

**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/ID13942(NH)/3265/2022-23
Nagpur - 440 001, Date : 28/02/2023

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

Sub :- Diversion of 16.6936 ha of forest land in favour of NHA, PIU Pune for construction of Four Laning shifting of existing utilities (OFC, Electrical Cable, Water Pipeline) erection of street lights from Dive Ghat Hadapsar section of Palkhi Marg having Design Chainages from Km 220.900 to KM 234.150 (Hadapsar) of NH-965 in Pune District in the State of Maharashtra- regarding.

Ref :- 1) Government of India, MoEF, Integrated Regional Office, Nagpur Letter no. FC-II/MH-199/2022-NGP/10635, Dt.24/11/2022

2) The Chief Conservator of Forests (T), Pune letter No.Desk-4/4(2)/Land/FCA-376/354/22-23 dt. 10/02/2023.

3) This office vide letter No.Desk-17/Nodal/Pune/ID-13942(NH)/3152, dated 20/02/2023 p/H

4) Government of India, MoEF, Integrated Regional Office, Nagpur Letter No.F.No.FC-Misc-292/RON/2022-NGP/11266, dated 24/02/2023. p/H2

Please refer above references. The Government of India, MoEF, Integrated Regional Office, Nagpur vide letter under reference No.4 has informed that to send all the communications through the State Government. This office vide letter under reference No. 3 has already been submitted compliance of conditions of in-principle approval to Government of India. The said compliance report is submitted as under:-

No.	Condition	Compliance
i.	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 .
ii.	Compensatory afforestation a. Compensatory afforestation shall be taken up by the Forest Department over 34.00 ha. degraded Forest Land at Gut no. 27, 96, 97, 98, 99, Village-Sarafwadi, Taluka-Indapur, District- Pune at the cost of the User Agency. As far as possible, a mixture of local indigenous species along with 10% RET species of Pune District shall be planted and monoculture of any species may be avoided. At least five 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 will be taken up by the Forest Department over 34.00 ha. degraded Forest Land at Gut no. 27, 96, 97, 98, 99, Village-Sarafwadi, Taluka-Indapur, District- Pune. In this regard, the User Agency has deposited an amount of Rs.2,60,62,904/- towards Compensatory Afforestation in MAHA-CAMPA account vide UTR No.CNRBR52023011697417329 dtd 16/01/2023. A copy of the same is enclosed as Annexure No.II & IIA .
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 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	In this regard, the User Agency has deposited an amount of Rs.8,02,400/- towards Boundary Pillars for CA area in MAHA-CAMPA account vide UTR No.CNRBR52023011697417329 dtd 16/01/2023. A copy of the same is enclosed as Annexure No. III & IIA .

	subsequent years. For protection from encroachment and better management of the CA plantation; the fencing shall be done from the compartment boundary;																
iv.	<p>NPV:</p> <p>a. The State Government shall charge the Net Present Value (NPV) for the 16.6936 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, 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;</p> <p>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:</p>	<p>The User Agency has deposited an amount of Rs.1,59,88,796/- towards NPV in MAHA-CAMPA account vide UTR No.CNRBR52023011697417329 dtd 16/01/2023. A copy of the same is enclosed as Annexure No.IV & IIA.</p> <p>The User Agency has submitted an undertaking. The copy of the same is enclosed as Annexure No.IV.</p>															
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. Maximum numbers of trees in outer RoW will be kept intact;	<p>The User Agency has submitted an undertaking. The copy of the same is enclosed as Annexure No.V.</p> <p>The User Agency has deposited an amount of Rs. 2,35,395 in DCF Pune bank account vide DD No.806756 dtd 16/01/2023. The copy of the same is enclosed as Annexure No.VA & VB.</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/):	<p>The User Agency has deposited Rs.4,28,54,100/- in MAHA-CAMPA account vide UTR No.CNRBR52023011697417329 dtd 16/01/2023. The details are mentioned below</p> <table border="1"> <thead> <tr> <th>Sr. No.</th><th>Item</th><th>Amount</th></tr> </thead> <tbody> <tr> <td>1</td><td>CA</td><td>2,60,62,904</td></tr> <tr> <td>2</td><td>Boundary Pillars</td><td>8,02,400</td></tr> <tr> <td>3</td><td>NPV</td><td>1,59,88,796</td></tr> <tr> <td></td><td>Total</td><td>4,28,54,100</td></tr> </tbody> </table> <p>Remittance Proforma along with connected documents is enclosed as Annexure-IIA & VI.</p>	Sr. No.	Item	Amount	1	CA	2,60,62,904	2	Boundary Pillars	8,02,400	3	NPV	1,59,88,796		Total	4,28,54,100
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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 User Agency has submitted an undertaking. The copy of the same is enclosed as Annexure No.VII.															
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	The User Agency has submitted an undertaking. The copy of the same is enclosed as Annexure No.VIII.															

	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, 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 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 an undertaking. The copy of the same is enclosed as Annexure No.IX.
x.	The Forest Department shall carryout the avenue plantation by planting 8 feet tall suitable forest 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. The detailed scheme in this regard shall be submitted along with the Stag-I compliance report;	The User Agency has submitted an undertaking. The copy of the same is enclosed as Annexure No.X.
xi.	For smooth movement of wildlife and tattle the all hume-pipes shall be converted in to the boxculverts of minimum size of 2 x 3 meters in both forest and non-forest areas. A report in this regard shall be submitted along with the Stage-I compliance report;	The User Agency has submitted an undertaking. The copy of the same is enclosed as Annexure No.XI.
xii.	Overburden shall not be dumped outside the width of the road. The muck generated in the earth cuttings will be disposed of at the designated dumping sites and in no case the muck/debris will be allowed to roll down the hill slopes;	The User Agency has submitted an undertaking. The copy of the same is enclosed as Annexure No.XII.
xiii.	Speed regulating signage will be erected along the road at regular intervals in the Protected Areas/ Forest Areas;	The User Agency has submitted an undertaking. The copy of the same is enclosed as Annexure No.XIII.
xiv.	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.XIV.
xv.	The layout plan of the proposal shall not be changed without prior approval of Central Government;	The User Agency has submitted an undertaking. The copy of the same is enclosed as Annexure No.XV.
xvi.	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.XVI.
xvii.	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.XVII.
xviii.	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;	The User Agency has submitted an undertaking. The copy of the same is enclosed as Annexure No.XVIII.
xix.	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.XIX.

xx.	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.XX.
xxi	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.XXI.
xxii	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;	The User Agency has submitted an undertaking. The copy of the same is enclosed as Annexure No.XXII.
xxiii	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;	The User Agency has submitted an undertaking. The copy of the same is enclosed as Annexure No.XXIII.
xxiv	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 User Agency has submitted an undertaking. The copy of the same is enclosed as Annexure No.XXIV.
xxv	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.

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

(Naresh Zurmure)

Addl. Principal Chief Conservator of Forests
& Nodal Officer

Copy submitted to the for information.

Copy to the Chief Conservator of Forests (T), Pune for information.
Copy to the Deputy Conservator of Forests, Pune Forest Division, Pune for information.
Copy to the Sub-Divisional Forest Officer, Bhore for information.
Copy to the Project Director, NHAI, PIU Pune for information.