

Office of the Principal Chief Conservator of Forests (Head of Forests Force),**Maharashtra State, Nagpur****Additional Principal Chief Conservator of Forests & Nodal Officer, M.S.Nagpur**1st Floor, B Wing, VanBhavan, Ramgiri Road, Civil Lines, Nagpur- 440 001Tel.No.: 0712- 2556916 , E-mail: apccfnodal@mahaforest.gov.in

No. Desk-17/Nodal/Nagpur/ID-12933/478 /2022-23

Nagpur – 440 001 Date - 31/05/2022

To,
The Deputy Director General (Central)
Ministry of Environment Forests and Climate Change,
Regional Office, Ground Floor, East Wing,
New Secretariat Building,
Civil lines, Nagpur-440 001

Sub – Diversion of 15.811 ha of Forest land in favour of Western Coalfields Limited (WCL) for Transportation Network for Dinest open cast project in Tehsil Umred in Nagpur District in the State of Maharashtra – regarding

- Ref – 1) Govt. of India, MoEF& CC, Integrated Regional Office, Nagpur vide letter no. FC-II/MH-180/2022-NGP/9663, dt. 2/5/2022
2) The Chief Conservator of Forest (T) Nagpur letter No. Desk-10/Land/ C.R.1010/301, dt.26/5/2022

1P-155

1P-193

Sir,

The Govt. of India vide letter under reference 1 has accorded In-Principal Approval for diversion of 15.811 ha forest land on the subject mentioned above with condition to submit compliance of 1 to 22 conditions. Accordingly, the User Agency has submitted their compliance to Dy. Conservator of Forest (T) Nagpur. The same is submitted by Chief Conservator of Forest (T) Nagpur to this office vide letter under reference 2. The compliance report of the conditions of in-principle approval was furnished as under:-

Sr.No.	Conditions laid down by Central Government letter dt.2/5/2022	Compliance
i	Legal status of the forest land shall remain unchanged;	As per the compliance report submitted by DCF (T) Nagpur & forwarded by CCF (T) Nagpur, the User Agency has submitted an undertaking. The copy of the same is enclosed herewith as Annexure-I. 1P-187
ii	Compensatory afforestation	
a	Compensatory afforestation shall be taken up by the Forest Department over 35.797 ha degraded forest land in Survey No. 528, 530 at Village-Bhojapur, Taluka-Umred, Range-North Umred, Round-Kuhi, District-Nagpur (Area 9.997 ha.) and in Survey No. 21 at Village - Butibori, Taluka - Butibori, Range - Butibori, Round - Bhotibori East, District - Nagpur	As per the compliance report submitted by DCF (T) Nagpur & forwarded by CCF (T) Nagpur, the user agency has deposited the cost of Compensatory afforestation over 35.797 ha degraded forest land in Survey No. 528, 530 at Village-Bhojapur, Taluka-Umred, Range-North Umred, Round-Kuhi, District-Nagpur (Area 9.997 ha.) and in Survey No. 21 at Village - Butibori,

	(Area 25.80 ha) at the cost of the User Agency. As far as possible, a mixture of local indigenous species along with 10% RET species of Nagpur 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;	Taluka - Butibori, Range - Butibori, Round - Bhotibori East, District - Nagpur (Area 25.80 ha). An amount of Rs. 4,51,64,144/- has been deposited in Ad-hoc CAMPA through e-challan vide EFT UTR No. SBINR52022051082858406 dtd. 10/5/2022. Copy of challan enclosed. (Annexure-II) 1P-18400186
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 on the CA land and fencing from boundary of forest land to protect narrow left over patch 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. The fencing of the CA land to be started from the one side of compartment to avoid encroachment in future;	As per the compliance report submitted by DCF (T) Nagpur & forwarded by CCF (T) Nagpur, the user agency has deposited the cost of Compensatory afforestation over 35.797 ha degraded forest land. An amount of Rs. 4,51,64,144/- has been deposited in Ad-hoc CAMPA through e-challan vide EFT UTR No. SBINR52022051082858406 dtd. 10/5/2022. Copy of challan enclosed. (Annexure-II) 1P-18400186
iv	NPV:	
a	The state Government shall charge the Net Present Value (NVP) for the 15.811 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;	As per the compliance report submitted by DCF (T) Nagpur & forwarded by CCF (T) Nagpur, the user agency has deposited the Net Present Value (NVP) for the 15.811 ha. forest area. An amount of Rs. 1,51,43,460/- has been deposited in Ad-hoc CAMPA through e-challan vide EFT UTR No. SBINR52022051082858406 dtd. 10/5/2022. Copy of challan enclosed. (Annexure-II) 1P-18400186
b	Additional amount of the NVP 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,	As per the compliance report submitted by DCF (T) Nagpur & forwarded by CCF (T) Nagpur, the User Agency has submitted an undertaking. The copy of the same is enclosed herewith as Annexure-III. 1P-183

	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.	As per the compliance report submitted by DCF (T) Nagpur & forwarded by CCF (T) Nagpur, the User Agency has submitted an undertaking. The copy of the same is enclosed herewith as Annexure-IV & V. P-187 & 182													
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/);	<p>The details of amount deposited are as under -</p> <table border="1"> <thead> <tr> <th>Item</th><th>Amount (In Rs.)</th><th>EFT</th></tr> </thead> <tbody> <tr> <td>Cost of Compensatory Afforestation</td><td>Rs. 4,51,64,144/-</td><td rowspan="3">EFT in Ad-hoc CAMPA through e-challan vide UTR No. SBI NR5202 2051 082858406 dtd.10/5/2022</td></tr> <tr> <td>Net Present Value (NPV)</td><td>Rs. 1,51,43,460/-</td></tr> <tr> <td>Cost of boundary pillars</td><td>Rs. 34,79,840/-</td></tr> <tr> <td>Total Amount</td><td>Rs. 6,37,87,444/-</td><td></td></tr> </tbody> </table> <p>As per the compliance report submitted by DCF (T) Nagpur & forwarded by CCF (T) Nagpur, copy of challan is enclosed herewith as Annexure - II. 118420186</p>	Item	Amount (In Rs.)	EFT	Cost of Compensatory Afforestation	Rs. 4,51,64,144/-	EFT in Ad-hoc CAMPA through e-challan vide UTR No. SBI NR5202 2051 082858406 dtd.10/5/2022	Net Present Value (NPV)	Rs. 1,51,43,460/-	Cost of boundary pillars	Rs. 34,79,840/-	Total Amount	Rs. 6,37,87,444/-	
Item	Amount (In Rs.)	EFT													
Cost of Compensatory Afforestation	Rs. 4,51,64,144/-	EFT in Ad-hoc CAMPA through e-challan vide UTR No. SBI NR5202 2051 082858406 dtd.10/5/2022													
Net Present Value (NPV)	Rs. 1,51,43,460/-														
Cost of boundary pillars	Rs. 34,79,840/-														
Total Amount	Rs. 6,37,87,444/-														
vii	The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector;	As per the compliance report submitted by DCF (T) Nagpur & forwarded by CCF (T) Nagpur, the User Agency has already initiated the process of compliance of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 . The copy of the same is enclosed herewith as Annexure-VI. P-180 The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as Annexure-VII. P-175													
viii	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 25,000 seedlings of forestry species along with bamboo, fruit bearing, medicinal,	As per the compliance report submitted by DCF (T) Nagpur & forwarded by CCF (T) Nagpur, the User Agency has submitted an undertaking. The copy of the same is enclosed herewith as Annexure-VIII. P-174													

	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;	
ix	The User Agency in consultation with the State Forest Department shall carryout the at least two tier plantation in available space of RoW in both side of conveyor belt all through;	As per the compliance report submitted by DCF (T) Nagpur & forwarded by CCF (T) Nagpur, the User Agency has submitted an undertaking. The copy of the same is enclosed herewith as Annexure-IX. P-173
x	The User Agency in consultation with the State Forest Department shall carryout the avenue plantation in both side of railway loop;	As per the compliance report submitted by DCF (T) Nagpur & forwarded by CCF (T) Nagpur, the User Agency has submitted an undertaking. The copy of the same is enclosed herewith as Annexure-X. P-172
xi	User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;	As per the compliance report submitted by DCF (T) Nagpur & forwarded by CCF (T) Nagpur, the user agency has submitted Not applicable as the proposal is for infrastructure. P-189
xii	The layout plan of the proposal shall not be changed without prior approval of Central Government.	As per the compliance report submitted by DCF (T) Nagpur & forwarded by CCF (T) Nagpur, the User Agency has submitted an undertaking. The copy of the same is enclosed herewith as Annexure-XI. P-171
xiii	No labour camp shall be established on the forest land.	As per the compliance report submitted by DCF (T) Nagpur & forwarded by CCF (T) Nagpur, the User Agency has submitted an undertaking. The copy of the same is enclosed herewith as Annexure-XII. P-170
xiv	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.	As per the compliance report submitted by DCF (T) Nagpur & forwarded by CCF (T) Nagpur, the User Agency has submitted an undertaking. The copy of the same is enclosed herewith as Annexure-XIII. P-169
xv	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;	As per the compliance report submitted by DCF (T) Nagpur & forwarded by CCF (T) Nagpur, the User Agency has submitted an undertaking. The copy of the same is enclosed herewith as Annexure- XIII (a). P-168
xvi	No additional or new path will be	As per the compliance report submitted by

	constructed inside the forest area for transportation of construction materials for execution of the project work.	DCF (T) Nagpur & forwarded by CCF (T) Nagpur, the User Agency has submitted an undertaking. The copy of the same is enclosed herewith as Annexure-XIV . 1P-167
xvii	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.	As per the compliance report submitted by DCF (T) Nagpur & forwarded by CCF (T) Nagpur, the User Agency has submitted an undertaking. The copy of the same is enclosed herewith as Annexure-XV . 1P-166
xviii	The forest land shall not be used for any purpose other than that specified in the project proposal.	As per the compliance report submitted by DCF (T) Nagpur & forwarded by CCF (T) Nagpur, the User Agency has submitted an undertaking. The copy of the same is enclosed herewith as Annexure-XVI . 1P-165
xix	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.	As per the compliance report submitted by DCF (T) Nagpur & forwarded by CCF (T) Nagpur, the User Agency has submitted an undertaking. The copy of the same is enclosed herewith as Annexure-XVII . 1P-164
xx	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.29/1/2018	As per the compliance report submitted by DCF (T) Nagpur & forwarded by CCF (T) Nagpur, the User Agency has submitted an undertaking. The copy of the same is enclosed herewith as Annexure-XVIII . 1P-168
xxi	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.	As per the compliance report submitted by DCF (T) Nagpur & forwarded by CCF (T) Nagpur, the User Agency has submitted an undertaking. The copy of the same is enclosed herewith as Annexure-XIX . 1P-162
xxii	The compliance report shall be uploaded on e-portal (https://parivesh.nic.in/);	The condition will be followed.

In view of the above, it is requested that the Government of India may kindly be moved for approval under section-2 (ii) of the Forest (Conservation) Act-1980, at the earliest.

Encl.- As above

Yours Sincerely,

(NareshZurmure)

Additional Principal Chief Conservator of Forests
& Nodal Officer, Nagpur

Copy submitted to- The Principal Secretary (Forests) Revenue & Forests Department, Mantralaya, Mumbai – 32 for information.

Copy to the Chief Conservator of Forests (T) Nagpur for information.

Copy to the Deputy Conservator of Forests (T) Nagpur for information.

Copy to the Area General Manager, Western Coalfields Limited, Umred for information.