



भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FORESTS
& CLIMATE CHANGE

Integrated Regional Office
Ground Floor, East Wing
New Secretariat Building
Civil Lines, Nagpur - 440001
apccfcetral-ngp-mef@gov.in

F.No. FC-II/MH-140/2021-NGP/3409

Date: 28.02.2022

To,
The Principal Secretary (Forests),
Revenue and Forest Department,
Hutatma Rajguru Chowk
Madam Cama Marg
Mantralaya, Mumbai - 400032.

Sub: Diversion of 33.420 ha Forest Land for upgradation to two lanes with paved shoulder to four lane configuration of Nanded-Kinwat-Mahur-Arni road section of National Highway 161 A 0.00 km at Bhoker and end at Arni Fata via Sarsam-Himayatnagar-Kinwat-Mahur of Nanded district in the state of Maharashtra- regarding.

Sir,

The undersigned is directed to refer to State Government of Maharashtra letter No. FLD-2020/CR-206/F-10 dated 22.01.2021 on the above subject seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 and APCCF & Nodal Officer (FCA), Maharashtra's letter No. Desk-17/Nodal/Aurangabad/ID-12796/(28)/1579/2021-22 dated 18.11.2021 and Desk-17/Nodal/Aurangabad/ID-12796/(28)/2217/2021-22 dated 27.01.2022 forwarding additional information as sought vide this office letter of even number dated 23.02.2021 and 30.12.2021 and to say that the said proposal has been examined in the Integrated Regional Office in light of the relevant provisions of the Forest (Conservation) Act, 1980 and Guidelines issued thereunder and approved by the Regional Empowered Committee constituted under Section - 4 of the Forest (Conservation) Act, 1980.

After careful examination of the proposal of the State Government and on the basis of the approval of the proposal by the Regional Empowered Committee, the Central Government hereby accords '**in-principle**' under Section - 2 of the Forest (Conservation) Act, 1980 diversion of 33.420 ha Forest Land for upgradation to two lanes with paved shoulder to four lane configuration of Nanded-Kinwat-Mahur-Arni road section of National Highway 161 A 0.00 km at Bhoker and end at Arni Fata via Sarsam-Himayatnagar-Kinwat-Mahur of Nanded district in the state of Maharashtra subject to the fulfilment of the following conditions:

- i. Legal status of the forest land shall remain unchanged;
- ii. **Compensatory afforestation**
 - a. Compensatory afforestation shall be taken up by the Forest Department over 67.00 ha. Double Degraded Forest Land of Dist- Nanded at the cost of the User Agency as under:

S.no.	Village	Survey No.	Compt. No.	Area
1.	Karia	155	408	10.00
2.	Hunda G.P.	14	388 A	7.00
3.	Nichpur	187	74A	10.00
4.	Gogharwadi	8	191B	10.00
5.	Jaldhara	70	256	10.00
6.	Mahadapur	16	57 A	10.00
7.	Wagdari	1	763	10.00
Total				67.00

As far as possible, a mixture of local indigenous species along with 10% RET species of Nanded District shall be planted and monoculture of any species may be avoided. Atleast two

water bodies in each patch shall be constructed in the form of tank/ stop dams etc if the same are not available in the area or in nearby vicinity;

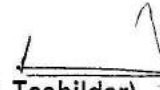
- iii. The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars if required on the CA land shall be deposited in advance with the Forest Department by the project authority. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years;
- iv. **NPV:**
 - a. The State Government shall charge the Net Present Value (NPV) for the 33.420 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 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;
 - 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;
- 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 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 (<https://parivesh.nic.in/>);
- vii. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector;
- viii. A comprehensive site specific Wildlife Management Plan of 10 years including all mitigation measures as suggested by the PCCF (Wildlife) along with budgetary provisions shall be prepared by User Agency and duly approved by PCCF (Wildlife). A copy of same shall be submitted to IRO, Nagpur prior to issuance of working permission to the proposal along with Stage- I compliance report;
- ix. In conformity with Wildlife Protection Act, 1972 and The Prevention of Cruelty to Animals Act, 1960, the User Agency in consultation with concerned DCF, shall construct box culverts of approximately 3 x 4 mtrs size in forest as well as in non-forest areas, where there is traditional route of Wildlife movement, for smooth movement of Wildlife and cattle as suggested by Wildlife Institute of India in manual entitled "Eco-friendly Measures to Mitigate Impacts of Linear Infrastructure on Wildlife, published in 2016. A report in this regard shall be submitted to IRO, MoEF&CC along with Stage- I compliance report;
- x. State Forest Department shall undertake avenue plantation of 8 feet tall plants as per IRC norms at the cost of User Agency. Details of the same shall be submitted at the time of Stage- I compliance;
- xi. The User Agency shall undertake comprehensive soil conservation measures at the project cost in consultation with the State Forest Department. A 10 years Plan on the same shall be submitted along with the compliance report of the Stage-I approval;
- xii. Speed regulating signage will be erected along the road at regular intervals in the Protected Areas/ Forest Areas;
- xiii. Rain water harvesting structures shall be constructed every 500 meters in outer RoW of alignment in entire forest area at project cost;

- xiv. To improve the Forest/ Tree cover and to reduce pollution in the State, as mandated in National Forest Policy, 1988 and Environmental (Protection) Act, 1986 respectively, the User Agency with involvement of Joint Forest Management Committees (JFMC's) and in consultation with local DCF shall raise at least 30,000 seedlings of forestry species along with bamboo, fruit bearing, medicinal, ornamental and indigenous/local for 10 years. At least 50% of seedlings shall be planted in the vicinity of project area and remaining 50% of seedlings shall be distributed among villagers as per choice of villagers. The concerned JFMC's shall maintain record of plantation/ seedling distribution to villagers;
- xv. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;
- xvi. The layout plan of the proposal shall not be changed without prior approval of Central Government;
- xvii. No labour camp shall be established on the forest land;
- xviii. 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;
- xix. 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;
- xx. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;
- xxi. 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;
- xxii. The forest land shall not be used for any purpose other than that specified in the project proposal;
- xxiii. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India;
- xxiv. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF&CC Guideline F. No. 11-42/2017-FC dt 29/01/2018;
- xxv. 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;
- xxvi. The compliance report shall be uploaded on *e-portal* (<https://parivesh.nic.in/>);

After receipt of a report on the compliance of conditions no iii, iv (a), v, vi, vii, viii, ix, x, xi and undertakings, duly authenticated by the competent authority in the State Government, in respect of all other conditions, from the State Government, formal approval will be considered in this regard under Section-2 of the Forest (Conservation) Act, 1980.

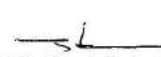
This issues with the approval of Regional Officer (Central), Integrated Regional Office, MoEF & CC, Nagpur.

Yours faithfully,


(C.B. Tashildar)
AIGF (Central)

Copy to:

- i. The PCCF (HoFF), Government of Maharashtra, Nagpur.
- ii. The Addl. PCCF & Nodal Officer (FCA), Government of Maharashtra, Nagpur.
- iii. User agency.
- iv. Guard file.


(C.B. Tashildar)
AIGF (Central)