



**Office of the Principal Chief Conservator of Forests (Head of Forests Force),
Maharashtra State**

Additional Principal Chief Conservator of Forests & Nodal Officer,

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By E-mail/Speed Post

No.Desk-17/Nodal/Gadchiroli/ID-12983/ **39** /2023-24
Nagpur - 440 001, Date: **05/04/2023**

To,

The Principal Secretary (Forests),
Revenue & Forest Department,
Mantralaya, Mumbai -400032

Sub:- Diversion of 132.102 ha. Forest land in favour of Ministry of Road Transport and Highway through National Highway Division of PWD Gadchiroli for Up-gradation to 2 lane with paved shoulder configuration of Gadchiroli-Allapalli-Sironcha of NH-353 C in Gadchiroli District in the State of Maharashtra-regarding.

- Ref:- 1. Government of India, MoEF&CC, Integrated Regional Office, Nagpur letter dated **F.P.N.272** 30/01/2023 of F.No.FC-III/MH-51/2022-NGP/11068.
2. The Conservator of Forests (T.), Gadchiroli letter No.D-2(8)/Land/C.R.467/Road/ **F.P.N.351** 2023/04, dated 03/04/2023.

Sir,

Government of India, MoEF&CC, Integrated Regional Office, Nagpur vide letter under reference No.1 had accorded in-principle approval under Section-2 of the Forest (Conservation) Act, 1980 for diversion of 132.102 ha. subject to the fulfillment of the 27 conditions. Accordingly, the Conservator of Forests (T.), Gadchiroli vide letter under reference No. 2 has submitted the compliance report of said conditions to this office. The compliance report as desired by the Government of India vide letter dated 30/01/2023 is submitted as under:-

Sl.No.	Points	Compliance report
i.	The legal status of the land remains unchanged.	User Agency agreed with this condition and submitted an undertaking that the legal status of the diverted forest land remains unchanged. The undertaking is enclosed herewith as Annexure-1 .
ii.	Compensatory afforestation shall be taken up by the Forest Department over 270 ha. degraded forest land as per details given in the in-principle approval letter at the cost of the User Agency. As far as possible, a mixture of local indigeonus species along with 10% RET species of Central Chanda Forest Division shall be planted an monoculture of any species may be avoided. At least six water bodies in Compt. no. SA356, five water boides in Compt. no's SB009, SB009/1, SB010, four water bodies inCompt. no. AA229, three water boides in compt. no's SA002, 318, SA064, two each in compartment no's KP138, SA002, 312, AP004, AA302, 220, 254, 280, SA064 and one in Compt. no's	The User Agency has submitted for the said condition as per the following: a) For Compensatory afforestation over 270.00 ha degraded forest land, the user agency has deposited Rs. 206970120 in A/C No. 1507861118805369 of CAMPA Maharashtra through e-challan Dt. 22/03/2023 Transaction ID CNRBR52023032251893809. The undertaking submitted by the User Agency regarding the above is enclosed herewith as Annexure-2/a. & b) For construction /repairs/ desilting of water bodies, the user agency has deposited Rs. 8858872 in A/C No.1507861118805369 of CAMPA Maharashtra through e-challan Dt.22/03/2023. Transaction ID CNRBR52023032251893809. The undertaking submitted by the User Agency regarding the above is enclosed herewith as Annexure-2/b.

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	SA038 & SA063, shall be constructed in the form of tank/stop dams etc if the same are not available in the area or nearby vicinity. Further, if existing tank/stop dams are available and need desilting/repair, same shall be carried out to meet the water requirement of wild animals throughout the year;	The Deputy Conservator of Forests, Sironcha Forest Division, Sironcha has submitted that the User Agency has deposited Rs. 395105937 in A/C No. 1507861118805369 of CAMPA Maharashtra through e-challan on Dt.22/03/2023, Transaction ID CNRBR52023032251893809. CA Amount- Rs.206970120/- Water bodies Amount- Rs.8858872/- E-Payment Authorization Status and Issue Register Report and undertaking submitted by the User Agency for the above are enclosed herewith on page no. 52 to 55.
iii.	The cost of compensatory afforestation at the prevailing wage rates as per the 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 provisions for anticipated cost increases for works scheduled for subsequent years. For protection from encroachment and better management of the CA plantation; the fencing shall be done from the compartment boundary.	The User Agency has submitted for the said condition as per the following: For Compensatory afforestation over 270.00 ha degraded forest land, the user agency has deposited Rs. 206970120 in A/C No. 1507861118805369 of CAMPA Maharashtra through e-challan on Dt. 22/03/2023 Transaction ID CNRBR52023032251893809. The undertaking submitted by the User Agency regarding the above is enclosed herewith as Annexure-3. The Deputy Conservator of Forests, Sironcha Forest Division, Sironcha. has submitted that as per Ready Reckoner rate 2022-23 Model No.5, CA Estimate Per ha. Rate 7665560/-. A detailed Estimate copy is enclosed herewith on page no.35 to 51.
iv.	NPV: a) The State Government shall charge the Net Present Value (NPV) for the 132.102 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;	The User Agency has submitted for the said condition as per the following: The NPV Rs. 179276945 for the 132.102 ha forest area diverted under the proposal is deposited by user agency in A/C No. 1507861118805369 of CAMPA Maharashtra through e-challan Dt.22/03/2023 Transaction ID :-CNRBR52023032251893809 The undertaking submitted by the User Agency regarding the above is enclosed herewith as Annexure-4/a. The Deputy Conservator of Forests, Sironcha Forest Division, Sironcha has submitted that the User Agency has deposited Rs. 395105937 in A/C No. 1507861118805369 of CAMPA Maharashtra through e-challan Dtd. 22/03/2023 Transaction ID CNRBR52023032251893809. NPV Amount - Rs. 179276945/- User Agency agreed with this condition and submitted an undertaking, which is enclosed herewith as Annexure-4/b.

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.	<p>The User Agency has submitted for the said condition as per the following:</p> <p>For the felling of trees, the user agency has deposited Rs.30679700 in A/C No. 960221110000014 of the Dy.Conservator of forest through PFMS on Dtd. 28/02/2023 Transaction ID S022303507714.</p> <p>The undertaking submitted by the User Agency regarding the above is enclosed herewith as Annexure -5.</p> <p>The Deputy Conservator of Forests, Sironcha Forest Division, Sironcha has submitted that the User Agency has deposited Rs. 32969422 in A/C No. 960221110000014 of Dy. Conservator of forest through PFMS on Dt.28/02/2023 Transaction ID S022303507714. Tree felling Amount-Rs. 30679700/-</p> <p>Payments details are enclosed herewith on page no. 30 to 31</p>
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/)	User Agency agreed with this condition and submitted an undertaking, which is enclosed herewith as Annexure-6.
vii.	The State Government, Maharashtra/ Nodal Officer (FCA), Maharashtra shall ensure settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (No. 2 of 2007) before issuing an order for handing over of forest land to the User Agency as per Rule- 9 (6) (b) (ii) of Forest (Conservation) Rules, 2022 dated 28.06.2022;	The Conservator of Forests (T.), Gadchiroli vide letter under reference no.2 has directed the user agency to submit a compliance report of this condition forthwith.
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 75,000 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;	<p>The User Agency has submitted for the said condition as per the following:</p> <p>For 75000 seedlings, the user agency has deposited Rs. 2289722 in A/C No. 960221110000014 of Dy. Conservator of forest through PFMS on Dt. 28/02/2023 Transaction ID S022303507714.</p> <p>The undertaking submitted by the User Agency regarding the above is enclosed herewith as Annexure-7.</p> <p>The Deputy Conservator of Forests, Sironcha Forest Division, Sironcha has submitted that the User Agency has deposited Rs. 32969422 in A/C No. 960221110000014 of Dy. Conservator of forest through PFMS on Dtd. 28/02/2023 Transaction ID S022303507714. Seedling Amount- Rs.2289722/-</p>

ix.	The trees having bird nests shall not be felled without written permission from the DCF concern both in forest as well as non-forest land;	User Agency agreed with this condition and submitted an undertaking, which is enclosed herewith as Annexure-8
x.	The Forest Department shall carryout the avenue plantation by planting 8 feet tall suitable forestry species outside RoW passing through the Forest Areas as well as non-forest areas as per the IRC norms at the cost of User Agency;	<p>The User Agency has submitted for the said condition as per the following:</p> <p>For avenue plantation, the user agency has deposited Rs. 30,00,000/- in A/c No. 960221110000014 of the Dy. Conservator of forest through PFMS on Dt. 22.03.2023, UTR Id CNRBR52023032251893804.</p> <p>The undertaking submitted by the User Agency regarding the above is enclosed herewith as Annexure-8a.</p> <p>The Deputy Conservator of Forests, Sironcha Forest Division, Sironcha has submitted that User Agency has deposited Rs. 3000000/- in A/C No. 960221110000014 of Dy. Conservator of forest through PFMS on Dtd. 22/03/2023 Transaction ID CNRBR52023032251893804. Seedling Amount-Rs.3000000/-.</p> <p>E-Payment Authorization Status and Issue Register Report by the User Agency for the above is enclosed herewith on page no.24</p>
xi.	User Agency in consultation with the State Forest Department shall ensure that there are enough openings available for movement of wildlife all through the alignment, a box culvert of minimum size of 4 x 3 mtrs shall be constructed in every 400 meters and wherever required size of box culverts shall be increased up to 10 x 3 mtrs in consultation with the DCF concern preferably every 1000-1200 mtrs. A report in this regard shall be submitted along with the Stage-I compliance report;	User Agency agreed with this condition and submitted an undertaking, which is enclosed herewith as Annexure-9 .
xii.	As the area is adjacent to the tiger corridor and Pranhita Wild-life Sanctuary, also the region is known for man-animal conflicts due to the presence of Schedule-I animals in an area like tiger, leopard, sloth bear along with spotted deer; a 10 years Wildlife Conservation Plan as a mitigation measures to address above-mentioned issue shall be prepared and submitted to IRO, Nagpur;	<p>The User Agency has submitted an undertaking that 10 years Wildlife Conservation Plan is prepared by the Forest Department, funds required for mitigation measures or other related works of Wildlife Conservation in said stretch will be paid as per demand of the Forest Department, also provisions of the Conservation Plan will be followed which is enclosed herewith as Annexure-9A.</p> <p>The Deputy Conservator of Forests, Sironcha Forest Division, Sironcha has submitted that the preparation of 10 years Wildlife Conservation Plan is in Progress.</p>
xiii.	User Agency shall ensure compliance of mitigation measures if any suggested by the PCCF (Wildlife), Government of Maharashtra;	User Agency agreed with this condition and submitted an undertaking, which is enclosed herewith as Annexure-10 .

xiv.	As recommended by PCCF (Wildlife), approval of SBWL/NBWL shall be obtained by the User Agency for a 22.567 ha area of alignment and a copy of the same shall be submitted along with Stage- I compliance report;	User Agency agreed with this condition and submitted an undertaking, which is enclosed herewith as Annexure-11 . The Conservator of Forests (T.), Gadchiroli vide letter under reference no.2 has directed the user agency to submit a compliance report of this condition forthwith.
xv.	Speed regulating signage will be erected along the road at regular intervals in the protected Areas/ Forest Areas;	User Agency agreed with this condition and submitted an undertaking, which is enclosed herewith as Annexure-12 .
xvi.	User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;	User Agency submitted an undertaking, which is enclosed herewith as Annexure-13 .
xvii.	The layout plan of the proposal shall not be changed without prior approval of the Central Government;	User Agency agreed with this condition and submitted an undertaking, which is enclosed herewith as Annexure-14 .
xviii.	No labor camp shall be established on the forest land;	User Agency agreed with this condition and submitted an undertaking, which is enclosed herewith as Annexure-15 .
xix.	Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the laborer after purchasing the same from the State Forest Department or the Forest Development Corporation, or any other legal source of alternate fuel;	User Agency agreed with this condition and submitted an undertaking, which is enclosed herewith as Annexure-16 .
xx.	The boundary of the diverted forest land shall be suitably demarcated on the ground at the project cost, as per the directions of the concerned Divisional Forest Office;	User Agency submitted an undertaking, which is enclosed herewith as Annexure-17 .
xxi.	No additional or new path will be constructed inside the forest area for the transportation of construction materials for the execution of the project work;	User Agency agreed with this condition and submitted an undertaking, which is enclosed herewith as Annexure-18 .
xxii.	The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favor of the user agency or the project life, whichever is less;	User Agency agreed with this condition and submitted an undertaking, which is enclosed herewith as Annexure-19 .
xxiii.	The forest land shall not be used for any purpose other than that specified in the project proposal.	User Agency agreed with this condition and submitted an undertaking, which is enclosed herewith as Annexure-20 .
xxiv.	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.	User Agency agreed with this condition and submitted an undertaking, which is enclosed herewith as Annexure-21 .
xxv.	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.	User Agency agreed with this condition and submitted an undertaking, which is enclosed herewith as Annexure-22 .

xxvi.	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.	User Agency agreed with this condition and submitted an undertaking, which is enclosed herewith as Annexure-23 .
xxvii.	The compliance report shall be uploaded on e-portal (https://parivesh.nic.in).	User Agency agreed with this condition.

The compliance report as submitted above may kindly be forwarded to the Central Government for further consideration of the proposal.

Encl.: As above in two copies.

5/4/23

(Naresh Zurmure)

Addl. Principal Chief Conservator of Forests
& Nodal Officer

O/C
K. P. Mehta

Dt: 5/4/2023 *5/4/23*

Copy forwarded for information to:-

1. The Conservator of Forests (T.), Gadchiroli.
2. The Deputy Conservator of Forests, Sironcha Forest Division, Sironcha.
3. The Executive Engineer, National Highway Division, Gadchiroli.
(E-mail address: nhgadchiroli.ee@mahapwd.com)