



OFFICE OF THE DY. CONSERVATOR OF FOREST GONDIA FOREST DIVISION GONDIA

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Subject:- Diversion of 141.99 ha Protected Forest land & Zudpi Forest land under Forest (Conservation) Act 1980 for the purposed Ash Utilization, Promotion and Research Park at Village-Mendipur & Kachewani, Tah. Tiroda District- Gondia, Maharashtra.

No:- Desk-3/Survey/Conser/917/2017-18
Gondia, Dated- 17-06-017

To,
Head Environment,
Adani Power Maharashtra Limited,
Sambhav House, Judges Bungalow Road,
Bodakdev, Ahmedabad, Gujrat- 380015.

Ref – 1. Govt. of India's letter no. F.No. 8-7/2017-FC dated 01.05.2017
2. Additional Principal Chief Conservator of Forest & Nodal Officer, M.S. Nagpur's letter no. Desk-17/Nocel/1/I.D. -12459 / 526 dated 29.05.2017

Government of India vide letter under reference no. 1 has conveyed the in-principal approval for diversion of 141.99 ha of forest land for diversion of 141.99 ha Protected Forest land & Zudpi Forest land under Forest Conservation Act 1980 for the purposed Ash Utilization, Promotion and Research Park at Mendipur & Kachewani Tah. Tiroda District Gondia in the State of Maharashtra, subject to the fulfillment of the following conditions.

You are therefore informed to submit the compliance report in seven copies to this office.

Sr. No.	Conditions laid down by Central Government	Action to be taken by Agency against the conditions
1	Legal status of the diverted forest land shall remain unchanged.	Agency should give an undertaking.
2	Compensatory afforestation over equivalent area of 141.99 ha of degraded forest land identified for raising afforestation in Gondia District involves 21 patches in Gondia Range of Gondia Forest Division shall be raised within a period of three years with effect for the date of issue of Stage-II clearance and maintained thereafter in accordance with the approved plan in consultation with the State Forest Department at the cost of the User Agency.	Pertains to the Forest Department.

3	The land identified for the purpose of CA shall be clearly depicted on a Survey of India toposheet of 1:50,000 scale;	Pertains to the Forest Department.
4	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: The non-forest land identified for raising Compensatory Afforestation shall be notified by the State Government as RF under Section-4 or PF under Section-20 of the Indian Forest Act, 1927 or under the relevant Section(s) of the local Forest act, as the case may be, within in a six months. The Nodal Officer (Forest Conservation) shall report compliance in this regard;	Pertains to the Forest Department.
5	The User Agency shall transfer the cost of raising and maintaining the compensatory afforestation, at the current wage rate, in consultation with State Forest Department in the account of Ad-hoc Campa of the concerned State through online portal. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years;	The amount of Rs. 7,05,01,017/- as per the rate for the year 2017-18 is required for raising Compensatory Afforestation (CA) over 141.99 ha of degraded forest land proposed for the same in this division.
6	The User Agency shall transfer the funds for 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 dated 05.02.2009 through online portal of Ad-hoc CAMPA account of the State Concerned;	The amount of Rs. 8,88,85,740/- is required as Net Present Value (NPV) for the area of 141.99 ha. to be diverted from this forest division.
7	The user agency shall associate Government Research Institutes such as IIFM/TFRI etc. to draw up a forestry research plan, at the cost of user agency, for utilization of fly ash and submit the documents in this regard, prior to stage II approval. The cost related to said research shall be borne by user agency.	Agency to give a forestry research plan for utilization of Fly ash.
8	The research results and all data shall be shared with MOEF and CC and all other research institutes without charging any cost.	Agency should give an undertaking.
9	No alternation or diversion of water course with in the proposed land shall be allowed.	Agency should give an undertaking.
10	Construction of any buildings shall not be allowed on forest land sought for diversion.	Agency should give an undertaking.

11	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, distance from pillar to pillar and GPS co-ordinates;	The agency should give an undertaking that the agency will make demarcation on the boundary of the diverted forest land 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 or as directed by Forest Department and submit the report accordingly.
12	The user agency shall ensure that ash disposal is carried out as per the detailed plan prepared for the purpose, and is in accordance with all environmental safeguards.	Agency should give an undertaking.
13	The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986;	Agency should give an undertaking.
14	No Labour camps shall be set up inside the forest area. Labour management plan should be submitted with emphasis that no labour camp shall be set up in the close vicinity of the eco-fragile and sensitive areas.	Agency should give an undertaking.
15	The user agency shall provide alternate fuel to the labourers working at the site to avoid damage/felling of trees.	Agency should give an undertaking.
16	No damage to the flora and fauna of the adjoining area shall be caused.	Agency should give an undertaking.
17	The forest land shall not be used for any purpose other than that specified in the proposal.	Agency should give an undertaking.
18	The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person.	Agency should give an undertaking.
19	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.	Agency should give an undertaking.
20	The State Government shall complete settlement of rights, in terms of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any, on the forest land to be diverted and submit the documentary evidence as prescribed by this Ministry in its letter No. 11-9-1998-FC (pt.) dated 03.08.2009 read with 05.07.2013, in support thereof;	Agency should produce the completion of settlement of rights under Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, from competent authority.

21	The User agency shall submit the annual self compliance report in respect of the above conditions to the State Government, concerned Regional Office and this Ministry by the end of March every year regularly;	Agency should give an undertaking.
22	Any other condition that the Regional Office, Nagpur of this Ministry, may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife; and	Agency should give an undertaking.
23	The State Government and user agency shall comply the provisions of the all Acts, Rules, Regulations, Guidelines & Hon'ble Court Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.	Agency should give an undertaking.


Deputy Conservator of Forests
Gondia Forest Division Gondia

Copy Submitted to The Additional Principal Chief Conservator of Forest & Nodal Officer, M.S. Nagpur for information and necessary action.

Copy Submitted to The Chief Conservator of Forests, (Territorial), Nagpur for information and necessary action .