

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

By-Email/Speed Post.

No. Desk-17/2/Nodal/Aurangabad//ID-13753(37)/ **17-88** /2023-24 Nagpur – 440 001, Date : **11** /09/2023

To,

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

- Sub:- Diversion of 8.4771 ha. forest land in favour of PWD for Construction of upgradation and widening from existing 2-lane to 2 lane with pavae shoulder configuration of Mudkhed-Bhokar NH-161A section from Km. 22.000 to Km. 43.000 of 21 Km length in Mudkhed and Bhokar Talukas of Nanded District in the State of Maharashtra. (FP/MH/Road/154545/2022)
- Reff:-1. Government of India, Ministry of Environment Forest & Climate Change, Integrated Regional Office, Ground Floor, East Wing New Secretariat Building Civil Lines, Nagpur-440001 letter dated 30/05/2023 of No. FC-II/MH-196/2022-NGP/11663
 - 2. The Conservator of Forests (T), Aurangabad letter No.Desk-5/Land/Road/ C.N.21/2022-23/760, dated 01/09/2023.

Sir,

The Government of India, Ministry of Environment, Forest and Climate Change, Integrated Regional Office, Nagpur vide letter under reference No.1 has sought query compliance on 1 to 27 points. Accordingly, the Conservator of Forests (T) Aurangabad vide letter under reference No. 2 has submitted the compliance of shortcoming in this regard to this office. The compliance report as desired by Government of India vide letter dt. 30/05/2023 is submitted as under:-

Cond. No.	Condition	Compliance
i	Legal status of the forest land shall remain unchanged.	As per the Compliance submitted by Deputy Conservator of Forest (T), Nanded and Forwarded by Conservator of Forest (T) Aurangabad mentioned that, The user agency has submitted an undertaking enclosed as Annexure-I (Page No.9)
ii	Forest land will be handed over only after required non-forest for raising CA is handed over by the User Agency;	As per the Compliance submitted by Deputy Conservator of Forest (T), Nanded and Forwarded by Conservator of Forest (T) Aurangabad mentioned that, The user agency has submit the C.A. over non forest

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		land equal in extent i.e. 48.4771 Ha. raised by the State Forest Department at Village Gundwal Tq. Mahur Dist.Nanded (supporting documents such as Collector, Nanded area handed over to FD order, 7/12 extract, village 8 A, Mutation report possession receipt etc. The user agency has submitted an undertaking enclosed as Annexure-II (Page No.9-14)
iii	Compensatory afforestation	
	 a) Compensatory afforestation shall be taken up by the Forest Department over 9 ha ha. non –forest land in Survey/Gut No. 70, at village-Gundwal, Taluka-Mahur. District-Nanded at the cost of the User Agency. As far as possible a mixture of local indigenous species along with 10 % RET species of Nanded District shall be planted and monoculture of any species may be avoided. At least two water bodies shall be constructed in the form of tank/ stop dams etc. if the same are not available in the area or in nearby vicinity. Further, if existing tanks/stop dams are available and needs desilting/ repair, same shall be carried out to meet the water requirement of wild animals throughout the year; 	Compensatory afforestation shall be taken up by the Forest Department over 9. ha.non –forest land in Survey/Gut No. 70, at village-Gundwal, Taluka-Mahur. District-Nanded. 9 ha . C.A. amount Rs. 72,43,956/- and As far as possible a mixture of local indigenous species along with 10 % RET species of Nanded District shall be planted and monoculture of any species may be avoided. The user agency deposited amount of Rs. 5,56,000/- of two Water bodies for construction to meet the water requirement of wild animals. The user agency has submitted an undertaking enclosed as Annexure-III (a) (Page No.15)
	 b) The non-forest land proposed for CA shall be transferred and mutated in the name of Forest Department and notified as RF/PF prior to Stage-II approval. A copy of the original notification declaring the non-forest land under Section -4 or Section 29 of the Indian Forest Act, 1927, or under the relevant section of the State Forest Act as the case may be, will be submitted by the State Government prior to Stage-II approval; 	The non forest land CA is transferred and mutated in favour of the State Forest Department. The proposal of Section-4 of Indian Forest Act, 1927 is sanctioned and process of declaration as Section-20 of Indian Forest Act, 1927 is in progress. Notification of Section -4 of IFA 1927. The user agency has submitted an undertaking enclosed as as Annexure-III (b) (Page No. 15-22)
iv	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 in advance with the Forest Department by the project authority. The CA will maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.	As per the Compliance submitted by Deputy Conservator of Forest (T), Nanded and Forwarded by Conservator of Forest (T) Aurangabad mentioned that, The cost of Compensatory Afforestation at the prevailing wages paid by the User Agency has deposited Rs. 72,43,956/- (Seventy Two Lakh Forty Three Thousand Nine Hundred and Fifty Six) deposited in Ad-hoc CAMPA Maharashtra A/C No. 1507861154545332 through RTGS UTR No. SBIN323193736569 dated 12/07/2023. The user agency has submitted an undertaking enclosed as Annexure-iv (Page No. 24)

v	NPV	
	 a) The State Government shall charge the Net Present Value (NPV) for the 8.4771 ha forest area to be diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Courr of India dated 30.10.2002, 01.08.2003 28.03.2008. 24.04.2008 and 09.05.2008 in IA No.566 in Writ Petition (Civil) No. 202/1995 and as per the guidelines issued by this Ministry vide its letter 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 and letter No. 5-3/2011-FC (Vol-I) dated 06-01-2022 and letter No 5-3/2011-FC (Vol-I) dated 06-01-2022 in this regard. 	Conservator of Forest (T), Nanded and Forwarded by Conservator of Forest (T) Aurangabad mentioned that, The User Agency have transferred in advance Net Present Value (NPV) Rs. 1,04,14,880 (One Crore Four Lakhs Fourteen thousand Eight hundred Eighty only) in Ad-hoc CAMPA Maharashtra A/C No. 1507861154545332 through RTGS UTR No. SBIN323193736569 dated 12/07/2023. The user agency has submitted an undertaking enclosed as Annexure-V-a (Page No.25)
	 b) Additional amount of NPV of the diverted forest land, if any, becoming due after finalizations 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. 	Conservator of Forest (T), Nanded and Forwarded by Conservator of Forest (T) Aurangabad mentioned that, The user agency has submitted an undertaking enclosed as Annexure-V-b (Page No. 26)
vi	User Agency shall restrict the felling of trees to minimum number in the diverted forest land. As far as possible, minimize the felling of RET species and NTFP trees. Further, 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.	Conservator of Forest (T), Nanded and Forwarded by Conservator of Forest (T) Aurangabad mentioned that, The User Agency has deposited an amount of Rs.8,32,284/- toward the cost of Tree felling in Deputy Conservator of Forests, Nanded vide Demand Draft (DD) No. 437984 on dt. 07/07/2023 . Annexure- VI
vii	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/);	Conservator of Forest (T), Nanded and Forwarded by
viii	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	Conservator of Forest (T), Nanded and Forwarded by Conservator of Forest (T) Aurangabad mentioned that, As per GOI Gazzette Notification dated 28 th June 2022 FCA 1980, FRA Certificate will be submitted during Stage –II approval. The user agency has submitted an

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	Forest (Conservation) Rules, 2022 dated 28.06.2022.	
ix	To improve the Forest/Tree cover and to reduce pollution in the State, as mandated in National Forest Policy, 1988 and Environment al (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 15,000 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 of villagers;	As per the Compliance submitted by Deputy Conservator of Forest (T), Nanded and Forwarded by Conservator of Forest (T) Aurangabad mentioned that, The User Agency has deposited an amount of Rs.3,48,890/- toward raising of seedlings in Ad-hoc CAMPA Maharashtra A/C No. 1507861154545332 through RTGS UTR No. SBIN323193736569 dated 12/07/2023. The user agency has submitted an undertaking enclosed as Annexure-IX (Page No.30)
x	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;	As per the Compliance submitted by Deputy Conservator of Forest (T), Nanded and Forwarded by Conservator of Forest (T) Aurangabad mentioned that. The User Agency has mentioned that 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. The user agency has submitted ar undertaking enclosed as Annexure-X (Page No.31)
xi	The State Government shall undertake the action against the violation of FCA, 1980 as per provisions made under para 1.21 of Handbook of Forest (Conservation) Act, 1980 published on 28.03.2019. Copy of action taken report shall be submitted along with Stage-I compliance report.	As per the Compliance submitted by Deputy Conservator of Forest (T), Nanded and Forwarded by Conservator of Forest (T) Aurangabad mentioned that The user agency has submitted an undertaking enclosed as Annexure-XI (Page No. 32-43)
xii	For smooth movement of resident wildlife and cattle; 11 box culverts on minimum 2 x3 meters size shall be constructed in forest area, further, wherever required additional box culverts in consultation with DCF concern shall be constructed in both Forest and non forest areas;	As per the Compliance submitted by Deputy Conservator of Forest (T), Nanded and Forwarded by Conservator of Forest (T) Aurangabad mentioned that The user agency has submitted an undertaking enclosed as Annexure-XII (Page No. 44-46)
xiii	The forest area part of old road and now left over due to realignment shall be dismantled and handed over to Forest department and planting of local indigenous species shall be done by the State Government at the cost of User Agency.	As per the Compliance submitted by Deputy Conservator of Forest (T), Nanded and Forwarded by Conservator of Forest (T) Aurangabad mentioned that The User Agency has deposited an amount of Rs.2,00,328/- (Two lakhs three hundred Twenty eigh only) to Deputy Conservator of Forest Nanded A/C No 62010714536 through DD No. 437984 dated 07/07/2022 and planting of local indigenous species will be done by the State Government at the cost of User Agency. The user agency has submitted an undertaking enclosed a Annexure-XIII (Page No.47)
xiv	The avenue plantation of 8 ft. tall plants shall be carried out by the State Forest Department at the cost of User Agency as per IRC norms;	As per the Compliance submitted by Deput Conservator of Forest (T), Nanded and Forwarded by Conservator of Forest (T) Aurangabad mentioned that,

		The User Agency has remitted the amount of Rs.30,48,233/- (Thirty lakhs Fourty Eight Thousand Two Hundred & Thirty Three Only) toward avenue plantation of 8 ft. tall plants in Ad-hoc CAMPA Maharashtra A/C No. 1507861154545332 through RTGS UTR No. SBIN323193736569 dated 12/07/2023. The user agency has submitted an undertaking enclosed as Annexure-XIV (Page No.48)
XV	Speed regulating signage will be erected along the road at regular intervals in the in the Protected Area/Forest Areas;	As per the Compliance submitted by Deputy Conservator of Forest (T), Nanded and Forwarded by Conservator of Forest (T) Aurangabad mentioned that, The user agency has submitted an undertaking enclosed as Annexure-XV (Page No. 49)
xvi	User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;	As per the Compliance submitted by Deputy Conservator of Forest (T), Nanded and Forwarded by Conservator of Forest (T) Aurangabad mentioned that, The user agency has submitted an undertaking enclosed as Annexure-XVI (Page No. 50)
xvii	The layout plan of the proposal shall not be changed without prior approval of Central Government;	As per the Compliance submitted by Deputy Conservator of Forest (T), Nanded and Forwarded by Conservator of Forest (T) Aurangabad mentioned that, The user agency has submitted an undertaking enclosed as Annexure-XVII (Page No. 51)
xviii	No labour camp shall be established on the forest land;	As per the Compliance submitted by Deputy Conservator of Forest (T), Nanded and Forwarded by Conservator of Forest (T) Aurangabad mentioned that, The user agency has submitted an undertaking enclosed as Annexure-XVIII (Page No. 52)
xix	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 submitted by Deputy Conservator of Forest (T), Nanded and Forwarded by Conservator of Forest (T) Aurangabad mentioned that, The user agency has submitted an undertaking enclosed as Annexure-XIX (Page No. 53)
XX	The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the direction of the concerned Divisional Forest Officer;	As per the Compliance submitted by Deputy Conservator of Forest (T), Nanded and Forwarded by Conservator of Forest (T) Aurangabad mentioned that, The User Agency has deposited an amount of Rs.4,16,283/- (Four Lakhs Sixteen Thousand Two Hundred & Eighty Three Only) Ad-hoc CAMPA Maharashtra A/C No. 1507861154545332 through RTGS UTR No. SBIN323193736569 dated 12/07/2023. The user agency has submitted an undertaking enclosed as Annexure-XX (Page No.54)
xxi	No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;	As per the Compliance submitted by Deputy Conservator of Forest (T), Nanded and Forwarded by Conservator of Forest (T) Aurangabad mentioned that, The user agency has submitted an undertaking enclosed as Annexure-XXI (Page No. 55)
xxii	The period of diversion under this approval shall be coterminous with the period of lease to be granted in favour of the user agency or the	As per the Compliance submitted by Deputy Conservator of Forest (T), Nanded and Forwarded by Conservator of Forest (T) Aurangabad mentioned that,

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	project life, whichever is less;	The user agency has submitted an undertaking enclosed as Annexure-XXII (Page No. 56)
xxiii	The forest land shall not be used for any purpose other than that specified in the project proposal;	As per the Compliance submitted by Deputy Conservator of Forest (T), Nanded and Forwarded by Conservator of Forest (T) Aurangabad mentioned that, The user agency has submitted an undertaking enclosed as Annexure-XXIII (Page No. 57)
xxiv	The forest land proposed to be diverted shall under no circumstance be transferred to any other agencies, department or person without prior approval of the Central Government;	As per the Compliance submitted by Deputy Conservator of Forest (T), Nanded and Forwarded by Conservator of Forest (T) Aurangabad mentioned that. The user agency has submitted an undertaking enclosed as Annexure-XXIV (Page No. 58)
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;	As per the Compliance submitted by Deputy Conservator of Forest (T), Nanded and Forwarded by Conservator of Forest (T) Aurangabad mentioned that The User Agency has deposited an amount of Rs 39,629/- (Thirty Nine Thousand Six Hundred & Twenty Nine) for 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. The user agency has submitted an undertaking enclosed as Annexure-XXV (Page No.59)
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 forest & wildlife;	As per the Compliance submitted by Deputy Conservator of Forest (T), Nanded and Forwarded by Conservator of Forest (T) Aurangabad mentioned that. The user agency has submitted an undertaking enclosed as Annexure-XXVI (Page No. 60)
xxvii	The compliance report shall be uploaded on e- portal (https://parivesh.nic.in/);	As per the Compliance submitted by Deputy Conservator of Forest (T), Nanded and Forwarded by Conservator of Forest (T) Aurangabad mentioned that The user agency has submitted an undertaking enclosed as Annexure-XXVII (Page No. 61)

The above shortcomings compliance is submitted along with Annexure, Therefore, kindly may be forwarded to the Central Government for further consideration of the Proposal.

Encl:- As above

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(Naresh Zurmure) Additional Principal Chief Conservator of Forests & Nodal Officer

Copy forwarded for information to:-

- 1. The Conservator of Forests (T.), Aurangabad
- 2. The Deputy Conservator of Forests, Nanded.
- 3. The Executive Engineer, Public Works Division (PWD), Bhokar, Dist, Nanded.



वनसंरक्षक (प्रादेशिक), औरंगाबाद यांचे कार्यालय

वनभवन, उरमानपूरा, स्टेशनरोड, औरंगाबाद

जा.क्र.कक्ष-५/ जमीन / प्र.क्र.२१ /(२२-२३) ७ 🕻 ८ औरंगाबाद 431 005 दिनांक **ा** /0**8**/2023 / 2023-24

प्रति.

र्मा अपर प्रधान मुख्य वनसंरक्षक व केंद्रस्थ अधिकारी, महाराष्ट्र राज्य, नागपुर.

- विषय :- Diversion of 8.4771 Ha. forest land in favour of PWD for Construction of up-gradation and widening from existing 2-lane to 2-lane with paved shoulder configuration of Mukhed -Bhokar NH -161A section from Km. 22.000 to Km. 43.000 of 21 km. length in Mudkhed & Bhokar Talukas of Nanded District in the State of Maharashtra
- संदर्भ: (1) Government of India, Ministry of Environment, Forst & Climate change, Integrated Regional Office, Nagpur Letter dated 30/05/2023 ofF.No. FC-II/MH-196/ 2022-NGP/11663
 - (2) या कार्यालयाचे जा.क्र कक्ष-5/ जमीन / प्र.क्र.21 /(22-23)/883/ दि. 02/062023

 - (3) आपले कडील जा.क.Desk-17/Nodal/FCA-52/ PID-154545/Aurangabad/ 743/ dt. 07/06/2023
 - (4) या कार्यालयाचे जा.क्र कक्ष-5/ जमीन / प्र.क्र.21 /(22-23)/976/ दि. 08/062023
 - (5) उपवनसंरक्षक,नांदेड यांचे कडील जा.क्र.ब/जमीन/एफसीए/2611/ दिनाकं 11/08/2023
 - (6) या कार्यालयाचे जा.क्र कक्ष-5/ जमीन / प्र.क्र.21 /(22-23)/ 2137/ दि. 21/082023
 - (7) आपले कडील जा.क्र. कक्ष-17/नोडल/ औरंगाबाद/ आयडी-410352(38)/1692/ दिनांक 30/08/2023
 - (8) उपवनसंरक्षक,नांदेड यांचे कडील जा.क्र.ब/जमीन/एफसीए/856/ दिनाकं 28/08/2023

उपरोक्त विषयांकीत प्रकरणी संदर्भीय पत्र क्र. १ अन्वये (१) ते (२७) अटीस अधीन राहुन तत्वतः मान्यता प्रदान केली असुन उपवनसंरक्षक, नांदेड यांनी संदर्भीय पत्र क्र. ८ नुसार तत्वतः मान्यतेतील (१) ते (२७) अटींचा पुर्तता अहवाल आंग्ल भाषेत संबधीत दस्तऐवजासह व हमीपत्रासह ४ प्रतीत या कार्यालयास सादर केलेला आहे. त्यानुसार सदरचा पुर्तता अहवाल यासोबत ३ प्रतीमध्ये आपले माहितीस्तव व अंतिम मान्यतेच्या कार्यवाहीस्तव सादर करण्यात येत आहे.

> (एच.जी.धुमाळ) वनसंरक्षक (प्रादेशिक) औरंगाबाद

प्रतिलिपी : - उपवनसंरक्षक नांदेड. यांना संदर्भीय पत्राचे अनुषंगाने माहितीस्तव अग्रेषीत.

प्रतिलिपी : - कार्यकारी अभियंता, सार्वजनिक बांधकाम विभाग, भोकर यांना माहितीस्तव व आवश्यक त्या कार्यवाहीस्तव सरनेह अग्रेषीत.



वृक्षवल्ली आम्हा सोयरे वनचरे





नांदेड, दिनांक :- 0



106/2023

उप वनसंरक्षक, नांदेड वनविभाग, नांदेड यांचे कार्यालय

गांधी पुतळयामागे, चिखलवाडी कार्नर, नांदेड. ४३१६०१ दुरध्वनी क्र.०२४६२-२३५५६२ फॅवस नंबर ०२४६२-२४६५५६ ई-मेल-dycfnanded@mahaforest.gov.in ईमेल-व्दारेजा.कं.ब/जमीन/एफसीए८ ८८/सन २०२३-२४ प्रति,

मा. वनसंरक्षक (प्रा.),

औरंगाबाद

- विषय :- Proposal for Diversion of 8.4771 ha of forest land for up-gradation and widening from existing 2 lane to 2 lane with Paved Shoulder configuration of Mudked-Bhokar NH-161 A Section from km 22.00 km 43.00 of 21.00 km length in Mudkhed & Bhokar Talukas, Nanded District in the State of Maharashtra regarding.
- संदर्भ :- १. भारत सरकार, पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय, नागपुर यांचे कार्यालयाचे पत्र क्र. जा.क.एफ.नं/एफसी-२/एम.एच-१९६/२०२२/एनजीपी/११६६३ दिनांक ३०/०५/२०२३
 - 2. या कार्यालयाचे पत्र क्र.जा.क्र.1299/2023-24 दि.13/06/2023 डिमांड नोट
 - 3. कार्यकारी अभियंता, राष्ट्रीय महामार्ग विभाग, नांदेड यांचे कडील पत्र क्र.जा.क्र.2075/2023 दि.28/07/2023
 - 4.या कार्यालयम्चे पत्र क्र.जा.क्र.अ/एफसीए/2611/2023-24 दि.11/08/2023
 - 5.आपलेकडील पत्र क.जा.क.कक्ष-5/जमीन/प्र.क.21/23-24 दि.21/08/2023

उपरोक्त विषयांकीत प्रकरणी संदर्भिय पत्र क्रमांक 1 अन्वये सदर प्रस्तावात वळतीकरण होणा-या 8.4771 हे.आर क्षेत्रास केंद्र शासनाने 1 ते 27 अटि व शर्ती च्या अधिन राहून तत्वत: मंजुरी प्रदान करण्यात आली होती. त्या अनुषंगाने तत्वतः मंजूरीतील 1 ते 27 अटीचा पुर्तता अहवात्नु आंग्ल भाषेत संदर्भीय पत्र क्र.3 अन्वये संबधित यंत्रनेने या कार्यालयास सादर होता सदरील प्रस्ताव या कार्यालयाचे संदर्भीय पत्र क्र.4 अन्वये आपले कार्यलयास सादर करण्यात आला होता परंतु त्यामध्ये काही त्रुटी असल्याने आपलेकडील संदर्भीय पत्र क्र.5 अन्वये कळविल्याप्रमाणे प्रस्तावातील त्र्टीची पूर्तता संबधित यंत्रनेने केली असून या कार्यालयाकडील देखील त्र्टीची पूर्तता करुन सविस्तर अहवाल Complance व Undertaking सह सविस्तर प्रस्ताव 4 प्रतीत यासोबत जोड्न सादर करण्यात येत आहे. करीता माहितीस्तुव सविनय सादराव्य

सहपत्र :- मूळ प्रस्ताव

(प्रा) औरंगाबाद यांचे कार्यालय आवक नोंदणी कृमांक 108/2023 31 दिनांक STAIN

(केशव वाबळे) उपवनसंरक्षक नांदेड वनविभाग, नांदेड

- प्रतिलिपी :- मा. अपर प्रधान मुख्य वनसंरक्षक (केंद्रस्थ अधिकारी) म.रा.नागपुर यांना माहितीस्तव सविनय सादर. प्रतिलिपी :- मा. जिल्हाधिकारी, नांदेड यांना माहितीस्तव सविनय सादर.
- प्रतिलिपी :- कार्यकारी अभियंता, राष्ट्रीय महामार्ग विभाग, नांदेड यांना माहिती व पुढील कार्यवाहीस्तव
- प्रतिलिपी :- सहाय्यक वनसंरक्षक, (तेंदु व कॅम्पा) व (रोहयो व वन्यजीव), नांदेड व यांना माहितीस्तव व पुढील आवश्यक त्या कार्यवाहीस्तव रवाना.
- प्रतिलिपी :- वनपरिक्षेत्र अधिकारी (प्रादेशिक), नांदेड व भोकर यांना माहितीस्तव व पुढील आवश्यक त्या कार्यवाहीस्तव. रवाना

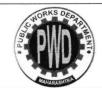
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Proposal for diversion of 8.4771 Ha of forest land for up-gradation and widening from existing 2-lane to 2-lane with paved shoulder configuration of Mudkhed-Bhokar NH-161A section from Km 22.000 to Km. 43.000 of 21 km length in Mudkhed & Bhokar Talukas, Nanded District in the State of Maharashtra- regarding

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सन्यमेव जयते

Government of

Maharashtra

Public Works Division Bhokar

Office of The : Executive Engineer, Public Works Division Bhokar

Web site : www.mahapwd.com E mail : bhokar.ee@mahapwd.gov.in Out No./ 2364/2023

Date :- 25.08.2023

To,

Deputy Conservator of Forests (Territorial) Nanded Forest Division Near Mahatma Gandhi Statue, Chikhalwadi Corner

Nanded – 431601, Maharashtra

Subject: Proposal for diversion of 8.4771 Ha of forest land for up-gradation and widening from existing 2-lane to 2-lane with paved shoulder configuration of Mudkhed-Bhokar NH-161A section from Km 22.000 to Km. 43.000 of 21 km length in Mudkhed & Bhokar Talukas, Nanded District in the State of Maharashtra.

- Reg: Compliances to Query

Ref: CCF Aurangabad Ltr No. Desk-5/Land/P.N. 21/(22-23) 2137/2023-24 dtd.21/08/2023

Respected Sir,

This is to inform that in-principle Forest Clearance has been accorded by IRO MoEFCC to the subjected project under Section-2 of Forest (Conservation) Act (FCA), 1980 vide Letter FC-II/MH-196/2022-NGP-11663 dated 30.05.2023 in favour of PWD, Bhokar. In continuation to the same, PWD Bhokar has applied for obtaining Working Permission vide Letter No. 2075/2023 Dt. 28.07.2023

In continuation to the same and subsequent to the Queries raised by CCF Aurangabad office vide Letter under Reference above, please find point-wise reply as under:

Sr. No.	Query raised	Compliances by User Agency
1	7-12 Extract of CA land area and copy	Complied. 7-12 extract and declaration of said land
	of declaration of the said land as	as Reserved Forest land under Indian Forest Act,
	Reserved Forest land under Indian	1927 Section. 4 is enclosed for ready reference.
	Forest Act, 1927 Section. 4 as per	
	Condition iii(b).	

Sr. No.	Query raised	Compliances by User Agency
2	Revised documents regarding correct deposited amount in Ad-hoc CAMPA account due to discrepancy observed regarding CA land Cost as per Condition No. (iv) of Stage-I FC letter FC-II/MH-196/2022-NGP-11663 dated 30.05.2023 in submitted Compliance Letter and corresponding Annexure-4 attached.	Corrected Annexure-4 attached for ready reference.
3	Regarding corrected and separate Annexures v(a) & v(a) for Condition No. v(a) & v(b).	Corrected and separate Annexures-v(a) & v(b) an attached for ready reference.
4	Attaching of payment slip in support of Condition No. (vii).	The required payment is done through RTGS UTH No. SBIN323193736569 dtd. 12.07.2023 in th Ad-hoc CAMPA account. Copy of Demand not acknowledged by Bank is attached for read reference.
5	Clarification regarding Condition (ix) by DCF Nanded.	To be complied by DCF Nanded office.
6	Regarding inclusion of Violation report in compliance to Condition No. (xi)	To be complied by DCF Nanded office.
7	Latitudes and Longitudes of Box Culverts in Forest and Non-forest sections of the project.	List of Structures with their respectiv Latitudes/Longitudes attached with the letter for ready reference.
8	Corrected Undertaking pertaining to payment made against Condition (xiv) of Avenue Plantation.	Corrected Annexure-14 attached for ready reference.
9	Corrected details of Bank account of Ad-Hoc Campa Maharashtra in which demand pertaining to Condition No. iv, v, ix, xi, xiv and xx had been deposited by User Agency.	Corrected bank account is of Union Bank Accoun Nmbr.1507861154545332. Refer Challan copy i this regard.

Thanking You,

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(Prashant Nilkanth Kore) Executive Engineer PWD, Bhokar

Encl: Enclosures as above

Enclosure - 1

T

Sub:Proposal for diversion of 8.4771 Ha of forest land for up-gradation and widening from existing 2-lane to 2-lane with paved shoulder configuration of Mudkhed-Bhokar NH-161A section from Km 22.000 to Km. 43.000 of 21 km length in Mudkhed & Bhokar Talukas, Nanded District in the State of Maharashtra- regarding. – Compliance Report.

Sr.N o.	Conditions of Stage – I clearance by IRO MoEFCC for FC-II/MH-196/2022-NGP-11663 dated 30.05.2023	Compliances by User Agency
i.	Legal status of the diverted forest land shall remain unchanged	Undertaking attached as Annexure-1.
	Forest land will be handed over only after required non-forest land for raising CA is handed over by the User Agency;	The User Agency is agreed to submit the Compensatory Afforestation over non forest land equal in extent i.e. 8.4771 Ha. raised by the State Forest Department at Village Gundwal Tq. Mahur Dist. Nanded (supporting documents such as Collector, Nanded area handed over to FD order, 7/12 extract, village 8 A, Mutation report, Possession receipt etc. Attached herewith.)
ii		District Taluka Village Survey No. Area identified (in ha.)
		Nanded Mahur Gundawal 70 8.4771 Non-Forest Land (Revenue)
		Total non-forest CA land area8.4771Undertaking in this regard along with supporting document of Collector Order is attached as Annexure-2 for ready reference.
iii	a. Compensatory afforestation shall be taken up by the Forest Department over 9 ha. Non- Forest Land at Survey/Gut No. 70, Village- Gundwal, Taluka- Mahur, District-Nanded at the cost of the User Agency. As far as possible, a mixture of local indigenous species along with 10% RET species of Nanded District shall be planted and monoculture of any species may be avoided. At least two water bodies shall be constructed in the form of tank/ stop dams etc if the same are not available in the area or in nearby vicinity. Further, if existing tanks/ stop dams are available and needs desilting/ repair; same shall be carried out to meet the water requirement of wild animals throughout the year;	Yes, User Agency agreed with the condition. Compensatory afforestation will be taken up by the Forest Department over 9 ha. Non-Forest Land at Survey/Gut No. 70, Village- Gundwal, Taluka- Mahur, District-Nanded at the cost of the User Agency. As far as possible, a mixture of local indigenous species along with 10% RET species of Nanded District will be planted and monoculture of any species will be avoided. User Agency deposited amount of Rs. 5,56,000/- (Five lakhs Fifty six thousand only) of two Water bodies (tanks) for construction to meet the water requirement of wild animals. Undertaking attached as (Annexure-3)
transf Depar Stage notifie under Fores of the be su	 b. The non-forest land proposed for CA shall be transferred and mutated in the name of Forest Department and notified as RF/PF prior to Stage-II approval. A copy of the original notification declaring the non-forest land under Section 4 or Section 29 of the Indian Forest Act, 1927, or under the relevant section of the State Forest Act as the case may be, will be submitted by the State Government prior to Stage-II approval; 	Yes, User Agency agreed with the condition. The non-forest land for CA is transferred and mutated in favour of the State Forest Department. The proposal of Section-4 of Indian Forest Act, 1927 is sanctioned and process of declaration as Section-20 of Indian Forest Act, 1927 is in progress. Notification of Section-4 of IFA 1927 is submitting here with. Undertaking attached as Annexure-3.

		2
iv	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 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 cost of Compensatory Afforestation at the prevailing wages paid by User Agency Rs. 72,43,956/- (Seventy two lakhs Fourty three thousand Nine hundred fifty six only) deposited in Ad-hoc CAMPA Maharashtra A/C No. 1507861154545332 through RTGS UTR No. SBIN323193736569 dated 12.07.2023 Undertaking attached as Annexure-4
V	NPV: a. The State Government shall charge the Net Present Value (NPV) for the 8.4771 ha forest area to be diverted under this proposal from the User Agency as per the order 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	User Agency has deposited cost of NPV Rs. 1,04,14,880/- (One Crore Four lakhs Fourteen thousand Eight hundred Eighty only) in Ad-hoc CAMPA Maharashtra A/C No. 1507861154545332 through RTGS UTR No. SBIN323193736569 dated 12.07.2023 Undertaking attached as Annexure-5 a.
	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, letter No. 5-2/2006-FC dated 03/10/2006, letter No. 5-3/2007-FC dated 05/02/2009, letter No. 5-3/2011-FC(Vol-I) dated 06.01.2022 and letter No. 5-3/2011-FC(Vol-I) dated 22.03.2022 in this regard;	
	 b. Additional amount of the NPV of the diverted forest land, if any, becoming dueafter 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; 	Yes, User Agency agreed with the condition. Undertaking attached as Annexure <u>-</u> 5 b
vi	User Agency shall restrict the felling of trees to minimum number in the diverted forest land. As far as possible minimize the felling of RET species and NTFP trees. Further, 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;	Undertaking attached as Annexure-6.
vii	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);	A/CMaharashtrathroughE-portal(<u>https://parivesh.nic.in</u>); under the project.Undertaking attached as Annexure-7.
viii	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;	Yes, User Agency agreed with the condition. As per GOI Gazzette Notification dated 28 th June 2022 FCA 1980, FRA Certificate will be submit to your office during Stage-II approval. Undertaking attached as Annexure-8
ix	To improve the Forest/ Tree cover and to reduce pollution in the State, as mandated in Nationa Forest Policy, 1988 and Environmenta	1 To improve the Forest/ Tree cover and to reduce

	(F)
(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 15,000 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;	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 will raise at least 15000 seedlings of forestry species such as 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 will be distributed among villagers as per choice of villagers. The concerned JFMC's will maintain record of plantation/ seedling distribution to villagers; & User Agency deposited cost of Rs. 3,48,890/- (Three lakhs Fourty eight thousand Eight hundred ninety only) in Ad-hoc CAMPA Maharashtra A/C No. 1507861154545332 through RTGS UTR No. SBIN323193736569 dated 12.07.2023 for raising of seedlings. Undertaking attached as Annexure-9
x 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.	
xi The State government shall undertake the action against the violation of FCA, 1980 as per provisions made under Para 1.21 of Handbook of Forest (Conservation) Act, 1980 published on 28.03.2019. Copy of action taken report shall be submitted along with Stage-I compliance report.	As per the provisions made under para 1.21 of Handbook of Forest (Conservation) Act,1980 published on 28.03.2019. 1.User Agency has remitted the amount of Rs. 39,629/- (Thirty nine thousand Six hundred Twenty One only) deposited in Ad-hoc CAMPA Maharashtra A/C No.
	1507861154545332 through RTGS UTR No. SBIN323193736569 dated 12.07.2023 towards Violation of F.C.A. 1980 as per provisions made under para 1.21 of Handbook of Forest (Conservation) Act,1980 published on 28.03.2019. Action has been taken against the respondent officer. Violation Report & Note details attached as (Annexure- xi)
xii For smooth movement of resident wildlife and cattle; 11 box culverts of minimum 2x3 meter size shall be constructed in forest area, further, wherever required additional box culverts in consultation with DCF concern shall be constructed in both forest and non-forest areas	Aerial distance of diverted area is 42.76 km from the nearest boundary of Painganga wildlife Sanctuary. Movements of wildlife are very rare in diverted forest
xiii The forest area part of old road and now left over due to realignment shall be dismantled and handed over to the Forest department and planting of local indigenous species shall be done by the State Government at the cost of User Agency.	dismantled and handed over to Forest department, User Agency has deposited Rs. 2,00,328/- (Two lakhs three
xiv The avenue plantation of 8 ft tall plants shall be carried out by the State Government at the cost of User Agency as per IRC norms	Yes, User Agency agreed with the condition.

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<u>S</u>		plants in Ad-hoc CAMPA Maharashtra A/C No. 1507861154545332 through RTGS UTR No. SBIN323193736569 dated 12.07.2023 Undertaking			
		attached as Annexure-14			
t	Speed regulating signages will be erected along	Yes, User Agency agreed with the condition. Speed regulating signages will be erected along the road at regular intervals in the Protected Areas/Forest Areas by User Agency. Undertaking attached as Annexure-15			
		User Agency will obtain Environmental Clearance as per			
~	User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;	the provisions of the Environmental (Protection) Act, 1986, if applicable; Undertaking attached as Annexure-1			
xvii	The layout plan of the proposal shall not be	Yes, User Agency agreed with the condition.			
	changed without prior approval of Central Government;	The layout plan of the proposal will not be changed without prior approval of Central Government from User Agency.			
		Undertaking attached as Annexure-17			
	No labour camp shall be established on the forest land;	Yes, User Agency agreed with the condition. No labour camp will be established on the forest land from User Agency. Undertaking attached as Annexure-18			
xix	Sufficient firewood, preferably the alternate fuel,	Yes, User Agency agreed with the condition.			
	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:	Undertaking attached as Annexure-19			
XX	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;	User Agency has deposited amount of Demarcation of boundary by Pillars of the diverted Forest land Rs. 4,16,283/- (Four lakhs Sixteen thousand two hundred Eighty three only) Ad-hoc CAMPA Maharashtra A/C No. 1507861154545332 through RTGS UTR No. SBIN323193736569 dated 12.07.2023 Undertaking attached as Annexure-20			
xxi	No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;	Yes, User Agency agreed with the condition. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work from User Agency. Undertaking attached as Annexure-21			
xxii	The period of diversion under this approval shall	Yes, User Agency agreed with the condition.			
	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 period of diversion under this approval will be co- terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less. Undertaking attached as Annexure-22			
xxiii	The forest land shall not be used for any purpose other than that specified in the project proposal;	The forest land will not be used for any purpose outer than that specified in the project proposal from Use Agency. Undertaking attached as Annexure-23			
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;	Yes, User Agency agreed with the condition. The forest land proposed to be diverted will under no			
		Undertaking attached as Annexure-24			

(4)

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Violation of any of these conditions will amount to	User Agency has deposited amount Rs. 39,629/- (Thirty
violation of Forest (Conservation) Act, 1980 and	nine thousand Six hundred Twenty nine only) for
action would be taken as per the MoEF&CC	violation of Forest (Conservation) Act, 1980 and action
	would be taken as per the MoEF&CC Guideline F. No.
	11-42/2017 - FC dated 29/01/2018; Undertaking
	attached as Annexure-25
Any other condition that the Ministry of	Yes, User Agency agreed with the condition that any
Environment, Forests & Climate Change may	other condition that the Ministry of Environment,
stipulate from time to time in the interest of	Forests & Climate Change may stipulate from time to
conservation protection, and development of	time in the interest of conservation, protection, and
	development of forests & wildlife; Undertaking
Torests & whatte,	attached as Annexure-26
The compliance report shall be uploaded on e-	Yes, User Agency agreed with the condition.
portal (https://parivesh.nic.in/);	The compliance report will be uploaded on e-portal
	(https://parivesh.nic.in/);
	Undertaking attached as Annexure-27
	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; 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; The compliance report shall be uploaded on e- portal (<u>https://parivesh.nic.in/</u>);

Place: Nanded

ate: / /2023

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(Keshav Wable) Dy. Conservator of Forests, Nanded

5

Proforma to be furnished for remittance of funds in Ad-hoc CAMPA.

4

Letter No.F.No.FC-II/MH-95/2018-NGP/5250 Dt.24/04/2019

R

			PROFORMA			
r.N 0.		Particulars		Details of proposal		
1		e of Regional Office	The Principal Chief Conservator of Forests, Government of Maharashtra, Nagpur.			
2	1000 (1000 (1000))	e/Distict/Forest Division to which proposal relates	Deputy Conservator of Forests, Forest Division Office Nanded			
3		ne of User Agency, nature of	Public Works Departmen	t, Bhokar Dist. Nanded State Maharashtra		
4		ent of forest area involved	8.4771 ha			
5		ether Original, or extension	8.4771 ha			
6	Ifex	tension of lease, Please clarify if bosal involves	No			
7	Date of 1 st Stage clearance		Letter No.F.No. FC-II/M	H-196/2022-NGP-11663 dated 30.05.2023		
8	Extent of CAMPA charges, head wise viz.					
100	A	Compensatory Afforestation	7243956.00			
- 	В	Additional CA				
	C	Barbed wire fencing				
	D	Survey Demarcation				
	E	Wildlife Management Plan				
	F	Cost of 5% of the project cost of Rs.17.6 crores for the portion of TL line passing through the				
	0	sanctuary Net Present Value	10414880.00			
	G H	Any other charges/levies (PI.				
		Specify)				
	I	Bank Guarantee				
	J	Cost of felling of trees.	832284.00			
	K	Cost of Survey Demarcation & erection of permanent pillars	416283.00			
	L	Medical Plantation				
1	M	Lease rent@30,000/- per MW				
	N	Cost of planting 20 Tree per bore-hole (150 bore x 20 Tree = 3000 Trees ie 4.8 Ha. Area)				
	0	Soil and moisture conservation plan				
	Р	Cost towards Penal C.A.(Equivalent to violation area.)				
	Q	Cost towards Penalty N.P.V against violation area				
	R	Avenue Plantation cost	3048233.00			
	S	At least two water bodies shall be constructioned in the form of banks /stop dams etc/	556000.00			
	Т	Violation of F.C.A. 1980 as per provisions made under Para 1.21 of Handboook				
	U	Cost of raising seedlings	348890.00			
	V	Forest area old road Realigment shall be dismantaled and and handed over to forest department	200328.00			
	-	Grand Total	23100483.00			

	Details of Bank Draft (Bank, Draft	Required Amount	Item	Deposited Amount	DD/RTGS	Date		
5	No. Date & Amount head – wise against items indicated in paragraph 9 above.)	556000	At least two Water bodies shall be constructed in the form of tank / stop dams etc.	556000	RTGS UTR No. SBIN323193736569 dated 12.07.2023	12.04.2023		
		7243956	Cost towards Compensatory Afforestation (As per Modal No.5 Reday Recknor)	7243956	RTGS UTR No. SBIN323193736569 dated 12.07.2023	12.04.2023		
		10414880	Cost of towards the N.P.V. (As per Letter Date 06/01/2022 of GOI)	10414880	RTGS UTR No. SBIN323193736569 dated 12.07.2023	12.04.2023		
		39629	Violation of F.C.A. 1980 As per provision made under Para 1.21 of Handbook	39629	RTGS UTR No. SBIN323193736569 dated 12.07.2023	12.04.2023		
		200328	Forest area old road Realignment shall be dismantaled and handed over to forest department	200328	RTGS UTR No. SBIN323193736569 dated 12.07.2023	12.04.2023		
		416283	The Boundary Demarcation of the diverted forest area	416283	RTGS UTR No. SBIN323193736569 dated 12.07.2023	12.04.2023		
		832284	Cost of felling of trees 1683	832284	DD No. 437984	07/07/2023		
		348890	Cost of rasing Seedling	348890	DD No. 437984	07/07/2023		
		3048233	cost of avenue plantation as per IRC norms.	3048233	DD No. 437984	07/07/2023		
		23100483	Total	23100483				
10	Whether deposited by RTGS, if so, the particulars & date of remittance	A/C No. 1507861154545332 through RTGS UTR No. SBIN323193736569 dated 12.07.2023						
11	Bank (Svndicate Bank,Nanded Branch) in which deposited, with date of deposition	Deputy Conservator of Forest, Nanded A/C No. 62010714536 through I No. 437984 dated 07/07/2023 deposited amount Rs.4229407/-						

(Keshav Wable) Dy. Conservator of Forests, Nanded