



**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 Wing,

Van Bhavan, Ramgiri Road, Civil Lines, Nagpur- 440 001

Tel.No.: 0712- 2556916 , E-mail: apccfnodal@mahaforest.gov.in

By E-mail / Speed Post

No.Desk-17/Nodal/Gadchiroli/ID-12862/ **37** /2023-24
Nagpur - 440 001, Date: **05** /04/2023

To,

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

Sub:- Diversion of 3.67 ha. forest land in favour of Public Works Division, Allapalli for construction and maintenance of Jijawandi Erapnar Road (upto state border) VR-61 including Minor Bridge at CH 0+350 in Tehsil-Etapalli, District-Gadchiroli in the State of Maharashtra-regarding.

- Ref:-**
1. Government of India, MoEF&CC, Integrated Regional Office, Nagpur letter dated 30/11/2021 of F.No.FC-I/MH-207/2021-NGP/8940.
 2. The Conservator of Forests (T.), Gadchiroli letter No.D-2(8)/Land/C.R.Road 448/2022/1362, dated 08/03/2022.
 3. The Conservator of Forests (T.), Gadchiroli letter No.D-2(8)/Land/C.R.Road 448/2023/1733, dated 28/03/2023.

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 3.67 ha. forest land in favour of Public Works Division, Allapalli subject to the fulfillment of the 23 conditions. Accordingly, the Conservator of Forests (T.), Gadchiroli vide letter under reference No. 2 & 3 has submitted the compliance of said conditions to this office. The compliance report as desired by the Government of India vide letter dated 30/11/2021 is submitted as under:-

Sl.No.	Points	Compliance report
i.	The legal status of the land remains unchanged.	User Agency has submitted an undertaking that the legal status of the forest land shall remain unchanged. The undertaking is enclosed herewith as Annexure-1 .
ii.	Compensatory afforestation a. Compensatory afforestation shall be taken up by the Forest Department over 8.00 ha. degraded forest land in Compt. No. C-71 at Village-Jogiskhara, Division-Wadsa, District-Gadchiroli at the cost of the User Agency. As far as possible, a mixture of local indigenous species along with 10% RET species of Gadchiroli District shall be planted and monoculture of any species may be avoided;	User Agency has submitted an undertaking that the cost of Compensatory Afforestation at the prevailing rates at the prevailing wages rates as per the compensatory afforestation scheme and the cost of survey; demarcation and erection of permanent pillars if required on the CA land have been deposited in advance with the Forest Department by the project authority. A copy of the Demand Note, Challan and Online payment history has been submitted along with the undertaking, which is enclosed as Annexure-2 .

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 subsequent years;	User Agency has submitted an undertaking that the cost of Compensatory Afforestation at the prevailing rates at the prevailing wages rates as per the compensatory afforestation scheme and the cost of survey; demarcation and erection of permanent pillars if required on the CA land have been deposited in advance with the Forest Department by the project authority. A copy of the Demand Note, Challan and Online payment history has been submitted along with the undertaking, which is enclosed as Annexure-3 .
iv.	<p>NPV:</p> <p>a) The State Government shall charge the Net Present Value (NPV) for the 3.67 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;</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>	User Agency has submitted an undertaking that the Net Present Value (NPV) has been deposited in advance with the Forest Department by the project authority. A copy of the Demand Note, Challan and Online payment history has been submitted along with the undertaking, which is enclosed as Annexure-4 .
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 number of trees up to 60 cm girth proposed to be felled shall be translocated by the State Government at the cost of the User Agency;	User Agency has submitted an undertaking that they shall restrict felling of trees to minimum number in diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and maximum number of trees up to 60 cm girth proposed to be felled and translocated at the time of execution for time of execution for Construction and Maintenance of Jijawandi Erapnar Road (up to state border) VR-61 including Minor Bridge at CH 0+350 in Etapalli Tehsil of Dist. Gadchiroli, which is enclosed herewith as Annexure-5 .
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 has submitted an undertaking that, all funds are transferred / deposited to CAMPA fund only through e-portal(http://parivesh.nic.in). A copy of the online payment history made by the User Agency under CAMPA has been submitted along with the undertaking, which is enclosed as Annexure-6 .

vii.	The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector;	<p>1) The District Collector, Gadchiroli vide letter No.182, dt.7/2/2023 has certified the following:</p> <p>a) The complete process for identification and settlement of rights under the FRA has been carried out for the entire area S.No.65,37,41 Area 0.18, 0.96, 2.526 ha. (Total area 3.670 ha).</p> <p>b) The diversion of forest land for facilities managed by the Government as required under section 3(2) of the FRA has been completed and the Gram Sabhas consent is not required as work does not fall in section 3(2) of FRA.</p> <p>c) The proposal does not involve recognized rights of primitive Tribal Groups and pre-Agricultural communities.</p> <p>Compliance regarding the said condition is enclosed as Annexure-7.</p>
viii.	To improve the Forest/Tree cover and to reduce pollution, as mandated in National Forest Policy, 1988 and Environmental (Protection) Act, 1986 respectively, the User Agency shall develop a separated nursery at one or more places to raise at least 5000 seedlings of forestry speices along with bamboo, fruit bearing, medicinal, ornamental and indigenous /local every year. At least 50% of seedlings shall be planted by User Agency in the vicinity of project are including forest area an for hand holding with local people residing in vicinity of proposed road, User Agency shall voluntary distribute remaining 50% of seedlings to them free of cost. A compliance report including species wise details of seedlings raised, location of plantation area and details of villagers whom seedlings have been distributed need to be prepared every six month and submitted to Regional Office of MoEF&CC;	User Agency has submitted an undertaking that, they have already deposited the amount of raising at least 5000 seedlings as per the Demand Note issued by the State Forest Department. A copy of the Demand Note and payment history has been submitted along with the undertaking, which is enclosed as Annexure-8 .
ix.	State Forest Department shall undertake avenue plantation of 8 feet tall plants as per IRC norms at the cost of User Agency;	User Agency has submitted an undertaking that, they have already deposited the amount for Avenue Plantation as per the Demand Note. A copy of the payment history has been submitted along with the undertaking, which is enclosed as Annexure-9 .
x.	Speed regulation signage will be erected along the road at regular intervals in the Protected Areas/Forest Areas;	User Agency has submitted an undertaking that, Speed regulation signage will be erected along the road at regular intervals in the Protected Areas/Forest Areas, which is enclosed as Annexure-10 .

xi.	Wherever river/stream/nala are passing through the road, causeway must be avoided and bridges or box culverts shall be constructed;	User Agency has submitted an undertaking that, Wherever river/stream/nallas are passing through the road, causeway will be avoided and bridges or box culverts shall be constructed, which is enclosed as Annexure-11 .
xii.	User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;	User Agency has submitted an undertaking that, this condition is not applicable to this project, which is enclosed as Annexure-12 .
xiii.	The layout plan of the proposal shall not be changed without prior approval of Central Government;	User Agency has submitted an undertaking that, the layout plan of the proposal will not be changed, which is enclosed as Annexure-13 .
xiv.	No labour camp shall be established on the forest land.	User Agency has submitted an undertaking that, no labour camp will be established on the forest land., which is enclosed as Annexure-14 .
xv.	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;	User Agency has submitted an undertaking for the said condition, which is enclosed as Annexure-15 .
xvi.	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 submitted an undertaking that the cost of Boundary Demarcation has been deposited in advance with the Forest Department by the project authority. A copy of the Demand Note, Challan and Online payment history has been submitted along with the undertaking, which is enclosed as Annexure-16 .
xvii.	No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;	User Agency has submitted an undertaking for the said condition, which is enclosed as Annexure-17 .
xviii.	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.	User Agency has submitted an undertaking that, this condition is not applicable to this project, which is enclosed as Annexure-18 .
xix.	The forest land shall not be user for any purpose other than that specified in the project proposal;	User Agency has submitted an undertaking for the said condition, which is enclosed as Annexure-19 .
xx.	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 has submitted an undertaking for the said condition, which is enclosed as Annexure-20 .
xxi.	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 has submitted an undertaking for the said condition, which is enclosed as Annexure-21 .

xxii.	Any other condition that the Ministry of Environemt, Forest & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife;	User Agency has submitted an undertaking for the said condition, which is enclosed as Annexure-22 .
xxiii.	The compliace report shall be uploaded on e-portal (https://parivesh.nic.in/);	User Agency has submitted an undertaking for the said condition, which is enclosed as Annexure-23 .

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

Copy forwarded for information to:-

1. The Conservator of Forests (T.), Gadchiroli.
2. The Deputy Conservator of Forests, Bhamragad Forest Division, Allapalli.
3. The Executive Engineer, Public Works Divison, Allapalli.
(E-mail address: alapalli.ee@mahapwd.com)



महाराष्ट्र शासन
वन विभाग



वनसंरक्षक (प्रादेशिक), गडचिरोली यांचे कार्यालय.

वन प्रशासकीय भवन, पोटेगांव रोड, गडचिरोली (महाराष्ट्र)

दुरध्वनी क्रमांक - 07132-233184 & 07132-233187 Email- ccfgad@gmail.com

क्रमांक:- कक्ष-2(8)/जमीन/प्र.क्र. रस्ते448/2023/ 1733 गडचिरोली, दिनांक: 28/03.2022

प्रति,

अपर प्रधान मुख्य वनसंरक्षक व
केंद्रस्थ अधिकारी महाराष्ट्र राज्य नागपुर

विषय:- वन (संवर्धन) अधिनियम 1980 अंतर्गत जिजावंडी ते इरपनार रस्ता क्षेत्र 3.67 हे. तत्त्वतः मान्यता प्रस्तावातील अटी शर्तीचा अनुपालन अहवाल सादर करणेबाबत.

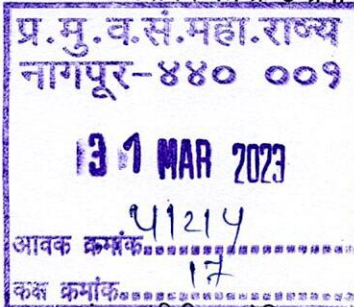
- संदर्भ:- 1) पर्यावरण, वन व जलवायु परीवर्तन मंत्रालय, भारत सरकार, यांचे पत्र क्र. F.No.FC-I/MH-207/2021-NGP/8940 दि. 30.11.2021
2) आपले कार्यालयाचे पत्र क्र. 17/2/NC/ID-12862/1782/2021-22 दि. 14.12.2021
3) उपवनसंरक्षक (प्रा.), भामरागड यांचे कार्यालयाचे पत्र क्र. कक्ष 1/Land /FCA/2022/3568 दि. 03.03.2022
4) या कार्यालयाचे पत्र क्र. 2(8)/जमीन/रस्ते448/2022/1362 दि. 08.03.2022
5) उपवनसंरक्षक (प्रा.) भामरागड यांचे कार्यालयाचे पत्र क्र. कक्ष 1/सर्व्हे/प्र.क्र.506/वसअ/22-23/4672 दि. 13.03.2023 प्राप्त दि.28/3/2023.

----000----

वन (संवर्धन) अधिनियम 1980 अंतर्गत जिजावंडी ते इरपनार रस्ता वनक्षेत्र 3.67 हे. रस्त्याचे प्रस्तावास केंद्र शासनाकडून 1 ते 23 अटी शर्तीचे अधिन राहून संदर्भित पत्र क्र. 1 अन्वये तत्त्वतः मान्यता प्रदान करण्यात आलेली आहे. त्यानुसार उपवनसंरक्षक(प्रा.), भामरागड यांनी संदर्भित पत्र क्र. 3 अन्वये प्रकल्प यंत्रणेकडून अटी शर्तीचा अनुपालन अहवाल अटनिहाय प्राप्त करून घेवून या कार्यालयात सादर केलेला आहे.

त्याअनुषंगाने केंद्र शासनाकडून तत्त्वतः मान्यता असलेल्या पत्रातील 1 ते 23 अटी शर्तीचा अनुपालन अहवाल संदर्भित पत्र क्रमांक-4 अन्वये सादर करण्यात आला आहे. त्यातील अटी शर्तीचे पालन करण्याच्या अनुषंगाने वनहक्क कायदा -2006 चे प्रमाणपत्र संदर्भित पत्र क्र-5 प्रमाणे सादर करण्यात आले आहे ते यासमवेत 03 प्रतित सादर करण्यात येत आहे.

सहपत्र:- वरीलप्रमाणे 3 प्रती



(डॉ. किशोर एस. मानकर)
वनसंरक्षक, (प्रादेशिक) गडचिरोली

प्रतिलिपी:- उपवनसंरक्षक (प्रा.), भामरागड यांना माहितीस अग्रेषित.

प्रतिलिपी:- कार्यकारी अभियंता, सार्वजनिक बांधकाम विभाग आलापल्ली यांना माहितीस अग्रेषित

FORM- I
(for linear projects)
Government of Maharashtra

Office of the District Collector Gadchiroli
No.Desk-3/AK/Land-1/CR-74/Ws/187/2023
Dated:- 7/2/2023

TO WHOWSOEVER IT MAY CONCERN

In compliance of the Ministry of Environment and forests (MoEF) Government of India s letter No. 11-9/98-FC (pt) dated 3rd August 2009 wherein the MoEF issued guidelines on submission of evidences for having initiated and completed the process of settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (FRA for short) on the forest land proposed to be diverted for **non-forest** purposes, it is certified that S.No. 65, 37, 41 Area 0.18, 0.96, 2.526 hector (Total Area 3.670 hector) of forest Land from Village **Jijawandi** in **Etapalli** Tahsil of forest land proposed to be diverted in favor of (Govt. of Maharashtra) **Executive Engineer, Public Works Division, Alapalli** (User Agency). It is further certified that.

- The complete process for identification and settlement of rights under the FRA has been carried out for the entire S.No. 65, 37, 41 Area 0.18, 0.96, 2.526 hector (Total Area 3.670 hector) of forest area as above of **Jijawandi, Etapalli** Tahsil in Gadchiroli District proposed for diversion. A copy of records of all consultation and meetings of the Forest Rights Committee(s) Gram Sabha(s), **Jijawandi** and The District Level Committee are enclosed as 13 to 23 to **Annexure**
- The diversion of forest land for facilities managed by the Government as required under section 3(2) of the FRA have been completed and the Gram Sabhas consent is not required as work does not fall in section 3(2) of FRA.
- The proposal does not involve recognized rights of primitive Tribal Groups and pre-Agricultural communities.

Enclo :- As above

(Sanjay Meena)

4 Collector, Gadchiroli

Copy forwarded for information and necessary action to :-

1. Sub Divisional Officer **Etapalli**
2. The Deputy Conservator of forest **Alapalli**, Division **Alapalli**.
3. **Executive Engineer, Public Works Division, Alapalli**.

4 Collector, Gadchiroli

OFFICE OF THE COLLECTOR, GADCHIROLI.

No Desk-3/AK Land-1/cr-76 Ws/183/2023

Dated:- 7/2/2023 2022

Reference:- Office of the Sub Divisional Officer Etapalli Vide Letter date 21/12/2022.

"Minimum Demand Of Forest Area"

Certified that all other alternative for the purpose have been explored and the demand for the required forest land of 3.670 H.R. for **Construction and Maintenance of Jijawandi- Earapnar Road of Executive Engineer, Public Works Division, Alapalli in Village Of Jijawandi, Etapalli Taluka of Gadchiroli District** is the barest minimum demand.

(Sarjay Meena)

Collector, Gadchiroli

Copy forwarded for information and necessary action to :-

1. Sub Divisional Officer Etapalli.
2. The Deputy Conservator of forest Alapalli, Division Alapalli.
3. Executive Engineer, Public Works Division Alapalli.

Collector, Gadchiroli

162
OFFICE OF THE COLLECTOR, GADCHIROLI.
No Desk-3/AK Land-1/CR- 76 Ws/184/2023
Dated:- 7/2/2023

Reference:- Office of the Sub Divisional Officer Etapalli Vide Letter date 21/12/2022.

"CERTIFICATE"

Non availability of non-forest area for compensatory afforestation

Certified that there is no non-forest Government land available for raising compensatory afforestation in lieu of forest land proposed for Construction and Maintenance of Jijawandi- Earapnar Road of Executive Engineer, Public Works Division, Alapalli of in Village Of Jijawandi Tahsil- Etapalli, Dist-Gadchiroli.

(Sanjay Meena)

Collector, Gadchiroli.

Copy forwarded for Information and necessary action to—

1. Sub Divisional Officer, Etapalli.
2. The Deputy Conservator of forest Alapalli, Division Alapalli.
3. Executive Engineer, Public Works Division, Alapalli.

Collector, Gadchiroli