

**Office of the Principal Chief Conservator of Forests (Head of Forests Force),**

**Maharashtra State, Nagpur**

**Additional Principal Chief Conservator of Forests & Nodal Officer, M.S.Nagpur**

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No. Desk-17/Nodal/Nagpur/ID-12865(15)/1525/2021-22

Nagpur – 440 001 Date - 15/11/2021

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-440 001

Sub – Diversion of 34.1914 ha Forest land for construction of 3<sup>rd</sup> Railway line from Darekasa Salekasa Station in Gondia in lieu of 3<sup>rd</sup> line project between Khairagarh-Nagpur (KJalumna) in favour of South East Central Railway Gondia in Gondia District in the State of Maharashtra (FP/MH/RAIL/45255/2020)

Ref – 1) Government of India, Ministry of Environment, Forest and Climate Change, Regional Office, Nagpur letter no. FC-II/MH-142/2021-NGP/8406, dt.03/08/2021

2) The Chief Conservator of Forest (T) Nagpur letter No. Desk-10/Land/C.R. /729, dt. 02/11/2021

Sir,

The Government of India, Ministry of Environment, Forest and Climate Change, Regional Office, Nagpur vide letter under reference 1 has accorded in principle approval for Diversion of 34.1914 ha Forest land for construction of 3rd Railway line from Darekasa Salekasa Station in Gondia in lieu of 3rd line project between Khairagarh-Nagpur (KJalumna) in favour of South East Central Railway Gondia in Gondia District in the State of Maharashtra. subject to fulfillment of the conditions stated in the letter under reference. The compliance report of the conditions is furnished as under:-

Sr.No.	Conditions laid down by Central Government letter dt.03/08/2021	Compliance																																
i	Legal status of the forest land shall remain unchanged;	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure No.-I) p/201																																
ii	Compensatory afforestation																																	
a.	Compensatory afforestation shall be taken up by the Forest Department over 68.50 ha degraded forest land at the cost of the User Agency as under <table><tr><th>Sr. No.</th><th>Range</th><th>Village Name</th><th>Com ptt. No.</th><th>Area (ha)</th></tr><tr><td>1</td><td rowspan="3">Amgaon</td><td>Manegaon</td><td>489</td><td>10.00</td></tr><tr><td>2</td><td>Kumbhartoli</td><td>475</td><td>10.00</td></tr><tr><td>3</td><td>Birsi</td><td>478</td><td>10.00</td></tr><tr><td>4</td><td rowspan="2">S/ Arjuni</td><td>Medhaki</td><td>834</td><td>18.50</td></tr><tr><td>5</td><td>Duggipar</td><td>168</td><td>20.00</td></tr><tr><td>6</td><td></td><td>Grand Total</td><td></td><td>68.50</td></tr></table> <p>As far as possible, a mixture of local indigenous species along with</p>	Sr. No.	Range	Village Name	Com ptt. No.	Area (ha)	1	Amgaon	Manegaon	489	10.00	2	Kumbhartoli	475	10.00	3	Birsi	478	10.00	4	S/ Arjuni	Medhaki	834	18.50	5	Duggipar	168	20.00	6		Grand Total		68.50	Compensatory afforestation will be taken up by the Forest Department over 68.50 ha degraded forest land.  In this regard, the User Agency has deposited an amount Rs.5,00,08,631/- toward the cost of Compensatory Afforestation in Maharashtra Ad-hoc CAMPA Account. The copy of the same is enclosed herewith as (Annexure No. II).  p/201 to 203 x 200
Sr. No.	Range	Village Name	Com ptt. No.	Area (ha)																														
1	Amgaon	Manegaon	489	10.00																														
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	10% RET species of Gondia District shall be planted and monoculture of any species may be avoided;	
iii	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.	<p>The User Agency has deposited an amount Rs.5,00,08,631/- toward the cost of Compensatory Afforestation, Rs. 2,05,500/- toward the cost of Survey Demarcation and Rs. 18,48,000/- toward the cost of erection and permanent pillars in Maharashtra Ad-hoc CAMPA Account. The copy of the same is enclosed herewith as <b>(Annexure No. II)</b>.  <i>P/20250 203 4200</i></p> <p>In this regard, the Compensatory Afforestation scheme for 10 years duly signed by the Deputy Conservator of Forests, Gondia Forest Division, Gondia. The copies of the same are enclosed herewith as <b>(Annexure No. III)</b>.  <i>proposed 136 to 200</i></p>
iv	<b>NPV :</b>	
a	The State Government shall charge the Net Present Value (NPV) for the 34.1914 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, 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;	<p>The User Agency has deposited an amount Rs.2,60,07,079/- toward the cost of Net Present Value in Maharashtra Ad-hoc CAMPA Account. The copy of the same is enclosed herewith as <b>(Annexure No. II)</b>.  <i>P/20250 203 4200</i></p>
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;	<p>The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as <b>(Annexure No.-IV)</b>  <i>P/</i></p>
v	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	<p>The User Agency has deposited an amount Rs. 19,05,895/- toward the cost of felling of trees through demand draft No. 496754 dated 06/10/2021. The copy of the same is enclosed herewith as <b>(Annexure No.V)</b>.  <i>P/196</i></p>

	the State Forest Department, Maximum numbers of trees in outer RoW will be kept intact. Maximum number of trees below 60 mtrs to be transplanted in nearby forest area at the cost of User Agency. A detailed report in this regard shall be submitted to IRO, MoEF & CC along with Stage-I compliance report;																						
vi	All the funds received from the user agency under the project shall be transferred/deposited to CAMPA fund only through e-portal ( <a href="https://parivesh.nic.in/">https://parivesh.nic.in/</a> );	<p>The total amount of Rs. 7,80,69,210/-has been deposited by User Agency in Ad hoc CAMPA, New Delhi Account No.150785945255379, dated 05/10/2021 through e-challan dated 05/10/2021 of Maharashtra State, CAMPA and the same is enclose herewith as <b>(Annexure-II)</b>. The details are as below - <b>(Ad-hoc CAMPA proforma)</b> p/202102038200</p> <table><tr><th>Sr. No</th><th>Particulars</th><th>Amount transferred to Ad-hoc CAMPA (Rs.)</th><th>Details of amount transferred</th></tr><tr><td>1</td><td>Compensatory Afforestation</td><td>Rs.5,00,08,631/-</td><td rowspan="4">e-challan dated 05/10/2021</td></tr><tr><td>2</td><td>Net Present Value</td><td>Rs.2,60,07,079/-</td></tr><tr><td>3</td><td>Survey Demarcation</td><td>Rs.2,05,500/-</td></tr><tr><td>4</td><td>Erection &amp; permanent pillars</td><td>Rs.18,48,000/-</td></tr><tr><td></td><td><b>Total amount</b></td><td><b>Rs. 7,80,69,210/-</b></td><td></td></tr></table>	Sr. No	Particulars	Amount transferred to Ad-hoc CAMPA (Rs.)	Details of amount transferred	1	Compensatory Afforestation	Rs.5,00,08,631/-	e-challan dated 05/10/2021	2	Net Present Value	Rs.2,60,07,079/-	3	Survey Demarcation	Rs.2,05,500/-	4	Erection & permanent pillars	Rs.18,48,000/-		<b>Total amount</b>	<b>Rs. 7,80,69,210/-</b>	
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vii	The compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector;	The User Agency has submitted the certificates of Collector, Gondia under Schedule Tribes and Other Traditional Forest Dweller's (Recognition of Forest Rights) Act, 2006 issued vide letter No. AK/Mah-1/CR-29/Ws/124, dated 09/02/2021 in prescribed format (Form-I) as per Government of India latest guidelines dated 05/07/2013. A copy of the same is enclosed herewith as <b>(Annexure No. VI)</b> p/p195																					
viii	Speed regulating signage will be erected along the railway line at regular intervals in the Protected Areas/Forest Areas;	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as <b>(Annexure No.-VII)</b> p/197																					
ix	User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;	not applicable																					
x	User Agency in consultation with State Forest Department shall;	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as																					

	prepare a site specific Wildlife Management Plan for 10 years. The plan so prepared shall be approved by Chief Wildlife Warden and a copy of same shall be submitted to Integrated Regional Office;	(Annexure No.-VIII) P/95
xi	User Agency in consultation with State Forest Department shall construct underpasses at same places as are in existing line with wider openings and interconnected guided bio fences for smooth movement of wildlife. Further, wherever feasible, User Agency in consultation with State Forest Department shall construct new underpasses both in old and new lines in a synchronized way so that a continuous passage covering both lines is available for wildlife movement. For purpose of dimensions of all such under passes the manual of Wildlife Institute of India entitled "Eco-friendly Measures to Mitigate Impacts of Linear Infrastructure on Wildlife, published in 2016" shall be consulted. A detail report in this regard shall be submitted to Integrated Regional Office;	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure No.-IX) P/94
xii	Wherever feasible, State Forest Department shall carry out plantation along the railway line by planting 8 mtr tall plants at the cost of User Agency. A scheme in this regard shall be prepared and submitted to Integrated Regional Office;	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure No.-X) P/93
xiii	To improve the Forest/Tree cover and to reduce pollution, as mandated in National Forest Policy, 1988 and Environmental (Protection) Act, 1986 respectively, the User Agency shall develop a separate nursery at one or more places to raise at least 35,000 seedlings of forestry species along with bamboo, fruit bearing, medicinal ornamental and indigenous/local every year. At least 50% of seedlings shall be planted by User Agency in the vicinity of project area including forest area and for hand holding with	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure No.-XI) P/92

	local people residing in vicinity of proposed road, User Agency shall voluntarily distribute remaining 50% of seedlings to them free of cost. A Compliance report including species wise details of seedlings raised location of plantation area and details of villagers whom seedlings have been distributed need to be prepared every six month and submitted to Regional Office of MoEF & CC.	
xiv	The layout plan of the proposal shall not be changed without prior approval of Central Government.	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure No.-XII) P/91
xv	No labour camp shall be established on the forest land.	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure No.-XIII) P/90
xvi	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.	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure No.-XIV) P/89
xvii	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;	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure No.-XV) P/88
xviii	No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure No.-XVI) P/87
xix	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.	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure No.-XVII) P/86
xx	The forest land shall not be used for any purpose other than that specified in the project proposal;	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure No.-XVIII) P/85
xxi	The forest land proposed to be diverted under no circumstances be transferred to any other agencies, department or person without prior approval Government of India;	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure No.-XIX) P/84
xxii	Violation of any of these conditions will amount to violation of Forest	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as

	(Conservation) Act, 1980 and action would be taken as per the MoEF & CC Guideline F.No. 11-42/2017-FC dt. 29/01/2018	(Annexure No.-XX) p/s2
xxiii	Any other condition that the Ministry of Environment, Forest & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forest & wildlife;	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure No.-XXI) p/s2
xxiv	The compliance report shall be uploaded on e-portal ( <a href="https://parivesh.nic.in/">https://parivesh.nic.in/</a> );	The conditions will be followed.

In view of the above facts, it is requested that Government of India may kindly be moved for approval order under section – 2 of the Forest (Conservation) Act, 1980 as early as possible.

Encl.- As above

Yours sincerely,

(Naresh Zurmure)

Additional Principal Chief Conservator of Forests  
& Nodal Officer, Nagpur

Copy submitted to - The Principal Secretary (Forests) Revenue & Forests Department,  
Mantralaya, Mumbai – 32 for information.

Copy to the Chief Conservator of Forests (T) Nagpur for information.

Copy to the Deputy Conservator of Forests (T) Gondia for information.

Copy to the Deputy Chief Engineer (Cons.) South East Railway Gondia for information.