

Forest Land-Aurangabad.

Diversion of 11.78 ha. of Forest Land for Rehabilitation and Up-gradation of Aurangabad-Koradi section of NH-211.

PART - V

(To be filled up by the Secretary Incharge of Forest Department or by any other authorized officer of the State Government not below the rank of an Under Secretary)

1. Recommendation of the State Government

The proposal is recommended
vide Government letter
No.FLD-2018/CR-324/F-10
Dated: 14.12.2018



(Virendra Tiwari)

Additional Principal Chief Conservator of Forests (Mantralaya)

Place: Mumbai.

Date: 14.12.2018

VIRENDRA TIWARI
Additional Principal
Chief Conservator of Forests (Mantralaya)
Revenue and Forest Department
Mumbai 400 032

Government of Maharashtra

By Speed Post

No.FLD-2018/CR-324/F-10
Revenue and Forest Department,
Madame Cama Road,
Hutatma Rajguru Chowk,
Mantralaya, Mumbai – 400 032.
Dated:14.12.2018

To,

The Additional Principal Chief Conservator of Forests (Central),
Ministry of Environment, Forests & Climate Change,
Government of India,
Regional Office, West Central Region,
Ground Floor, East Wing,
New Secretariat Building, Civil Lines,
Nagpur-440 001.

Subject: Forest Land-Aurangabad.

Diversion of 11.78 ha. of Forest Land for Rehabilitation and Upgradation of Aurangabad-Koradi section of NH-211.

Sir,

The Project Director, NHAI, PIU-Aurangabad has submitted proposal for diversion of 11.78ha. of Reserved forest land under Section - 2 of the Forest (Conservation) Act, 1980 for Rehabilitation and upgradation of existing two lanning to four lanning of Aurnagabad-Koradi section of NH-211, to 4 lane from Km 290.200 to Km 376.000 and Km 390.000 to Km 452.800 (Design Chaingae 290.200Km in Aurangabad to Koradi 320.640 Km) in village of Devli & Satara, Tal. Aurangabad, Dist.Aurangabad in the State of Maharashtra. The details of forest land proposed for diversion is as given below: -

Sr. No.	Item of Work	Tahsil	Village	Compt. No.	Gut No.	Area (in ha.)	Legal Status
1	Diversion of 11.78ha. of Reserved Forest land under Section - 2 of the Forest (Conservation) Act, 1980 for 4 lanning of Aurnagabad-Koradi section of NH-211.	Aurangabad	Devli	286	73	5.63	Reserved Forest
2			Satara	287	250	0.37	
				289	330	5.78	
Total Forest Area (in ha.)						11.78	

2. The Project has been initiated by Project Director, NHAI, PIU-Aurangabad for approval under Forest (Conservation) Act, 1980. This project is for development of stretches

of NH under NHDP Phase IV B on BOT Mode/EPC Mode under Phase IV, the Government is considering widening of 20,000 Km of highways that were not part of Phase I, II, or III of NHDP program. Phase IV will convert existing single lane/sub-standard two lane highways into four lanes with paved shoulders in four stages, i.e. IVA, IVB, IVC and IVD about 5000 KM of roads have been allotted in each of these stages. The subject project road will be developed under NHDP Phase IVB. The said project road (Aurangabad-Dhule) is part of National Highway-211, NH-211 starts at Solapur and ends at Dhule. This proposed road is passing through Solapur, Osmanabad, Yedshi, Pali, Beed, Rajani, crosses Godavari River at Shahgad, Pachud, Buzurg, Chitegaon, Aurangabad, Ellora, Kannad, Bhamarvadi, Autram Ghat, Challisgaon and ends at Dhule.

3. The District Collector, Aurangabad and the Deputy Conservator of Forests, Aurangabad Forest Division, Aurangabad have certified that the no alternate alignment is possible and the forest land required is the barest minimum.

4. There are 1568 trees involved in implementation of the Project.

5. Deputy Conservator of Forests, Aurangabad has certified that there is no violation of Forest (Conservation) Act 1980.

6. Deputy Conservator of Forests, Aurangabad has certified that the area involved does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc.

7. Deputy Conservator of Forests, Aurangabad has certified that the proposed project is beyond 10 km of the boundaries of the Jaikwadi Bird Sanctuary.

8. The user agency has submitted an undertaking to defray the cost of Net Present Value of the forest land proposed for diversion.

9. The user agency has agreed to defray the cost of Compensatory Afforestation.

10. The Deputy Conservator of Forests, Aurangabad has certified that the proposed site is not likely to affect any monuments site of cultural, historical, religious archaeological or recreational importance.

11. The Deputy Conservator of Forests, Aurangabad has 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 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.

12. The non-forest forest land at Gut No.554 in village Georai-Shami, Tal.Sillod, Dist. Aurangabad which is proposed to be transferred to the Forest Department as an alternate land for Compensatory Afforestation. the Deputy Conservator of Forests, Aurangabad has given suitability certificate for 11.78 ha. out of 20.00 ha. land offered by the user agency and also certified that this is land suitable for afforestation, management and it is free from encroachment & encumbrances.

13. The user agency has submitted the certificates of Collector, Aurangabad under Schedule Tribes and Other Traditional Forest Dweller's (Recognition of Forest Rights) Act, 2006.

14. The Principal Chief Conservator of Forests (HoFF), Maharashtra State, Nagpur has recommended the proposal subject to the conditions, given in his specific recommendations, under Section-2 (ii) of the Forest (Conservation) Act, 1980. His specific recommendations are enclosed in the proposal.

15. In the circumstances explained in the aforesaid paragraphs and enclosures, the State Government recommends that the said forest land may be allowed to be diverted on the conditions proposed by the Principal Chief Conservator of Forests (HoFF), Maharashtra State, Nagpur. The matter may kindly be placed before the Government of India for its approval under Section-2 (ii) of the Forest (Conservation) Act, 1980, be obtained and communicated to this Government at earlier.

Yours faithfully,

Virendra Tiwari

(Virendra Tiwari) 14/12

o/c Additional Principal Chief Conservator of Forests (Mantralaya)

Encl: A) Set of case papers

b) **The following documents are enclosed:-**

1. Prescribed form as per Rules.
2. Certificate regarding minimum demand for forest land for the project
3. Area Statement
4. Index map of suitable scale
5. Commitment from the Applicant for defraying the cost of compensatory plantation.
6. An undertaking of Project Authority for Net Present Value.
7. Brief note of the project from the project authority
8. Map of proposed land for Compensatory Afforestation
9. Site Inspection Report.
10. Certificate that there is no violation of Forest (Conservation) Act, 1980.
11. Certificate in Part V.

Copy to:

1. Principal Secretary, Tribal Development Department, Mantralaya, Mumbai.
2. Principal Chief Conservator of Forests (Wildlife), Maharashtra State Nagpur.
3. Additional Principal Chief Conservator of Forests and Nodal Officer, Maharashtra State Nagpur with reference to his letter No.Desk-17/NC/I.I.D.1697/17-18, Date-01.12.2018.
4. Additional Principal Chief Conservator of Forests & C.E.O (Maha-CAMPA), Maharashtra State, Nagpur.
5. Chief Conservator of Forests (T), Aurangabad.
6. Collector, Aurangabad.
7. The Project Director, NHAI, PIU-Aurangabad.
8. Select File F-10.

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