

**OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS
(HEAD OF FOREST FORCE), MAHARASHTRA STATE, NAGPUR**

ADDITIONAL PRINCIPAL CHIEF CONSERVATOR OF FORESTS AND NODAL OFFICER, MAHARASHTRA STATE, NAGPUR,

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No. Desk-17/Nodal/Pune/ID13016(24)/3076/2022-23

Nagpur - 440 001, Date : 14/02/2023

To,
The Principal Secretary (Forests),
Revenue & Forest Department,
Mantralaya, Mumbai-32

Subject- Forest Land-Pune

Diversion of 0.94 ha. Forest land under Forest (Conservation) Act, 1980 for construction of two lane SH-54 Bhigwan - Baramati Road (Chainage Km 145+000 to Km 173+166) under Maharashtra Road Improvement Programme.

- Ref-** 1) Government of Maharashtra, R&FD, Order No FLD-2022/C.R.303/F-10 Dt. 6/1/2023. (Pg.52)
2) The Chief Conservator of Forests (T), Pune letter No.4/4(2)/Land/FCA-375/351, dated 6/2/2023. (94)

Sir,

Government of Maharashtra, Revenue and Forest Department vide Order under reference No. 1 has been given in-principle approval under 28 conditions in the subject matter. Accordingly, the Chief Conservator of Forests (T), Pune vide letter under reference No.2 has submitted the compliance report in this regard to this office. The same has been submitted as under:-

Sr. No.	Conditions put forth by Govt. of Maharashtra letter dtd 6/1/2023	Compliance
1	Legal status of the forest land shall remain unchanged.	The User Agency has submitted an undertaking. The copy of the same is enclosed as Annexure No.I . (84)
2	Compensatory Afforestation: a) Compensatory Afforestation shall be taken up by the Forest Department over 1.00 ha. degraded Forest land in Gut No.94 at Village Sarafwadi, Tal. Indapur, Dist. Pune at the cost of the user agency. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided. b) 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 if required on the CA land shall be deposited 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.	Compensatory Afforestation will be taken up by the Forest Department over 1.00 ha. degraded Forest land in Gut No.94 at Village Sarafwadi, Tal. Indapur, Dist. Pune. In this regard, the User Agency has deposited an amount of Rs.7,66,556/- towards Compensatory Afforestation in Ad-hoc CAMPA account. A copy of the same is enclosed as Annexure No.II & III . (83, 90) the User Agency has deposited an amount of Rs. 7,66,556/- towards Compensatory Afforestation and Rs.23,600/- cost of boundary pillars for CA land in Ad-hoc CAMPA account. A copy of the same is enclosed as Annexure No. III . (90)
3	Net Present Value:- a) The Forest Department shall charge the Net Present Value (NPV) for the 0.94 ha. Forest land 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, 24/04/08 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	The User Agency has deposited an amount of Rs.9,00,313/- towards NPV in Ad-hoc CAMPA account. A copy of the same is enclosed as Annexure No.II & III . (83, 90)

updated

	letter No.5-2/2006-FC, dated 03/10/2006 and 5-3/ 2007-FC, dated 05/02/2009 & File No.5-3/ 2011-FC(Vol-I), Dated 06/01/2022 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 from the User Agency. The User Agency shall furnish an undertaking to this effect.	The User Agency has submitted an undertaking. The copy of the same is enclosed as Annexure No.IV . (82)																																																							
4	All the funds received from the user agency under the project shall be transferred/deposited to CAMPA fund only through e-portal (http://parivesh.nic.in/)	The User Agency has deposited Rs.16,90,469 has been transferred to Ad-hoc CAMPA account No 1507861144584223 vide NEFT 708046390 dtd. 24/01/2023 The details are as below. CAMPA Proforma Annexure- III (90)																																																							
		<table><tr><th>Sr. No.</th><th>Item</th><th>Amount</th></tr><tr><td>1</td><td>CA</td><td>7,66,556</td></tr><tr><td>2</td><td>NPV</td><td>9,00,313</td></tr><tr><td>3</td><td>Boundary Pillars</td><td>23,600</td></tr><tr><td></td><td>Total</td><td>16,90,469</td></tr></table>	Sr. No.	Item	Amount	1	CA	7,66,556	2	NPV	9,00,313	3	Boundary Pillars	23,600		Total	16,90,469																																								
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5	Maximum 36 trees can be felled during the implementation of project. Tree Girth wise break up :- <table><tr><td>0</td><td>31</td><td>46</td><td>61</td><td>76</td><td>91</td><td>106</td><td>121</td><td>136</td><td>151</td><td>Total</td></tr><tr><td>-</td><td>-</td><td>-</td><td>-</td><td>-</td><td>-</td><td>-</td><td>-</td><td>-</td><td>abov</td><td></td></tr><tr><td>3</td><td>45</td><td>60</td><td>75</td><td>90</td><td>10</td><td>120</td><td>135</td><td>150</td><td>e</td><td></td></tr><tr><td>0</td><td></td><td></td><td></td><td></td><td>5</td><td></td><td></td><td></td><td></td><td></td></tr><tr><td>8</td><td>7</td><td>2</td><td>4</td><td>5</td><td>2</td><td>1</td><td>0</td><td>2</td><td>5</td><td>36</td></tr></table>	0	31	46	61	76	91	106	121	136	151	Total	-	-	-	-	-	-	-	-	-	abov		3	45	60	75	90	10	120	135	150	e		0					5						8	7	2	4	5	2	1	0	2	5	36	The User Agency has submitted an undertaking. The copy of the same is enclosed as Annexure No.V (78)
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6	The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.	The User Agency has submitted an undertaking. The copy of the same is enclosed as Annexure No.VI (78)																																																							
7	User Agency shall raise strip plantation on both sides and central verge of the road as per the IRC norms.	The User Agency has submitted an undertaking. The copy of the same is enclosed as Annexure No.VII (77)																																																							
8	Speed regulating signage will be erected along the road at regular intervals in the Forest Areas.	The User Agency has submitted an undertaking. The copy of the same is enclosed as Annexure No.VIII (76)																																																							
9	Wherever feasible, User Agency in consultation with State Forest Department shall increase the size of box culverts in both forest and non-forest areas, in such a way that it also serves the purpose of wildlife passages as suggested by Wildlife Institute of India in manual entitled 'Ecofriendly Measures to Mitigate Impacts of Linear Infrastructure on Wildlife', published in 2016;	The User Agency has submitted an undertaking. The copy of the same is enclosed as Annexure No.IX (75)																																																							
10	Rain water harvesting structures shall be constructed every 500 meters in outer RoW of alignment in entire forest area at project cost;	The User Agency has submitted an undertaking. The copy of the same is enclosed as Annexure No.X (74)																																																							
11	User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.	The User Agency has submitted an undertaking. The copy of the same is enclosed as Annexure No.XI (73)																																																							
12	The layout plan of the proposal shall not be changed without prior approval of State Government (Forest Department).	The User Agency has submitted an undertaking. The copy of the same is enclosed as Annexure No.XII (72)																																																							
13	No labour camp shall be established on the Forest land.	The User Agency has submitted an undertaking. The copy of the same is enclosed as Annexure No.XIII (71)																																																							
14	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.	The User Agency has submitted an undertaking. The copy of the same is enclosed as Annexure No.XIV (70)																																																							
15	The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Deputy Conservator of Forests.	The User Agency has submitted an undertaking. The copy of the same is enclosed as Annexure No.XV [69]																																																							
16	No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.	The User Agency has submitted an undertaking. The copy of the same is enclosed as Annexure No. XVI 68																																																							

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17	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.	The User Agency has submitted an undertaking. The copy of the same is enclosed as Annexure No. XVII	67
18	The forest land shall not be used for any purpose other than that specified in the project proposal.	The User Agency has submitted an undertaking. The copy of the same is enclosed as Annexure No. XVIII	66
19	The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of the State and Central Government.	The User Agency has submitted an undertaking. The copy of the same is enclosed as Annexure No. XIX	65
20	Any other condition that the Ministry of Environment, Forests & Climate Change or State Government may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.	The User Agency has submitted an undertaking. The copy of the same is enclosed as Annexure No. XX	64
21	This approval shall be valid only for the diversion of forest land outside the confines of the Protected Areas.	The User Agency has submitted an undertaking. The copy of the same is enclosed as Annexure No. XXI	63
22	This sanction is subject to the final clearance by the competent authorities for the project.	The User Agency has submitted an undertaking. The copy of the same is enclosed as Annexure No. XXII	62
23	The User Agency shall compensate the private owners of forest land if any, in accordance with the prevalent laws, rules & guidelines.	The User Agency has submitted an undertaking. The copy of the same is enclosed as Annexure No. XXIII	61
24	All other conditions as may be mandatory under relevant Acts, Rules and Guidelines shall be complied by the User Agency.	The User Agency has submitted an undertaking. The copy of the same is enclosed as Annexure No. XXIV	60
25	The compliance report shall be uploaded on e-portal (https://parivesh.nic.in/)	The User Agency has submitted an undertaking. The copy of the same is enclosed as Annexure No. XXV	59
26	All the conditions stipulated by the Forest Department shall be binding on User Agency.	The User Agency has submitted an undertaking. The copy of the same is enclosed as Annexure No. XXVI	58
27	Final approval shall be accorded by the State Government, after compliance conditions in this order.	The User Agency has submitted an undertaking. The copy of the same is enclosed as Annexure No. XXVII	57
28	Any breach of the conditions by the User Agency will be treated as violation of the provisions of the Forest (Conservation) Act, 1980 and action will be taken accordingly.	The User Agency has submitted an undertaking. The copy of the same is enclosed as Annexure No. XXVIII.	56

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

Encl : As above

Yours sincerely,

(Dr. Kumarswamy S.R.)
Deputy Conservator of Forests (F.C.)

Copy to the Chief Conservator of Forests (T), Pune
Copy to the Deputy Conservator of Forests, Pune for information.
Copy to the Executive Engineer, Public Works East Division, Pune for information.

14/2/23

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