



भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FORESTS &
CLIMATE CHANGE

Regional Office (WCZ)
Ground Floor, East Wing
New Secretariat Building
Civil Lines, Nagpur - 440001
apccfcentral-ngp-mef@gov.in

F.No. FC-II/MH-110/2019-NGP/6010

Date: 18th December, 2019

To,

The Secretary (Forests),
Revenue and Forest Department,
Hutatma Rajguru Chowk
Madam Cama Marg
Mantralaya, Mumbai – 400032.

Sub: Diversion of 12.92 ha of Reserved Forest land in favour of Nandurbar Medium Project Divisional Unit, Nandurbar for Nimbhel Storage Tank under Prakasha Burai Lift Irrigation Scheme at Village- Nimbhel Taluka And District Nandurbar in the state of Maharashtra - Regarding.

Sir,

I am directed to refer to the State Government of Maharashtra's letter no. FLD-16A19/C.R.181/F-10 dated 24.06.2019 on the above subject seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 and APCCF, Nodal Office (FCA), Government of Maharashtra letter no. Desk-17/NC/II/ID-12717/(31)/1024/19-20 dated 18.09.2019 forwarding additional information as requested by Regional Office vide letter dated 11.07.2019 and to say that the said proposal has been examined by the Regional Empowered Committee constituted by the Central Government under Section-4 of the Forest (Conservation) Act, 1980.

After careful examination of the proposal of the State Government and on the basis of the approval of the proposal by the Regional Empowered Committee, the Central Government hereby accords 'in-principle' under Section -2 of the Forest (Conservation) Act, 1980 for diversion of 12.92 ha of Reserved Forest land in favour of Nandurbar Medium Project Divisional Unit, Nandurbar for Nimbhel Storage Tank under Prakasha Burai Lift Irrigation Scheme at Village- Nimbhel Taluka And District Nandurbar in the state of Maharashtra subject to the fulfilment of the following conditions:

1. Compensatory afforestation

- a. Compensatory afforestation shall be taken up by the Forest Department over 12.92 ha non-forest land (12.92 ha non-forest land at Village-Junone, Tehsil- Amalner, District Jalgaon) 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 proposed for CA shall be transferred and mutated in the name of Forest Department and notified as RF/PF prior to Stage-II approval. A copy of the original notification declaring the non-forest land under Section 4 or Section 29 of the Indian Forest Act, 1927, or under the relevant section of the State Forest Act as the case may be, will be submitted by the State Government prior to Stage-II approval;
2. 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;

3. **NPV:**

- a. The State Government shall charge the Net Present Value(NPV) for the 12.92 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;
4. The cost of felling of trees shall be deposited by the User Agency with the State Forest Department.
 5. Copy of approved Catchment Area Treatment (CAT) Plan shall be submitted in accordance to para no. 4.8(i) of Forest (Conservation) Act, 1980 Handbook, if applicable.
 6. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
 7. All the funds received from the user agency under the project shall be transferred/ deposited to CAMPA fund only through e-portal (<https://parivesh.nic.in/>).
 8. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).

After receipt of the compliance report on the fulfilment of the conditions no. 1 (b), 3(a), 6, 7 and undertakings, duly authenticated by the competent authority in the State Government, in respect of all other conditions, as mentioned above, from the State Government, formal approval will be considered in this regard under Section-2 of the Forest (Conservation) Act, 1980. The transfer of forest land to the User Agency shall not be effected by the State Government till formal orders approving the diversion of forest land are issued by the Central Government.

Yours faithfully,



(Dr. E. Arockia Lenin)
Scientist 'C'

Copy to:

- i. The PCCF, Government of Maharashtra, Nagpur.
- ii. The Addl. PCCF & Nodal Officer (FCA), Government of Maharashtra, Nagpur.
- iii. User agency.
- iv. Guard file.



(Dr. E. Arockia Lenin)
Scientist 'C'