

F. No. FC-II/MH-202/2022-NGP (E-193899)
Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan
Aliganj, Jor bagh Road
New Delhi- 110003
Dated: 19-12-2025

To

The Additional Chief Secretary (Forests)
Department of Revenue & Forests Department
Government of Maharashtra
Mumbai.

Subject: Proposal seeking ex-facto approval of the Central Government under Section 2 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for non-forestry use of 18.18 ha of Forest land in favour of Public Work division, Nanded for AU-108-Two lanning of District Boundary to Chuncha-Manatha-Barad-Mudkhed Road with paved Shoulder in Nanded District under HAM SH-261 of Km 000/000 to Km 48/700 and AU-109 Two lanning of Mudkhed-Gadga-Khandgaon-Mukhed-Savargaon (BK)-Jamb to district Border road with paved shoulder in Nanded district in the state of Maharashtra - regarding.

Madam/Sir,

I am directed to refer to Govt. of Maharashtra letter No. FLD-2022/CR-216/F-10 dated 15.11.2022 and additional information provided vide letter dated 20.10.2025 on the proposal mentioned in above subject seeking prior approval of the Central Government in accordance with Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. The said proposal has been examined by the Advisory Committee (AC) constituted by the Central Government under Section- 3 of the aforesaid Adhiniyam on 02.12.2025.

2. After careful consideration of the proposal of the Government of Maharashtra and on the basis of the recommendations of the Advisory Committee and approval of the same by the competent authority of MoEFCC, New Delhi, the Central Government hereby accords "***In-principle/Stage-I***" approval under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 18.18 ha of Forest land in favour of Public Work division, Nanded for AU-108-Two lanning of District Boundary to Chuncha-Manatha-Barad-Mudkhed Road with paved Shoulder in Nanded District in the state of Maharashtra, subject to the following conditions:-

- i. Legal status of the diverted forest land shall remain unchanged.
- ii. The User Agency shall transfer the cost of raising and maintaining the Compensatory Afforestation as per the approved CA Scheme at the current wage rate in consultation with State Forest Department in the account of

CAMPA of the concerned State through online portal.

- iii. Compensatory Afforestation over an area of 18.18 Ha Non-forest land at Survey /Gut No. 70, Village-Gundawal, Range- Mahur, Taluka-Mahur, District-Nanded shall be raised at the project cost and afforestation work shall start within two years from the date of final approval and maintained thereafter in accordance with the approved CA scheme by the State Forest Department.
- iv. The non-forest land identified for raising CA shall be transferred and mutated in favour of the State Forest Department before issue of final approval.
- v. The non-forest land transferred and mutated in favour of the State Forest Department shall be notified by the State Government as Protected forest under section 29 of the Indian Forest Act, 1927 or under the relevant section(s) of the local Forest Act, before handing over the forest land to the user agency.
- vi. The State Government shall charge the Net Present Value (NPV) of the forest land being diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 28.03.2008, 24.04.2008 and 09.05.2008 in Writ Petition (Civil) No. 202/1995 and the guidelines issued by this Ministry vide its letter No. 5-3/2007-FC (pt.) dated 29.12.2023 in this regard.
- vii. At the time of payment of the Net Present Value (NPV) at the then prevailing rate, the User Agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India.
- viii. The Compensatory levies to be realized from the User Agency under the project shall be transferred/ deposited, through e-challan, in to the account of National Authority, CAMPA pertaining to the State concerned through e-portal (<https://parivesh.nic.in/>).
- ix. ***As the soil depth in the non-forest land proposed for compensatory afforestation is less and the terrain is hilly and rocky, the area may not be suitable for afforestation. Accordingly, additional suitable degraded forest land, double in extent to the area found unsuitable for plantation, shall be identified for undertaking the plantation work. The State Government shall submit details of the identified DFL, including Maps/KML files, site suitability certificate, and the Compensatory Afforestation scheme, prior to Stage-II approval.***
- x. ***The penalty for violation shall be equal to NPV of forest land per hectare for each year of violation from the date of actual diversion as reported by the inspecting officer with maximum up to five (5) times the NPV plus 12 percent simple interest from the date of raising of such demand till the deposit is made.***
- xi. ***The matter regarding imposition of penal CA is under consideration for***

the formulation of a uniform policy guideline in the matter. Keeping this in view, the imposition of penal CA (if any) shall be as per the said guideline, if issued.

- xii. ***Action under section 3A/3B of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 shall be initiated by State Forest department, as applicable.***
- xiii. The complete compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).
- xiv. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.
- xv. No labour camp shall be established on the forest land and the User Agency shall provide fuels preferably alternate fuels, if required to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas.
- xvi. 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, distance from pillar to pillar and GPS coordinates.
- xvii. 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.
- xviii. The layout plan of the proposal shall not be changed without the prior approval of the Central Government and the forest land shall not be used for any purpose other than that specified in the proposal.
- xix. The user agency shall explore the possibility of translocation of maximum number of trees identified to be felled, if any, and shall ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department.
- xx. The cost of felling of trees, if any, shall be deposited by the User Agency with the State Forest Department.
- xxi. The User Agency shall implement the R&R Plan, if applicable, as per 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 shall be monitored by the State Govt./Regional Office of MoEF&CC.
- xxii. The State Government shall complete settlement of rights, in term of the Scheduled Tribes and Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any, on the forest land to be diverted as per the sub-rule (7) of Rule 11 of the Van (Sanrakshan Evam Samvardhan) Rules, 2023.
- xxiii. The KML files of proposed area for diversion and the CA area shall be uploaded on the e-Green watch portal before handing over the land to the UA.

- xxiv. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- xxv. The user agency shall arrange to raise strip plantation on either side of the road and central verge at project cost, as per IRC specification, with maintenance of 7-10 years. The user agency shall also submit design of providing at least 2-3 rows of long rotation indigenous trees, as per provision of IRC-SP-21-2009 (Guidelines on landscaping & tree plantation), on either side of the road before final clearance.
- xxvi. Overburden shall not be dumped outside the width of the road. The muck generated in the earth cuttings will be disposed of at the designated dumping sites and in no case the muck/debris will be allowed to roll down the hill slopes.
- xxvii. The user agency will provide retaining walls, breast walls and drainage as per requirement to make the slope stable.
- xxviii. The User agency will undertake comprehensive soil conservation measures at the project cost in consultation with the State Forest Department. A scheme of the same shall be submitted to the Regional Office along with the Stage-I compliance report.
- xxix. Wherever possible and technically feasible, the User Agency shall undertake afforestation measures along the roads within the area diverted under this approval, in consultation with the State Forest Department at the project cost.
- xxx. No damage to the flora, fauna or the environment of the adjoining area shall be caused; Adequate measures to ensure no damage to the adjoining areas should be taken by the User Agency at the project cost.
- xxxi. The designing of culverts/bridges, if any, over the natural streams/rivers/canals should be done in such a manner that it does not hamper the natural course of water, does not give rise to water-logging, and also does not hamper movement of wild animals.
- xxxii. The concerned Divisional Forest Officer, will monitor and take necessary mitigate measures to ensure that there is no adverse impact on the forests in the surrounding area.
- xxxiii. The User Agency shall submit the annual self -compliance report in respect of the above stated conditions to the State Government, concerned Regional Office and to this Ministry by the end of March every year regularly.
- xxxiv. 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 with by the State Government and user agency.
- xxxv. The user agency shall comply all the provisions of all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and NGT Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.

xxxvi. Violation of any of these conditions will amount to violation of Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 and action would be taken as prescribed in para 1.16 of Chapter 1 of the consolidated guidelines and clarifications issued under Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 and Van (Sanrakshan Evam Samvardhan) Rules, 2023 as issued by this Ministry's letter No. 5-2/2017-FC dated 29.12.2023.

After receipt of compliance report on fulfilment of the conditions mentioned above, the proposal shall be considered for final approval under section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980. Transfer of forest land shall not be affected till final approval is granted by the Central Government in this regard.

Digitally signed by
SUNEET BHARDWAJ
Date: 19-12-2025
15:53:31

Yours faithfully,

Sd-
(Suneet Bhardwaj)
Assistant Inspector General of Forests

Copy to: -

1. The Principal Chief Conservator of Forests (HoFF), Government of Maharashtra, Nagpur.
2. The DDGF (Central), Regional Office, Nagpur of MoEF&CC.
3. The APCCF-cum-Nodal Officer (FCA), Government of Maharashtra, Nagpur.
4. Monitoring Cell, FC Division, MoEF&CC, New Delhi.
5. User Agency.