

Government of Maharashtra

No.FLD-2223/C.R.238/F-10

Revenue and Forest Department,

Mantralaya, Mumbai - 400 032.

Dated:-24.08.2023

To,

Deputy Director General of Forests (Central),

Regional Office, MoEF&CC.

Government of India, Civil Lines, Nagpur.

Subject: Forest Land-Solapur

Diversion of 3.36 ha. Forest Land under section-2 of the Forest (Conservation) Act, 1980 for four lanning of Pune-Solapur section of NH-9 in Km 144/400 to Km 249/000 at Village Pakhani, Chikhali, Hivare, Dist. Solapur in the State of Maharashtra (FP/MH/Road/42876/2019)

The Additional Principal Chief Conservator of Forests, Maharashtra State, Nagpur has submitted proposal for diversion of 3.36 ha. Forest Land under section-2 of the Forest (Conservation) Act, 1980 for four lanning of Pune-Solapur section of NH-9 in Km 144/400 to Km 249/000 at Village Pakhani, Chikhali. Hivare, Dist. Solapur in the State of Maharashtra.

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

Sr. No.	Item of Work / purpose	District	Village	Gut No.	Length & Width	Area (in ha.)	Legal Status
1.	Four lanning of Pune-Solapur Section of NH-9 in Km 144/400 to Km 249/000 at Village Pakhani, Chikhali, Hivare, Dist. Solapur in the State of Maharashtra	Solapur	Hivare	8	310 x 30	0.93	Identified Forest
				9	260 x 30	0.78	
2.			Chikhli	6	107 x 27	0.29	Reserved Forest
3.			Pakhni	203	453 x 30	1.36	
Total Forest Area (in ha.)						3.36	

2. The Government of India has mandated the National Highway Authority of India (NHAI) to implement the National Highway Development Project (NHDP). The National Highway (NH-65) connects the State of Maharashtra with Karnataka, Telangana & Andhra Pradesh. This is one of the major corridors from North and West to South and vice versa. This is one of the major high-density traffic corridors in India connecting Northern and Western India with Southern India and is a major and integral part of NHDP. The section from Pune-Solapur-Hyderabad is under development at various stage. With a view to upgrade and rehabilitate the existing highways, where necessary National Highway Authority

of India (NHAI) under PIU Solapur has envisaged up-gradation of existing highway to four land configurations of some sections. The proposed up-gradation consists of Pune-Solapur sections of existing NH-9 from Km 144+400 to Km.249+000 having total length of 104.6 Km in the State of Maharashtra on DBFOT basis under NIIDP Phase-III.

3. Deputy Conservator of Forests, Solapur has certified that:-

- 3.1) No alternate alignment is possible and the forest land required is barest minimum
- 3.2) The area belongs to Eco-Value Class-III having density is 0.01 (Open Forest).
- 3.3) There are 190 trees of various species and trees are involved in implementation of the Project. The Girth-wise break up is as under:-

Tree Girth in Cm.										Total
0-30	31-45	46-60	61-75	76-90	91-105	106-120	121-135	136-150	150 Above	
14	99	36	20	10	6	2	1	2	0	190

- 3.4) Proposed project is not likely to affect any monumental site of cultural, historical, religious, archaeological or recreational importance.
- 3.5) There is violation of Forest (Conservation) Act, 1980.
- 3.6) The area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc.
- 3.7) There is no violation of Forest (Conservation) Act, 1980.
- 3.8) Proposed project is passing through Great Indian Bustard Wildlife Sanctuary.
- 3.9) Compensatory Afforestation is proposed over 6.72 ha. degraded forest land in Gut No.468 at village-Goradwadi, Taluka-Malshiras, Dist. Solapur is contiguous, suitable for afforestation and management purpose, it is also free from encroachment and encumbrances.
- 3.10) 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.

4. The User Agency has submitted undertakings:-

- 4.1 to defray the cost of Net Present Value.
- 4.2 to defray the cost of Compensatory Afforestation.
- 4.3 to submit compliance under FRA-2006.

5. Deputy Conservator of Forests, Solapur has recommended following mitigation measures:-

Installation 20 nos. sign boards with information of wildlife area, slow passage for vehicle should be provide. Tall avenue plantation along with the 1130 mtr. Forest diverted highway length should be provided.

6. 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.
7. MoEF&CC has issued guidelines regarding processing of proposals involving ex-post facto approval vide letter dt. 22.03.2022 & 08.09.2022, accordingly proposal may be submitted to Ministry level. IRO, MoEF&CC is requested to forward this proposal to Head Office of MoEF&CC at New Delhi on PARIVESH portal, as system automatically sends it to IRO, MoEF&CC office due to required forest land is below 40 ha. and project is linear in nature.
7. 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 subject the conditions proposed by the Principal Chief Conservator of Forests (HoFF), Maharashtra State, Nagpur, Deputy Conservator of Forests, Solapur and following conditions given below:-

1. *User Agency shall obtain wildlife Clearance, if not obtained earlier.*
2. *The User Agency shall pay penal Net Present Value.*

The matter may kindly be placed before the MoEF&CC (Head Quarter), New Delhi as per its guidelines dated 22.03.2022 for approval under Section-2 (ii) of the Forest (Conservation) Act, 1980.



(Ganesh Jadhao)
Under Secretary to the
Government of Maharashtra

Under Secretary
Revenue and Forests Department
Hutatma Rajguru Chowk
Madam Cama Road, Mantralaya
Mumbai 400 032

Encl: A) Set of case papers

B) The following documents are enclosed:-

1. Prescribed form as per Rules.
2. Area Statement
3. Commitment from the Applicant for defraying the cost of Net Present Value & Compensatory Afforestation.
4. Brief note of the project
5. Site Inspection Report.

6. Violation Report.
7. Certificate in Part V.

Copy:

1. Secretary, Ministry of Environment, Forests & Climate Change, New Delhi
2. Deputy Director General of Forests (Central), Regional Office, Nagpur
3. Principal Chief Conservator of Forests & C.E.O, Maha-CAMPA, Nagpur
4. Additional Principal Chief Conservator of Forests and Nodal Officer, Maharashtra State Nagpur with reference to his letter No.FCA-S1/PID-42876/Pune/1148, Dt. 14.07.2023.
5. Chief Conservator of Forests (T), Pune.
6. Deputy Conservator of Forests, Solapur.
7. Project Director, NHAI PIU Solapur.
8. Select File (F-10)

Sub:- Forest Land-Solapur

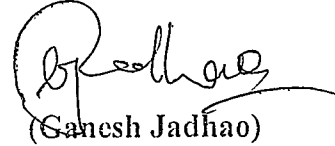
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PART - V

(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-2223/C.R.238/F-10
Dated:- 24/08/2023



(Ganesh Jadhao)
Under Secretary to the
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Place: Mumbai

Date:- 24/08/2023