

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.:- Diversion of 19.532 ha of forest land for Rehabilitation and upgradation of existing two lane to 4 lane configuration of Buttibori to Wardha Section of NH-361, in Wardha and Nagpur, Districts in the State of Maharashtra. The details of land proposed for diversion are as under-

Sr. No	Name of Division	Legal Status	Area (ha)
1	Wardha	Zudpi Jungle	13.198
2	Nagpur	Zudpi Jungle	5.282
		Reserve Forest	1.050
Grand Total (I +II)			19.532

Specific recommendation of Principal Chief Conservator of Forests (HoFF) MS Nagpur is attached on page no. 16A


(G Sai Prakash)

**Additional Principal Chief Conservator of Forests
& Nodal Officer, Maharashtra State, Nagpur.**

Date: 29/09/2017
Place: Nagpur

Proposal for diversion of 19.532 ha. of Forest land under Section - 2 of the Forest (Conservation) Act, 1980 for Rehabilitation and upgradation of existing two lane to 4 lane configuration of Buttibori to Wardha Section of NH-361, between 28.800 km to 85.374 km in Nagpur & Wardha, Districts in the State of Maharashtra

Specific Recommendation of Principal Chief Conservator of Forests, Maharashtra State (Head of Forest Force) with regards to acceptance or otherwise of the proposal supported by reasons.

- 1) The proposal is for diversion 19.532 ha of forest land for Rehabilitation and upgradation of existing two lane to 4 lane configuration of Buttibori to Wardha Section of NH-361, (i) 6.332 ha. forest land between 28.800 km to 44.400 km section of villages Wadgaon, Haladgaon, Bhansuli, Sawanghi, Asola, Dhawalpeth, Junapani and Murzari of Tal. Hingna, Dist. Nagpur in the Nagpur Forest Division (ii) 13.200 ha forest land between 44.400 km to 85.374 km section of villages Salod, Sawanghi (M), Sindhi, Umri, Satoda, Pavnar, Kelzar, Aamgaon, Khadki and Seldoh of Tal. Wardha and Selu, Dist. Wardha in the Wardha, Forest Division. The details of forest land proposed for diversion in four divisions is as under.

(I) Wardha Division:

Sr. No	Village	District	Survey no.	Area (ha)	Legal Status
1	Salod	Wardha	511	0.090	Zudpi Jungle
2	Sawanghi(M)		124	0.368	
			129	0.700	
3	Sindhi (M)		129	0.180	
			157	0.339	
			158	0.930	
4	Umri		79	0.014	
5	Satoda		186	0.099	
6	Pavnar		477	0.368	
			466	0.021	
7	Kelzar		111	0.201	
			110	0.544	
			106/1	1.365	
			120	1.201	
			122	2.003	
			17	0.145	
		611	0.156		
		568	0.030		
		569	0.867		

			563	0.076	
			573	1.240	
			554	0.404	
			123	0.166	
			124	1.293	
8	Aamgaon Khadki		17	0.057	
			18	0.112	
9	Khadki		32	0.016	
			20	0.165	
			145	0.018	
10	Seldoh		56	0.010	
			146	0.020	
Wardha Forest, Division = Total (I)				13.198	

(II) Nagpur Forest Division:

Sr. No	Village	District	Comptt. No	Survey no.	Area (ha)	Legal Status
1	Wadgaon	Nagpur	-	90	0.040	Zudpi Jungle
			-	92	0.090	
			-	93	0.060	
			-	100	0.120	
			-	102	0.140	
2	Haldgaon		-	124	0.070	
			-	129	0.120	
			-	157	0.060	
3	Bhansoli		-	78	0.035	
4	Sawangi		-	57	0.040	
			-	43	0.370	
			-	111	0.020	
			-	124	0.030	
			-	123	0.220	
			-	127	0.020	
		-	104	0.100		
5	Asola	-	113	0.200		
		-	112	0.160		
		-	111	0.400		
		-	110	0.020		
		-	108	0.750		
		-	9	0.080		

6	Dhawalpeth	-	108	1.063	Reserve Forest	
		-	113	0.570		
7	Junapani	-	84/85	0.020		
8	Murzari	-	71	0.150		
		-	89	0.094		
		-	90	0.240		
9	Junapani	311	-	1.050		
Nagpur Forest, Division = Total (II)				6.332		

The abstract of proposed forest area is as under:-

Sr. No	Name of Division	Legal Status	Area (ha)
1	Wardha	Zudpi Jungle	13.198
2	Nagpur	Zudpi Jungle	5.282
		Reserve Forest	1.050
Grand Total (I +II)			19.532

The Project has been initiated by DGM (Tech) & Project Director, National Highway Authority of India, PIU- Yavatmal for Rehabilitation and upgradation of existing two lane to 4 lane configuration of Buttibori to Wardha Section of NH-361 for approval under Forest (Conservation) Act, 1980. Total forest area involved is 19.532 Ha. Total non forest area involved in the project is 124.1604 Ha. A considerable 60.00 km stretch along Wardha to Butibori section of NH-361 is passing through two important districts namely Wardha and Nagpur in the State of Maharashtra. The project road starts at 28.800 km and ends at 85.374 km and traverses through some major towns namely Pavnar, Seloo, Kelzar and Butibori. The Project is administratively approved by Government of India, Ministry of Road Transport and Highways Notification published in the Gazette of India vide REGD. No. D.L-33004/99, dated 22/03/2013. 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.

- a) To accelerate regional economic development in terms of industry, tourism and agriculture.
- b) To reduce vehicle operating and maintenance costs by improving road conditions.
- c) To reduce travel time by minimizing congestion in urban stretches and providing a four lane facility over there.
- d) To minimize road accidents by increasing road widths, improving intersections and road geometry.

- e) The project may also generate local employment opportunities through the construction activities and local business.
- f) Abatement of ambient air and noise pollution in comparison to a do nothing situation.
- 2) The proposed project area belongs to Eco value class III and having southern tropical Dry deciduous open forest below 0.2 in Nagpur Forest Division and Eco value class III and having density below 0.4 in Wardha, Forest division.
- 3) The Collector, Wardha and Nagpur have certified that the no alternate alignment is possible and the forest land required is the barest minimum.
- 4) The Deputy Conservator of Forests, Wardha Forest Division, Wardha and the Deputy Conservator of Forests, Nagpur Forest Division, Nagpur have certified that no alternate alignment is possible and the forest land required is the barest minimum.
- 5) Felling of 1176 trees is involved in implementation of the Project. The Girth wise break up is as under:-

Sr. No	Division	31-60 cm	61-90 cm	91-120 cm	121-150 cm	Above 150 cm	Total
1	Nagpur	391	214	116	41	26	788
2	Wardha	188	95	52	20	33	388
Total felling of trees							1176


- 6) There is no violation of Forest (Conservation) Act 1980 as certified by the Deputy Conservator of Forests, Wardha Forests Division, Wardha and the Deputy Conservator of Forests, Nagpur Forest Division, Nagpur.
- 7) The area involved does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc. as certified by the Deputy Conservator of Forests, Wardha Forests Division, Wardha and Deputy Conservator of Forests, Nagpur Forest Division, Nagpur.
- 8) The Deputy Conservator of Forests, Nagpur Forest Division, Nagpur has certified that the proposed project is outside 10 km of the boundaries of the Protected area Sanctuary and National Park). The Deputy Conservator of Forests, Wardha Forests Division, Wardha has certified that the proposed area is 9 kms from the boundary of Bor Wildlife Sanctuary and 150 mtr away from the notified boundary of the Bor Tiger Reserve. The Chief Conservator of Forests (T) Nagpur while recommending the proposal in Part-III has also stated the alignment of the proposed area does not pass through the Sanctuary.
- 9) The Project Authority has submitted an undertaking to defray the cost of Net Present Value of the forest land proposed for diversion.
- 10) The User Agency has agreed to defray the cost of Compensatory Afforestation.

- 11) The Deputy Conservator of Forests, Wardha Forests Division, Wardha and the Deputy Conservator of Forests, Nagpur Forest Division, Nagpur have certified that the proposed site is not likely to affect any monuments site of cultural, historical, religious archeological or recreational importance.
- 12) The Deputy Conservator of Forests, Wardha Forests Division, Wardha and the Deputy Conservator of Forests, Nagpur Forest Division, Nagpur have certified that 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 indentified 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.
- 13) The Deputy Conservator of Forests, Nagpur Forest Division, Nagpur has given suitability certificate for 40.00 ha. (out of suitable admeasuring area of 50.00 ha, the total area as per 7/12 extract of land records is 92.61 ha) degraded forest land in survey no.322 of village Kaotha, Tal. Saoner & Dist. Nagpur and it is contiguous to forest area, suitable for afforestation and free from encroachment and encumbrances.
- 14) The User Agency has submitted the certificates of Collector, Wardha and Nagpur under Schedule Tribes and Other Traditional Forest Dweller's (Recognition of Forest Rights) Act 2006 issued vide letter No.Rev/B-1-a/CR.10/W.S 1349, dt.16/9/2017 and No. AK/AKG/WS-268,dt.16/9/2017 in prescribed format Form I as per Government of India guidelines dated. 5/7/2013 with all annexures as required.
- 15) The Deputy Conservator of Forests, Wardha Forests Division, Wardha and the Deputy Conservator of Forests, Nagpur Forest Division, Nagpur, and the Chief Conservator of Forest (T), Nagpur Circle have recommended the proposal for diversion of 19.532 ha. of forest land.

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

- i) The legal status of the land required will remain unchanged.
- ii) The User Agency has agreed to defray the cost of Compensatory Afforestation over 40.00 ha degraded forest land in survey no.322 of village Kaotha, Tal. Saoner & Dist. Nagpur .
- iii) The User Agency will defray the cost of Net Present Value of 19.532 ha. of forest land as per the latest Guideline of Government of India.
- iv) The User Agency will defray the additional / revised cost of Net Present Value of Forest land as per the latest Guideline of Government of India.
- v) The User Agency will defray the cost of removal of 1176 trees in the proposed area. However, minimum number of trees will be felled. In situations where felling of trees is avoidable and such trees could be transplanted, all efforts to transplant such trees at a pre designated site will be taken and additional expenditure, if any, in such cases shall be at the cost of the User Agency.

- vi) The forest land shall not be used for any purpose other than specified in the proposal;
- vii) Ex-situ conservation of endemic species of flora/fauna lost/disturbed in the process of execution of the project may be ensured;
- viii) The user agency shall obtain the Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.
- xi) 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 toward and back bearing and distance from pillar to pillar.
- x) All necessary precautions should be taken to protect the area from fire.
- xi) The User Agency will undertake comprehensive soil conservation measures at the project cost in consultation with the State Forest Department.
- x) The User Agency in consultation with the State Forest Department shall create and maintain alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project. Bird's nests artificially made out of eco-friendly material shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project;
- xi) As the proposed area in Wardha Division is at 150 mtr distance from the boundary of the notified Bor Tiger Reserve, the user agency shall meet the cost for implementation of Conservation plan, approved by the Principal Chief Conservator of Forests (Wildlife) & CWLW, if required in future:
- xii) Afforestation to be done as per the norms of construction of roads along the road on either side or / and in the median shall be allocated for completion / maintenance by Forest Department / F.D.C.M. Ltd on a project basis,
- xii) Space at the cost of Project Authority should be provided in form of Booths/Kiosk/ Hall etc, at roads indicated by Forest Department to facilitate setting up of Forest Check Nakas or Jan-Van-Dhan Stall/ Information Centers by the Forest Department.
- xiii) Vacant spaces in Toll Plaza premises to be suitably painted with wildlife and forestry theme at the cost of NHAI.
- xiv) All other conditions as may be mandatory under relevant Acts, Rules and guidelines shall be complied with by the user agency.


 Principal Chief Conservator of Forests
 (Head of Forest Force)
 Maharashtra State, 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:- The proposal for diversion of 19.532 ha of forest land for Rehabilitation and upgradation of existing two lane to 4 lane configuration of Buttibori to Wardha Section of NH-361, in Wardha and Nagpur, Districts in the State of Maharashtra.

No. : Desk-17/NC/ILD- /^{1253/1544} /17-18

Nagpur - 440 001, dated : 29/09/2017

To,
The Secretary (Forests),
Revenue & Forest Department,
Mantralya,
Mumbai - 400032.

The DGM (Tech) & Project Director, National Highway Authority of India, PIU-Yavatmal has submitted the proposal for diversion of 19.532 ha forest land under Section - 2 of the Forest (Conservation) Act, 1980 for Rehabilitation and upgradation of existing two lane to 4 lane configuration of Buttibori to Wardha Section of NH-361, in Wardha and Nagpur, Districts in the State of Maharashtra. The details of forest land proposed for diversion is as given below: -

(I) Wardha Division:

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Wardha Forest, Division = Total (I)				13.198	

(II) Nagpur Forest Division:

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Nagpur Forest, Division = Total (II)					6.332	

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- The project may also generate local employment opportunities through the construction activities and local business.
- Abatement of ambient air and noise pollution in comparison to a do nothing situation.

- 2) The proposed project area belongs to Eco value class III and having southern tropical Dry deciduous open forest below 0.2 in Nagpur Forest Division and Eco value class,III and having density below 0.4 in Wardha , Forest division.
- 3) The Collector, Wardha and Nagpur have certified that the no alternate alignment is possible and the forest land required is the barest minimum.
- 4) The Deputy Conservator of Forests, Wardha Forest Division, Wardha and the Deputy Conservator of Forests, Nagpur Forest Division, Nagpur have certified that no alternate alignment is possible and the forest land required is the barest minimum.
- 5) Felling of 1176 trees is involved in implementation of the Project. The Girth wise break up is as under:-

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Total felling of trees							1176

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- 9) The Project Authority has submitted an undertaking to defray the cost of Net Present Value of the forest land proposed for diversion.
- 10) The User Agency has agreed to defray the cost of Compensatory Afforestation.
- 11) The Deputy Conservator of Forests, Wardha Forests Division, Wardha and the Deputy Conservator of Forests, Nagpur Forest Division, Nagpur have certified that the proposed site is not likely to affect any monuments site of cultural, historical, religious archeological or recreational importance.
- 12) The Deputy Conservator of Forests, Wardha Forests Division, Wardha and the Deputy Conservator of Forests, Nagpur Forest Division, Nagpur have certified that 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 indentified 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.
- 13) The Deputy Conservator of Forests, Nagpur Forest Division, Nagpur has given suitability certificate for 40.00 ha. (out of suitable admeasuring area of 50.00 ha, the total area as per 7/12 extract of land records is 92.61 ha) degraded forest land in survey no.322 of village

Kaotha, Tal. Saoner & Dist. Nagpur and it is contiguous to forest area, suitable for afforestation and free from encroachment and encumbrances.

- 14) The User Agency has submitted the certificates of Collector, Wardha and Nagpur under Schedule Tribes and Other Traditional Forest Dweller's (Recognition of Forest Rights) Act 2006 issued vide letter No.Rev/B-1-a/CR.10/W.S 1349, dt.16/9/2017 and No. AK/AKG/WS-268,dt.16/9/2017 in prescribed format Form I as per Government of India guidelines dated. 5/7/2013 with all annexures as required.
- 15) The Deputy Conservator of Forests, Wardha Forests Division, Wardha and the Deputy Conservator of Forests, Nagpur Forest Division, Nagpur, and the Chief Conservator of Forest (T), Nagpur Circle have recommended the proposal for diversion of 19.532 ha. of forest land.

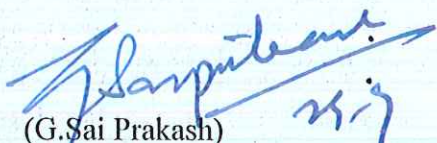
In view of this, the proposal is recommended for approval under section 2 (ii) of Forest (Conservation) Act, 1980 subject to the following conditions.

- i) The legal status of the land required will remain unchanged.
- ii) The User Agency has agreed to defray the cost of Compensatory Afforestation over 40.00 ha degraded forest land in survey no.322 of village Kaotha, Tal. Saoner & Dist. Nagpur .
- iii) The User Agency will defray the cost of Net Present Value of 19.532 ha. of forest land as per the latest Guideline of Government of India.
- iv) The User Agency will defray the additional / revised cost of Net Present Value of Forest land as per the latest Guideline of Government of India.
- v) The User Agency will defray the cost of removal of 1176 trees in the proposed area. However, minimum number of trees will be felled. In situations where felling of trees is avoidable and such trees could be transplanted, all efforts to transplant such trees at a pre designated site will be taken and additional expenditure, if any, in such cases shall be at the cost of the User Agency.
- vi) The forest land shall not be used for any purpose other than specified in the proposal;
- vii) Ex-situ conservation of endemic species of flora/fauna lost/disturbed in the process of execution of the project may be ensured;
- viii) The user agency shall obtain the Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.
- xi) 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 toward and back bearing and distance from pillar to pillar.
- x) All necessary precautions should be taken to protect the area from fire.
- xi) The User Agency will undertake comprehensive soil conservation measures at the project cost in consultation with the State Forest Department.
- x) The User Agency in consultation with the State Forest Department shall create and maintain alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project. Bird's nests artificially made out of eco-friendly material shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project;
- xi) As the proposed area in Wardha Division is at 150 mtr distance from the boundary of the notified Bor Tiger Reserve, the user agency shall meet the cost for implementation of Conservation plan, approved by the Principal Chief Conservator of Forests (Wildlife) & CWLW, if required in future:

- xii) Afforestation to be done as per the norms of construction of roads along the road on either side or / and in the median shall be allocated for completion / maintenance by Forest Department / F.D.C.M. Ltd on a project basis.
- xii) Space at the cost of Project Authority should be provided in form of Booths/Kiosk/ Hall etc, at roads indicated by Forest Department to facilitate setting up of Forest Check Nakas or Jan-Van-Dhan Stall/ Information Centers by the Forest Department.
- xiii) Vacant spaces in Toll Plaza premises to be suitably painted with wildlife and forestry theme at the cost of NHAI.
- xiv) 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 19.532 ha of forest land for Rehabilitation and upgradation of existing two lane to 4 lane configuration of Buttibori to Wardha Section of NH-361, in Wardha and Nagpur, Districts in the State of Maharashtra under section 2 (ii) of the Forest (Conservation) Act, 1980.

Encl. :- Proposal 3 copies


(G.Sai Prakash) 25-9
Addl. Principal Chief Conservator of Forests
& Nodal Officer,
Maharashtra State, Nagpur.
29/9/17

Copy to The Chief Conservator of Forests (Territorial) Nagpur for information.

Copy to Deputy Conservator of Forests, Wardha/Nagpur Forest Divisions, Nagpur and Wardha for information.

Copy to the DGM (Tech) & Project Director, National Highway Authority of India, PIU-Yavatmal for information.