

Government of Maharashtra

By Speed Post

No.FLD-2021/ C.R.175/ F-10
Revenue and Forest Department,
Mantralaya, Mumbai- 400 032.
Date: 25th September, 2021

To,
The Regional Officer,
Ministry of Environment, Forests & Climate Change,
Integrated Regional Office,
Ground Floor, East Wing,
New Secretariat Building, Civil Lines,
Nagpur- 440 001.

Sub: Forest Land- Gadchiroli.

Diversion of 7.688 ha. Reserved Forest land under Forest (Conservation) Act, 1980 in favour of Executive Engineer, Public Works Division No.2, Gadchiroli for Link Road (MH-1051) Improvement/Upgradation and maintenance of VR-105, Murumgaon to Katezari Road From Km.0+000 to Km.11+350 in Dhanora Tehsil of District Gadchiroli in the State of Maharashtra.

Sir,

The Executive Engineer, Public Works Division No.2 Gadchiroli has submitted the proposal is for diversion of 7.688 ha. Reserved Forest land under Forest (Conservation) Act, 1980 in favour of Executive Engineer, Public Works Division No.2, Gadchiroli for Link Road (MH-1051) Improvement/Upgradation and maintenance of VR-105, Murumgaon to Katezari Road From Km.0+000 to Km.11+350 in Dhanora Tehsil of District Gadchiroli in the State of Maharashtra. The details of forest land proposed for diversion is as given below:

Sr. No.	Item work purpose	Village Name	Compt. No	Length	Width	Area (in ha)	Legal Status
1	Link Road (MH-1051) Improvement/Upgradation and maintenance of VR-105, Murumgaon to Katezari Road From Km.0+000 to Km.11+350 in Dhanora Tehsil of District Gadchiroli	Murumgaon	681,682	1600	7.5	1.200	Reserved Forest
2		Rengagaon	683,658	2200	7.5	1.650	
			683,657	600	7.5	0.450	
3		Gurekasa	714,715	2300	7.5	1.725	
			731,717	1300	7.5	0.975	
4		Katezari	718,719	2250	7.5	1.688	
Total Forest Land (in ha)				10250		7.688	

2. The User Agency has decided to undertake improvement of Link Road (MH-1051) Improvement/Upgradation and maintenance of VR-105, Murumgaon to Katezari Road From Km.0+000 to Km.11+350 in Dhanora Tehsil of District Gadchiroli. Because of the project, over all road safety situation will be improved.

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

- 3.1 no suitable alternate land is available and the forest land required is minimum.
- 3.2 the area belongs to Eco-value class-III having density is 0.4.
- 3.3 there are 109 trees of various species and trees is involved in implementation of the Project.
- 3.4 the area involved in the project is part of the Tiger Corridor as per TCP and Tadoba Andhari Tiger Reserve. However, it is part of the Tiger Corridor as per TCP and TATR. In this regard the CWLW vide office note dt.1/3/2021 has offered his comments and the same are reproduced as under:-

'proposals involving activity/project, falling outside the protected area linking one protected area of tiger reserve with another protected area or tiger reserve, prior clearance from the Standing Committee of the National Board for Wildlife as per the section 38 O (1) (g) of the Wildlife (Protection) Act, 1972 will be required'

In this regard the User Agency has submitted the proposal for prior approval of the National Board of Wildlife and the same has been submitted by the Conservator of Forests (T) Gadchiroli vide letter dt.28/6/2021 to Additional Principal Chief Conservator (Wildlife) East, Nagpur for onward submission to Principal Chief Conservator of Forests (Wildlife) Maharashtra State Nagpur.

- 3.5 proposed project is not likely to affect any monumental site of cultural, historical, religious, archaeological or recreational importance.
- 3.6 there is no violation of Forest (Conservation) Act 1980.
- 3.7 proposed project is distance of 81 km from the boundary of the Bhamragad Wildlife Sanctuary and 102 km Chaprala Wildlife Sanctuary.
- 3.8 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.
- 3.9 As per Chapter 2 of the Handbook under Forest (Conservation) Act, 1980 para 2.5 special provisions for CA for certain categories of project CA shall be raised and

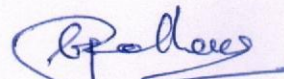
maintained at the cost of the user agency on degraded forest land twice to the forest land to be diverted.

(g) *constructions of link roads, small water works, minor irrigation works, school building, dispensaries, hospital, tiny rural industrial sheds of the Government or any other similar work excluding mining and encroachments cases, which directly benefit the people of the area in hill districts and in other districts having forest area exceeding 50 % of the total geographical area. Provided diversion of forest area does not exceed 20 ha.*

4. In the instant case the proposed project area is less than 20 ha coming under Gadchiroli District having forest area exceeding 50% of the total geographical area. Therefore the Deputy Conservator of Forests, Pusad Forest Division, Pusad has proposed Compensatory afforestation over 15.376 ha degraded Reserve Forest land in Compartment No.13 of Range Kali and is suitable for afforestation and it is free from encroachment.

5. The User Agency has submitted an undertaking that:-

- 5.1 to defray the cost of compensatory afforestation.
 - 5.2 to defray the cost of Net Present Value of the forest land proposed under diversion.
 - 5.3 to submit the certificate of the Collector under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forests Right) Act, 2006.
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. In the circumstances explained in above paragraphs and enclosures, the State Government recommends that the said forest land may be allowed to be diverted for the non-forestry use on the conditions proposed by the Principal Chief Conservator of Forests (HoFF), Maharashtra State, Nagpur. The matter may kindly be placed before Government of India for its approval under Section-2 (ii) of the Forest (Conservation) Act, 1980 and the same may please be obtained and communicated to this Government at the earliest.


(Ganesh Jadhav)

Under Secretary to the
Government of Maharashtra

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. 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
8. Site Inspection Report
10. Certificate in Part-V

Copy to:

1. Additional Principal Chief Conservator of Forests and Nodal Officer, Nagpur.
2. The Executive Engineer, Public Works Division No.2 Gadchiroli.
- ✓ 3. Select File F-10.

Sub.: Forest Land- Gadchiroli.

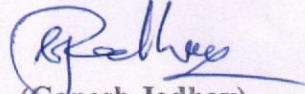
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PART - V

(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-2021/ CR-175/ F-10
Dated: 25/09/2021


(Ganesh Jadhav)

Under Secretary to the
Government of Maharashtra

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

Place: Mumbai

Date: 25/09/2021