

Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Aliganj, Jorbagh Road,
New Delhi - 110003
Dated: 24th November, 2021

To

The Principal Secretary (Forests),
Government of Maharashtra,
Mantralaya, Mumbai

Sub: Proposal for diversion of 121.83 ha of forests land under Forest (Conservation) Act, 1980 for Laser Interferometer Gravitational Wave Observatory in India (LIGO) in Village Dudhala, Anjanwada, Nandgaon, Sawali (B), Tal-Aundha (Nagnath), District-Hingoli, Maharashtra State (Online No. FP/MH/Others/28610/2017)- reg.


Madam/Sir,

I am directed to refer to the Government of Maharashtra letter No. FLD-2018/CR-222/F-10 dated 09.08.2018 on the above mentioned subject, seeking prior approval of Central Government under Section-2(ii) of the Forest (Conservation) Act, 1980. After careful consideration of the proposal by the Forest Advisory Committee constituted by the Central Government under Section-3 of the said Act, '*In-principle/Stage -I*' approval to the proposal was accorded vide this Ministry's letter of even number dated 24.12.2018 subject to fulfillment of certain conditions prescribed therein. The State Government has furnished compliance report in respect of the conditions stipulated in the in-principle approval and has requested the Central Government to grant final approval.

2. In this connection, I am directed to say that on the basis of the compliance report furnished by the Government of Maharashtra vide letter No. Desk-17/NC/RS-1/ID-12563/1577/19-20 dated 31.12.2019 and letter No. 17/NC/1/ID-12563/652/2020-21 dated 21.11.2020 received on online portal on dated 05.10.2021 '*Final/Stage-II approval*' of the Central Government is hereby accorded under Section -2(ii) of the Forest (Conservation) Act, 1980 for diversion of 121.83 ha of forests land under Forest (Conservation) Act, 1980 for Laser Interferometer Gravitational Wave Observatory in India (LIGO) in Village Dudhala, Anjanwada, Nandgaon, Sawali (B), Tal-Aundha (Nagnath), District-Hingoli Maharashtra State subject to fulfillment of the following conditions:

A: Conditions which need to be complied prior to handing over of forest land to user agency by the State Govt.:

- i. The State Government shall ensure that the user agency implements the R&R




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Plan as per the R&R Policy of State Government in consonance with National R&R Policy, Government of India before the commencement of the project work and implementation. The said R&R Plan will be monitored by the State Government/Regional Office of MoEF &CC along with indicators for monitoring and expected observable milestones;

- ii. The State Government shall ensure that compliance of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 has been completed in accordance with the relevant Rules and Guidelines issued by the MoEF&CC in this regard, before handing over of forest land to the user agency;
- iii. The State Government shall ensure that proposed forest land i.e. 121.83 ha shall be handed over to the user agency only when the user agency has acquired the required non-forest land, if any, for the project;
- iv. The State Government shall upload the KML files of the area under diversion and the accepted area for raising compensatory afforestation in the E-Green Watch portal of FSI, before handing over forest land to the user agency;


B: Conditions which need to be complied after handing over of forest land to the user agency by the State Govt.:

- i. *The State Government /Integrated Regional Office, Nagpur will take action for the violation of FCA-1980 in the proposal for prospecting (Research) over an area of 121.83 ha of forest land by taking 150 Bore Holes in 0.375 ha forest area for laser Interferometer Gravitational Wave Observatory in village Dudhala, Anjanwada, Nandgaon Sawali (B), Tal- Aundha (Nagnath), Distict - Hingoli.*
- ii. *The State Government shall ensure that the Action taken report will be submitted within 3 months time to the Ministry regarding violation in the proposal for prospecting (Research) over an area of 121.83 ha of forest land.*
- iii. *The State Government shall ensure that the Final Approval/Stage-II in the proposal for prospecting (Research) over an area of 121.83 ha of forest land should also be completed for which State Government will submit the compliance and replies of the EDS raised by the Ministry.*
- iv. Legal status of the forest land shall remain unchanged;
- v. Compensatory afforestation over the degraded forest land, twice in extent to the area of forest land proposed to be diverted shall be raised within three years from the issue of Stage-II clearance and maintained thereafter as per approved plan by the State Forest Department at the cost of the User Agency. As far as practicable a mixture of local indigenous species will be planted and mono-culture of a species has to be avoided;
- vi. The State Government shall explore the feasibility to transplant young trees at the cost of user agency on the area decided by local DCF/CF. Thus user agency shall explore the possibility of translocation of maximum number of trees identified to be felled and shall ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State


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Forest Department;

- vii. The User Agency shall ensure that adequate precautions have taken to safeguard the adjoining areas from explosives and it shall not be stored in the forest area;
- viii. The User Agency shall not use the forest land for dumping the overburden;
- ix. The forest land shall not be used for any purpose other than that specified in the project proposal and under no circumstances be transferred to any other agency, department or person;
- x. The State Government shall ensure that no residential buildings shall be allowed on diverted forest land;
- xi. The User Agency will demarcate the proposed forest area as desired by Forest Department and provide retaining walls, breast walls for protection of human beings;
- xii. The user agency shall protect and conserve the proposed diverted forest area, which is not in operational use, by way of plantation in blanks;
- xiii. The User Agency shall ensure that forest area nearby shall not be encroached upon due to implementation of the project;
- xiv. No labour camps shall be set up inside the forest area. Labour management plan should be implemented with emphasis that no labour camp be set up in the close vicinity of the eco-fragile and sensitive areas;
- xv. 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 nests artificially made out of eco-friendly materials shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project;
- xvi. The User Agency shall provide alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;
- xvii. The user agency shall pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
- xviii. The layout plan of the proposal shall not be changed without prior approval of Central Government;
- xix. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;
- xx. The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less;
- xxi. No damage to the flora and fauna of the area shall be caused;
- xxii. The Violation of any of these conditions will amount to violation of Forest


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(Conservation) Act, 1980 and action would be taken as per the para 1.21 of comprehensive guidelines issued vide this Ministry F. No.5-2/2017-FC dated 28th March, 2019;

xxiii. 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 shall be carried out by the State Government and User Agency;

xxiv. The State Government and User Agency shall ensure compliance of all conditions stipulated in the Stage-I approval letter of even number dated 24.12.2018 for which undertakings have been obtained from the user agency and also the provisions of the all Acts, Rules, Regulations and Guidelines, relevant Hon'ble Court Order (S) and NGT Order (S), if any, pertaining to this project for the time being in force, as applicable to the project.

Yours sincerely,


(Suneet Bhardwaj)

Assistant Inspector General of Forests

Copy to: -

1. The PCCF & HoFF, Department of Forests, Government of Maharashtra, Nagpur;
2. The Regional Officer, Integrated Regional Office, MoEF&CC, Nagpur;
3. The Nodal Officer (FCA), O/o PCCF, Government of Maharashtra, Nagpur;
4. User Agency;
5. Monitoring Cell, FC Division, MoEFCC, New Delhi for uploading on PARIVESH portal.