे अनुषंगाने मौजा तरोडी (बु.) ता. कामठी सर्व्हे नं. 8 (झुडपी जंगल) आराजी 1.64 हे.आर जमीन महाराष्ट्र सरकार ग्राम पंचायत तरोडी (बु) या नावाने असून सदर जमिन नगर विकास विभाग यांचेकडील महाराष्ट्र प्रादेशिक नगर रचना अधिनियम 1966 अंतर्गत अधिसूचना क्रमांक टीपीएस-2402-313 प्र.क्र. 137-नवि-9 दि. 30 जून 2003 ही महाराष्ट्र शासन राजपत्र 24 जुलै 2003 मध्ये प्रकाशित करण्यात आली. उक्त प्रादेशीक योजनेचा प्रस्ताव मौजा तरोडी (बु) भु.क्र. 88 ट्रान्सपोर्ट सिटी व औद्योगिक वसाहतीसाठी दर्शविलेला आहे. सदर सर्व्हे नं. ट्रान्सपोर्ट सिटी व औद्योगिक वसाहत तरोडी (बु) यामध्ये येतो. याबाबत मा. जिल्हाधिकारी नागपूर यांचे पत्र क्र. राजस्व/ब-1/कावि-1171/2006 दिनांक 6/10/2006 अन्वये सदर जागा झुडपी जंगल या संवर्गासाठी असल्यामुळे वनसंवर्धन अधिनियम 1980 मधील तरतुदी लागू होतील म्हणुन सदर जमिनीबाबत वन विभागामार्फत उपलब्ध करून देण्यात यावी असे अभिप्राय देण्यात आले होते.

अर्जदार यांनी सदर जमिन मौजा तरोडी (बु) ता. कामठी सर्व्हे नं. 88 (झुडपी जंगल) आराजी 1.64 हे. आर जमिन झुडपी जंगल संवर्गातील असल्यामुळे सदर जमिनीचे बदलात अर्जदार दुसऱ्या ठिकाणची जमिन देण्यास तयार आहेत.

सहायक वनसंरक्षक (तेंदु व कॅम्पा) वनविभाग, नागपूर यांचे दिनांक 5/1/2016 चे

उपवनसंरक्षक, नागपूर वनविभाग, नागपूर यांना सादर केलेल्या अहवालानुसार सदर सर्व्हे क्र. 88 हा महाराष्ट्र ग्रुप, सरकार ग्रुप, ग्रामपंचायत तरोडी (बु) यांचे नावाने असुन 7/12 उताऱ्यावर झुडपी जंगल सार्वजनिक चराई व लाकडाकरीता मुर्करर अशी नोंद आहे. सदर सर्व्हे क्रमांकातुन सर्व्हे क्रमांक 87 मधुन सर्व्हे 89 अ मध्ये जाण्याकरीता कच्चा रस्ता तयार करण्यात आला आहे. वसाहतीची सिव्हेज लाईन सर्व्हे 88 चे पश्चिम व दक्षिण सिमेवरुन तयार करण्यात आलेली आहे. सदर सर्व्हे क्रमांकावरुन इलेक्ट्रीक लाईन उभारण्यात आलेली आहे. याशिवाय सदर सर्व्हे क्रमांकावर अतिक्रमण नाही. सदर क्षेत्र वन विभागाचे अखत्यारीत नसल्याने अतिक्रमण काढणे ही काग्रवाही या कार्यालयाकडुन अपेक्षित नाही. तसेच यात वन कर्मचारी यांचे भुमिकेचा तिळमात्र संबंध नाही.

उपअधिक्षक भूमी अभिलेख, कामठी यांचेकडील पत्र क्रमांक/अभिलेख, कामठी यांचेकडील पत्र क्रमांक/ अभिलेख/तरोडी(खु)झुडपी/ 6563 दिनांक 08/12/2015 अन्वये 89, 80 चे एकत्रिकरण पत्रकानुसार मुळ व इतर हक्क या रकाण्यात झुडपी जंगल अशी नोंद आहेण् एकत्रिकरणाचे वेळी सदर गटाचा क्रमांक 111 आराजी 1.64 हेक्टर अशी होती. बंदोबस्त खसरा पत्रकानुसार सदरहु गटाला/ भु.क्र. ला एकत्रित 3443 असे बंदोबस्ताचे नंबर 35 ते 40 होते व त्यांची एकत्रित आराजी 43.83 एकर होती.

सदर क्षेत्रावर कुठल्याही प्रकारचे वृक्ष व झाडोस नाही. तसेच या परीसरात कोणतेही वन्य प्राणी आढळुन येत नाहीत.

ज्याअर्थी सदरहु सर्व्हे क्रमांकामध्ये कोणीही आदीवासी/ वनवासी यांचेव्दारे शेती किंवा इतर कोणत्याही प्रयोजनार्थ अतिक्रमण नाही तसेच वनोत्पादन होत नाही.

ज्याअर्थी सदर जमिनीच्या चारहीबाजुस औद्योगिक कारखाने अस्तित्वात आहे.

त्याअर्थी या सर्व्हे क्रमांकाच्या संवर्गात वन हक्क कायदा 2006 च्या तरतुदी लागु होणार नाही. म्हणुन याबाबतीत वन हक्क कायद्याअंतर्गत एफआरए प्रमाणपत्राची आवश्यकता नाही. कारण सदर जागेवर कोणचाही हक्क किंवा दावा प्राप्त झालेला नाही. त्यामुळे आदीवासी किंवा वनवासी यांचा हक्क बाधित होत नाही. म्हणुन सदर जागा अर्जदार यांना वनअधिनियमातील तरतुदीनुसार हस्तांतरीत करण्यास नियमप्रमाणे अर्जदार यांचेकडुन जमिनीचे मुल्य व वनीकरणासाठी पर्याय जमिन प्राप्त करुन अर्जदार यांना सदर जमिन वन अधिनियमातील तरतुदीनुसार हस्तांतरण करण्याचे प्रस्तावित करण्यात येत आहे. या



36/8

73

प्रस्तावासोबत जमिनीचा सातबारा, नकाशा, महाराष्ट्र शासनाचे गॅझेट, अधिसूचना व वन विभागाचे अभिप्राय संलग्न केले आहेत.

सहपत्र :-

1. 7/12 मौजा तरोडी(बु) तह कामठी
2. 7/12 मौजा सुवरधरा तह पारशिबणी
3. नाहरकत प्रमाणपत्र
4. शासन अधिसूचना
5. वनविभाग यांचे दिनांक 17/12/2017 चे पत्र



आपलाविश्वासू

(वंदना सुवरगापते)
उपविभागीय अधिकारी
मौदा

प्रतिलिपी-

1. उपवनरक्षक, वनविभाग, नागपूर यांना माहितीस व कार्यवाहीस सादर.
2. श्री जिवराज रतनशी पटेल अध्यक्ष मॉ. उमीयाँ औद्योगिक सह. वसाहत मर्या. नागपूर यांना माहिती करिता.

उपविभागीय अधिकारी
मौदा



पत्र क्र.राजस्व/ब-१/कावि-११७१ /२००६
जिल्हाधिकारी यांचे कार्यालय नागपूर
नागपूर, दिनांक : ६ / १० / २००६.

प्रति,

उप वन संरक्षक,
नागपूर वन विभाग, नागपूर.

विषय:- जमीन नागपूर

मौजा-तरोडी (बु) ता.कुका-कामठी येथील ख.क्र.८८ आराजी १.६४ हे.आर.
शासकीय झुडपी जंगल संवर्गातील जमीन अध्यक्ष मों.ऊमिया औद्योगिक
सहकारी वसाहत मर्यादित नागपूर यांना उपलब्ध करून देण्याचे अनुगुणाने
प्रमाणपत्र मिळण्याबाबत.

संदर्भ:- १. अध्यक्ष मों.ऊमिया औद्योगिक सहकारी वसाहत मर्यादित नागपूर ९२-
ऊमिया सदन सी.ए.रोड नागपूर-२ यांचे पत्र क्र./७५०/०४-०५
दिनांक १.१.२००५
२.उप वनसंरक्षक नागपूर यांचे पत्र क्र.१४९९ दि.१८.६.२००४

अध्यक्ष मों.ऊमिया औद्योगिक सहकारी वसाहत मर्यादित नागपूर यांनी
त्यांचे पत्र क्र. क./७५०/०४-०५ दिनांक १.१.२००५ मौजा-तरोडी (बु) ता.कुका-कामठी येथील
ख.क्र.८८ आराजी १.६४ हे.आर. शासकीय झुडपी जंगल संवर्गातील जमीन उपलब्ध
करून देण्याचे अनुगुणाने प्रमाणपत्र मिळण्याबाबत या कामाच्यासंदर्भात सादर
केलेला असून सदर प्रस्तावास केंद्र शासनाची मंजूरी प्राप्त करण्याकरिता वन संवर्धन
अधिनियम १९८० मधील तरतुदी आकृष्ट होत असल्यामुळे महसूल विभागाची नाहरकत
प्रमाणपत्राची मागणी केलेली आहे.

उक्त झुडपी जंगल संवर्गातील जमीनीला वन संवर्धन अधिनियम १९८०
मधील तरतुदी आकृष्ट होत असल्यामुळे उपरोक्त जमीन वन विभागाचे कार्यालया
मार्फत उपलब्ध करून देण्याबाबत या कार्यालयाची कोणतीही ठरकत नसल्याचे
प्रमाणपत्र याद्वारे देण्यात येत आहे.

सहपत्र:-प्रमाणपत्र

(मुळ पत्र मा.जिल्हाधिकारी द्वारा स्वाक्षरी)

जिल्हाधिकारी,
नागपूरकरिता.

प्रत:-१. अध्यक्ष मों.ऊमिया औद्योगिक सहकारी वसाहत मर्यादित नागपूर ९२-ऊमिया
सदन सी.ए.रोड नागपूर-२ यांचे पत्र क्र./७५०/०४-०५ दिनांक १.१.२००५ यांना
माहितीस तथा उप वनसंरक्षक नागपूर यांचेसी संपर्क साधण्यास रवाना.
(मुळ पत्र मा.जिल्हाधिकारी द्वारा स्वाक्षरी)

जिल्हाधिकारी,
नागपूरकरिता.