

Government of Maharashtra

By Speed Post

No.FLD-2022/ C.R.272/ F-10
Revenue and Forest Department,
Mantralaya, Mumbai- 400 032.
Date: 18.10.2022

To,
The Secretary,
Ministry of Environment, Forests and Climate Change,
Government of India,
New Delhi.

Sub: Forest Land-Chandrapur

Diversion of 63.540 Forest land under the Forest (Conservation) Act, 1980 for development of Green Field Airport at village Vihirgaon and Murti, Taluka.Rajura of District Chandrapur in the State of Maharashtra. (FP/MH/Road/25848/2017).

Madam,

The APCCF and Nodal Officer has submitted proposal for diversion of 63.540 ha. Forest land under the Forest (Conservation) Act, 1980 for development of Green Field Airport at Village Vihirgaon and Murti, Taluka.Rajura of District Chandrapur in the State of Maharashtra.

The proposal for diversion of 75.24 ha. was earlier submitted to Govt. of Maharashtra in 2020 under section 2 (ii) of the Forest (Conservation) Act, 1980. The proposal was kept on hold at government level for want of some clarification. Wildlife Institute of India has suggested some mitigation measures and to reduce runway and safety area (RESA) on the Northern side. Copy of Report is enclosed in the proposal. Now, the User Agency has revised the proposal accordingly and resubmitted for approval.

2. The details of the forest land proposed for diversion are as under:-

| Sr. No | Item work purpose | Name of Village | Survey / Gut No. | Compt. No | Length (MTR) | Width (MTR) | Area (in ha) | Legal Status |
|--------|-------------------|-----------------|------------------|-----------|--------------|-------------|--------------|------------------|
| 1. | Run Way | Vihirgaon | 402 | 173 | 903.763 | 406.08 | 36.700 | Reserve Forest |
| | | Murti | 112 | 593 | 387.67 | 68.184 | 25.270 | Protected Forest |
| | | Murti | 112 | 200 | 62.129 | 25.27 | 1.570 | Reserve Forest |
| | Grand Total (ha.) | | | | | | 63.540 | |

3. The proposal has been initiated by the Authorized Officer, M.A.D.C. Ltd for seeking approval under Forest (Conservation) Act, 1980. The proposed proposal for development of the Greenfield Airport at Village Vihirgaon and Murti Tahsil Rajura District Chandrapur aims to accelerate the Industrial growth and facilitate the transportation to and fro to important parts of the Country. The total non forest involved in the project is 216.19 ha. The B:C ratio for the project is 1.73. As per the Note submitted by the User Agency following benefits and development possible because of this project:-
- Employment generated consequent to the activities in the Greenfield Airport Project will benefited around 600 people (Direct including through Contractors and indirect self-employment).
 - The project will have tremendous boost to the local and the regional economy benefiting population over 2 lakhs.
 - Ample commercial opportunities will become available for economic development in the Chandrapur District through ancillary services and cottage industries.
 - The State Govt. will directly benefited the revenue on account of Greenfield Airport Project.
 - The project will reduce the distance over connecting the Road to the existing Greenfield Airport plant which implied saving of Foreign Exchange on the precious fuel used in Road Transport.
 - Unlike the financial benefits, the social benefit arising out of this proposal can expressed only as value judgment. This includes increases in the standard of living local population, educational opportunities, training and development of skill etc.
 - The project will provide wide opportunities for increase interaction in one side word and will draw the local population out of their shell and encourage them to join national mainstream.
 - This will also help medical emergencies in Naxalite area of Gadchiroli District.
 - The most important from the Greenfield Airport will be creating of an industrial channel that will defuse the potentially grave social problems that the district faces in the form of illiteracy which thrive on ignorance, poverty and isolation of the local people will cease to have their rationale and hence will fade out the area.
 - Chandrapur District is already having established Defence products Manufacturing Mega Units and all related since 1970. If the Airport facility is established in this district, it will help huge scopes and development possibilities in Defence related sector as Govt. of India is promoting “**MAKE IN INDIA**” movement in all sectors with flexible policies.
4. The Project is administratively approved vide Government of Maharashtra, General Administration Department vide letter No.MADC-1217/C.No.255/28-A,dt.21/12/2018. The total non-forest area involved in the project is 216.19 ha.

5. The Deputy Conservator of Forests, Central Chanda Division, Chandrapur has certified that:-

- 5.1 No suitable alternate land is available and the forest land required is minimum.
5.2 The area belongs to Eco-value class-III and having density is 0.5
5.3 There are 3392 trees of various species involved in implementation of the Project. Earlier there were 3817 trees. The Girth wise break up is as under:-

| Division | Total tree felling | | | | | | |
|----------------|--------------------|-------------|-------------|--------------|----------------|-----------------|-------|
| Central Chanda | 0-30 | 31-60 cm | 61-90 cm | 91-120 cm | 121- 150 cm | Above 150 cm | Total |
| | 0 | 2081 | 851 | 238 | 154 | 68 | 3392 |

- 5.4 The area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc.
5.5 Proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance.
5.6 There is no violation of Forest (Conservation) Act 1980.
5.7 The proposed area for the project is beyond 10 km from the boundary of the protected area. (The distance of wildlife sanctuary i.e. Kanhargaon WLS is 8.242 Km. The proposed site now falls in the de-facto up to 10 Km radius Eco-Sensitive Zone (ESZ) of the Protected Area as stipulated in Wildlife Conservation Strategy 2002. Nevertheless, as per the ruling of Hon'ble Supreme Court of India dated 3rd June 2022, Kanhargaon Wildlife Sanctuary falls in category B according to the second report of CEC dated 20th Sept.2012, making a 1 Km wide ESZ from the boundary of the protected area mandatory. Accordingly, a proposal for final notification of ESZ for Kanhargaon Wildlife Sanctuary is proposed. The considered site for airport is not in the proposed ESZ of Kanhargaon Wildlife Sanctuary (Site 8.242 Km from the boundary of the PA).
5.8 The 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.
5.9 Alternative non forest land proposed for Compensatory Afforestation over 76.06 ha. in private area Gut No.69/7,69/10, Pt.69/11 of Village Pachambe, Tal. Sangemeshwar, Dist. Ratnagiri is contiguous and suitable for management purpose. It is also free from encroachment and encumbrances.

However as the tree cover is more than 60% in this area, afforestation works cannot be taken in this area as the area already has tree cover. However, the proposed land is acceptable as per Government of Maharashtra letter dt.27/08/2014 as the area is included in the proposed Eco-Sensitive Zone of Sahyadri Tiger Reserve. Compensatory

Afforestation has been proposed over 65.00 degraded forest land elsewhere in compartment No.313,301,170,154,200,158 Village Kawadgondi, Dewada, Tulana, Sumantha, Murti, Chunala Dist. Chandrapur and it is contiguous, suitable for afforestation and management purpose and it is free from encroachment and an encumbrances.

6. **The User Agency has submitted an undertaking that:-**

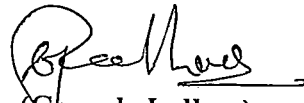
- 6.1 To defray the cost of compensatory afforestation.
 - 6.2 To defray the cost of Net Present Value of the forest land proposed under diversion.
 - 6.3 To submit compliance under the Scheduled Tribes and Other Traditional forest Dwellers (Recognition of Forest Rights) Act, 2006.
7. The CCF Chandrapur has mentioned in his site inspection report that the forest area proposed for diversion is important from the wildlife point of view and that Tigers, Sloth bear and other herbivorous animal move through the area. He has further mentioned that the site is at a distance of 8.242 kms from the Kanhargaon Sanctuary. He has also pointed out that the proposed site is part of the **Tiger Corridor Grid No. 248** as per the Wildlife Institute of India's report on Tiger Corridors of the Eastern Vidarbha Landscape.
- 8.00 The total number of trees to be felled in the forest area required for the project is 3392 out of which the trees above 60cms girth are 1311.
- 8.01 MADC entered into an MoU with Wildlife Institute of India, Deharadun for a wildlife study.
- 8.02 The report mentions that incase there is no alternative site for the proposed airport mitigation measures as suggested need to be considered. Important amongst them;
1. Re-align GAMV boundary;
 2. In case realignment of the airport boundary is not possible, reduce runway and safety area (RESA) in northern side.
- 8.03 On dtd.15.06.2020, the CWLW has given his remarks / comments.
9. In the circumstances explained in above paragraphs and enclosures, the said proposal may be decided under Section-2 (ii) of the Forest (Conservation) Act ,1980 by the FAC / Ministry of Environment, Forests and Climate Change, New Delhi subject to following conditions :-
- 9.1 The legal status of the forest land required will remain unchanged.
 - 9.2 Compensatory Afforestation over over 65.00 degraded forest land elsewhere in compartment No.313, 301, 170, 154, 200, 158 Village Kawadgondi, Dewada, Tulana, Sumantha, Murti, Chunala.
 - 9.3 If land proposed for Compensatory Afforestation found unsuitable, Compensatory Afforestation may be carried out at other suitable land with prior permission of the Central Government.
 - 9.4 User Agency shall obtain prior permission of NBWL, if required

- 9.5 The user agency will defray the cost of Net Present Value of 75.240 ha. (Revised Area 63.540) of forest land as per the latest guidelines of the Government of India.
- 9.6 The user agency will defray the additional cost of Net Present Value of forest land as per the latest guidelines of Government of India.
- 9.7 The User Agency shall transfer the cost of raising and maintaining the Compensatory Afforestation, at the current wage rate, to the State Forest Department. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.
- 9.8 All the funds received from the user agency under the project shall be transferred/ deposited to CAMPA fund only through e-portal (<http://parivesh.nic.in/>)
- 9.9 The non-forest land identified for raising compensatory afforestation shall be transferred and mutated in favour of the State Forest Department before issue of the Stage-II clearance.
- 9.10 Wherever possible and technically feasible, the user agency in consultation with the State Forest Department shall undertake by involving local community the afforestation measures within the area diverted under this approval at the project cost.
- 9.11 The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.
- 9.12 No labour camp shall be established on the forest land.
- 9.13 The user agency shall provide fuels preferably alternate fuels to the labours and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas.
- 9.14 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, forward and back bearing and distance from pillar to pillar.
- 9.15 The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
- 9.16 The forest land shall not be used for any purpose other than that specified in the proposal
- 9.17 The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government.
- 9.18 No damage to the flora and fauna of the adjoining area shall be caused.
- 9.19 Any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Government.
- 9.20 The User Agency shall undertake comprehensive soil conservation measures at the project cost in consultation with the State Forest Department. if required and a plan on the same to be submitted.
- 9.21 The User Agency in consultation with the State Government 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.

- 9.22 The user agency shall obtain the certificate of the Collector, Chandrapur under the Scheduled Tribes and Other Traditional forest Dwellers (Recognition of Forest Rights) Act, 2006 after Stage I approval.
- 9.23 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.
- 9.24 All other conditions as may be mandatory under relevant Acts, Rules and guidelines shall be complied with by the user agency.
- 9.25 The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>)

The matter may be placed before FAC / MoEF&CC at the earliest.



(Ganesh Jadhao)

Under Secretary to the Government

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. Maps
5. Commitment from the Applicant for defraying the cost of Net Present Value and Compensatory Afforestation
6. Brief note of the project from the project authority
7. Site Inspection Report
8. Report of Wildlife Institute of India.
10. Certificate in Part-V

Copy to:

1. Additional Principal Chief Conservator of Forests and Nodal Officer, Nagpur.
2. Managing Director, Maharashtra Airport Development Company Limited
3. Select File F-10.

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PART - V

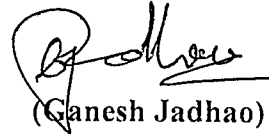
(To be filled up by the Secretary In charge of Forest Department or by any other authorized officer of the State Government not below the rank of an Under Secretary)

**1. Recommendation of the
State Government**

The proposal is recommended
vide Government letter

No.FLD-2022/ CR-272/ F-10

Dated: 18/10/2022



Under Secretary to the Government

Place: Mumbai

Date: 18/10/2022