

**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](mailto:apccfnodal@mahaforest.gov.in)

Sub:- Proposal for diversion of 2.9046 ha forest land under Section 2 of the Forest (Conservation) Act, 1980 for installation of Sewage Treatment Plant (STP) & Sewerages in village Pimpalgaon, Wadgaon Road and Umarsara in Yavatmal District of Maharashtra State (FP/MH/Pipeline/44244/2020).

No. : Desk-17/NC/I/ID- 186 /20-21

Nagpur – 440 001, Dated :- 28/04/2021

To,

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

Sir,

The Executive Engineer, Maharashtra Jeevan Pradhikaran Division, Yavatmal submitted proposal for diversion of 2.9046 ha forest land under Section 2 of the Forest (Conservation) Act, 1980 for installation of Sewage Treatment Plant (STP) & Sewerages in village Pimpalgaon, Wadgaon Road and Umarsara in Yavatmal District of Maharashtra State. The details of forest land proposed for diversion is as given below: -

Sr. No.	Item of work	Name of Village	Comptt. No.	Gut/Sur. No.	Area (Ha.)	Status of Land
1	Sludge Sump, Static Mixer (1) & (2), MBBR Tank-1 &2, GRIT Chamber 1 &2, Chlorine clashing Tonner Room & Pumping Station	Pimplgaon	488	48/1	0.60	Reserved Forest
	Utility and Maintainace and Landscaping :- Substation Room, Administrative Building Panel Room, Blower Room Sludge Drying Building				0.10	
	Internal Road				0.30	
	(A) Total forest area required for STP Pump				1.00	
2	Pipeline	Pimplgaon	488	48/1	0.3350	Reserved Forest
					0.1300	
3	Pipeline	Wadgaon Road	493	57	0.0610	
				56	0.4225	
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			512	49	0.2525	
				48	0.0775	
				48	0.0150	
				48	0.1275	
				42	0.0350	
4	Pipeline	Umarsara	513	7	0.0150	
					0.0030	
5	Nala				0.0506	
<b>(B) Total forest area required for Pipeline &amp; Nala</b>					<b>1.9046</b>	
<b>Grand Total (A)+ (B)</b>					<b>2.9046</b>	

2.0 The forest land comprising of 0.864 ha in the proposal in Compartment no.493 in village Wadegon belongs to FDCM Ltd. The N.O.C for the same has been given by the FDCM Ltd vide letter No.2213, dt.1/2/2021.

2.1 The project has initiated by Executive Engineer, Maharashtra Jeevan Pradhikaran Division, Yavatmal for approval under the Forest (Conservation) Act, 1980. Sewage treatment is the process of removing contaminants from municipal wastewater, containing mainly household sewage plus some industrial wastewater. Physical, Chemical and Biological processes are used to remove contaminants and produce treated wastewater (or treated effluent) that is safe enough for release into the environment. A by-product of sewage treatment is a semi-solid waste or slurry, called sewage sludge. The sludge has to undergo further treatment before being suitable for disposal of application to land. The proposal is administratively approved by Government of Maharashtra, Urban Development Division, Mumbai vide Resolution No.AMRUT-2018/CR 128/NV 33, dt.26/3/2018 and Technically sanctioned by Chief Engineer, Maharashtra Jeevan Pradhikaran Region, Amravati vide item No.25 of form No.85 for the month of March, 2018. The total non forest land involved in the project is 2.1375 ha.

3.00 Following documents as prescribed in Government Circular, Revenue and Forest Department No.FLD-1081/2041/(A)/F-3,dated 20/03/1982 and according to Government of India's instructions issued from time to time are enclosed in two copies.

3.1 Prescribed form dated 10/01/2003.

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

3.3 Area Statement,

3.4 Index map in suitable scale,

**4.00 The Deputy Conservator of Forests, Yavatmal Forest Division, Yavatmal has certified that:-**

- 4.1 no suitable alternate land is available and the forest land required is the barest minimum.
- 4.2 the area belongs to Eco-value class-III and having density dense forest.
- 4.3 there are 48 trees of various species and girth in the area proposed for diversion. Girth class wise abstract is given as under:-

Tree Girth in Cm.					
30/60	61/90	91/120	121/150	Above 150	Total
44	3	0	0	1	48



- 4.4 the area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc.
- 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 the proposed area for the project is beyond 10 km from the boundary of the protected area (Sanctuary and National Park).
- 4.8 and proposed compensatory afforestation over 3.00 ha non forest land in Gut no.63 in village Nanza, Tal. Kalamb District. Yavatmal is contiguous, suitable for afforestation and management purpose also it is free from encroachment and encumbrance.
- 4.9 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.

5.00 **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.

- 6.0 The Deputy Conservator of Forests, Yavatmal and Chief Conservator of Forests (T), Yavatmal Circle have recommended the proposal for diversion of 2.9046 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 Forest land will be handed over only after required non-forest land for the project is handed over to the User Agency.

**7.3 Compensatory Afforestation :-**

a) Compensatory afforestation shall be taken up by the Forest Department over 3.00 ha non forest land in Gut no. 63 in village Nanza, Tal. Kalamb District, 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.

b) The non forest land which has been transferred and mutated in favour of the State Forest Department.

7.4 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.

**7.5 NPV:-**

a) The State Government shall charge the Net Present Value (NPV) for the 2.9046 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.

7.6 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.

7.7 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/>)

7.8 The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.

7.9 The pipeline shall be laid down 1.5 meter below the ground and after lying down of pipe line the ground will be leveled.

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

7.11 No labour camp shall be established on the forest land.



- 7.12 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.
- 7.13 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.
- 7.14 No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- 7.15 The forest land shall not be used for any purpose other than that specified in the project proposal.
- 7.16 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.
- 7.17 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.
- 7.18 The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/> )

8.00 It is therefore, requested that Government of India may kindly be moved for approving the proposal for diversion of 2.9046 ha forest land under Section 2 of the Forest (Conservation) Act, 1980 for installation of Sewage Treatment Plant (STP) & Sewerages in village Pimpalgaon, Wadgaon Road and Umarsara in Yavatmal District of Maharashtra State under section 2 (ii) of the Forest (Conservation) Act, 1980.

Encl. :- Proposal 2 copies

Yours sincerely

  
(Sanjeev Gaur)

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

Copy submitted to the Principal Secretary (Forests), Revenue and Forest Department, Mantralaya, Mumbai -32 for information.

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

Copy to the Deputy Conservator of Forests, Yavatmal Forest Division, Yavatmal

Copy to the Executive Engineer, Maharashtra Jeevan Pradhikaran Division, Yavatmal for information.

Proposal for diversion of 2.9046 ha forest land under Section 2 of the Forest (Conservation) Act, 1980 for installation of Sewage Treatment Plant (STP) & Sewerages in village Pimpalgaon, Wadgaon Road and Umarsara in Yavatmal District of Maharashtra State (FP/MH/Pipeline/44244/2020).

**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.**

The proposal is for diversion of 2.9046 ha forest land under Section 2 of the Forest (Conservation) Act, 1980 for installation of Sewage Treatment Plant (STP) & Sewerages in village Pimpalgaon, Wadgaon Road and Umarsara in Yavatmal District of Maharashtra State (FP/MH/Pipeline/44244/2020).

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

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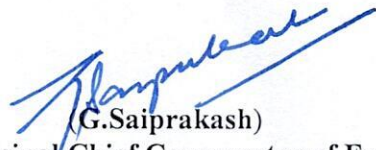
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(G.Saiprakash)  
Principal Chief Conservator of Forests  
(Head of Forest Force)  
Maharashtra State, Nagpur



**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 for diversion of 2.9046 ha forest land under Section 2 of the Forest (Conservation) Act, 1980 for installation of Sewage Treatment Plant (STP) & Sewerages in village Pimpalgaon, Wadgaon Road and Umarsara in Yavatmal District of Maharashtra State (FP/MH/Pipeline/44244/2020). The details of land proposed for diversion is as under-

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(B) Total forest area required for Pipeline & Nala					1.9046	
Grand Total (A)+ (B)					2.9046	

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

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

Date: /04 /2021  
Place: Nagpur



**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)


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

Sub.-: Proposal for diversion of 2.9046 ha forest land under Section 2 of the Forest (Conservation) Act, 1980 for installation of Sewage Treatment Plant (STP) & Sewerages in village Pimpalgaon, Wadgaon Road and Umarsara in Yavatmal District of Maharashtra State (FP/MH/Pipeline/44244/2020). The details of land proposed for diversion is as under-

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(B) Total forest area required for Pipeline & Nala					1.9046	
Grand Total (A)+ (B)					2.9046	

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, Nagpur.

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

Date: /04/2021  
Place: Nagpur