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**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/NC/I/ID-12400 / 1809 /18-19  
Nagpur - 440 001, Date : 27/12/2018

To, ✓  
The Additional Principal Chief Conservator of Forests (Central),  
Ministry of Environment, Forests, and Climate Change,  
Regional Office, Ground Floor, East Wing,  
New Secretariat Building,  
Civil Lines, Nagpur-440001. ✓

Sub:- Diversion of 28.667 ha. of forest land in favour of National Highway Authority of India (NHAI), PIU, Nagpur for construction of Brahmapuri-Armori section (km 7300 to Km 48.400) to Nagpur-Umred-Nagbhir National Highway (NH-353 D) in Nagpur District in the State of Maharashtra-reg. ✓

Ref :- 1. MoEF & CC, Government of India, Regional Office (WCZ), Nagpur letter No. F.No.FC-II/MH-82/218-NGP-4244, dt.10/09/2018. ✓  
2. Chief Conservator of Forests, (T), Nagpur letter No. Desk 1/5/land/CR.826/17-18/1105, dt.15/12/2018. ✓

Sir,  
Regional Office, Ministry of Environment, Forests and Climate Change, Government of India, Nagpur conveyed the 'in-principle' approval for diversion of 28.667 ha. of forest land in favour of National Highway Authority of India (NHAI), PIU, Nagpur for construction of Brahmapuri-Armori section (km 7300 to Km 48.400) to Nagpur-Umred-Nagbhir National Highway (NH-353 D) in Nagpur District in the State of Maharashtra. The compliance report of the conditions of in-principle approval is furnished as under:- ✓

Sr. No.	Conditions put forth by Government of India	Compliance
(i)	Legal status of the diverted forest land shall remain unchanged. ✓	The User Agency has submitted an undertaking. A copy of the same is enclosed herewith as (Annexure No. I) ✓ p142
(ii)	Compensatory Afforestation, over the degraded forest land 58.014, shall be raised by the State Forest Department at the cost of User Agency. ✓	Compensatory Afforestation shall be taken in 58.014 ha degraded forest land in Comptt. No. 403-RF, Tal. Umred, Dist. Nagpur area in Range : North Umred, Round - Champa, Beat - Uti at the cost of the user agency. The user agency has deposited an amount of Rs.5,56,49,930/- towards compensatory afforestation. ✓ p142
(iii)	The User Agency shall be transfer the cost of raising and maintaining the compensatory Afforestation at the current wage rate, to the State Forest Department. The scheme may include appropriate provision ✓	The user agency has deposited an amount of Rs.5,56,49,930/- towards the cost of raising CA over 58.014 ha as per the current wage rate. The scheme shall include appropriate provision for anticipated cost increase for the works scheduled for subsequent years. (Annexure No.- II) ✓ p171-174



	for anticipated cost increase for the works scheduled for subsequent years.																
(iv)	The state Government shall charge the Net Present Value (NPV) of the forest land being diverted under the proposal from the User Agency as per the order of the Hon'ble Supreme Court of India dated 28.03.2008, 24.04.2008 and 09.05.2008 in Writ Petition (Civil) No 202/1995 and the guidelines issued by the Ministry Vide letter No 5-3/2007-FC dated 05.02.2009 in this regard.	The User Agency has deposited an amount of Rs.1,79,45,542/- towards Net Present Value. A copy of the same is enclosed herewith as <b>(Annexure No.II)</b> P/171-174															
(v)	At the time of payment of the Net Present Value (NPV) at the then prevailing rate, the User Agency Shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India.	The User Agency has submitted an undertaking. A copy of the same is enclosed herewith as <b>(Annexure No.I)</b> P/150															
(vi)	All the funds received from the user agency under the project, except the funds realized for regeneration/demarcation of safety zone, shall be transferred to Ad-hoc CAMPA, through e-challan in the Saving Bank Account pertaining to the State concerned.	The user agency has deposited total amount of Rs.7,47,03,772/- and the same has been transferred through RTGS UTR No.CNRBR520181 02500528616, dt.25/10/18 to CAMPA Account No. 150786134146688 of Corporation Bank, Lodhi Complex, New Delhi <b>(Annexure No. )</b> . The details are as below:- P/171-174															
		<table border="1"> <thead> <tr> <th>Item</th><th>Amount (In Rs.)</th><th>DD/RTGS/ e.payment</th></tr> </thead> <tbody> <tr> <td>CA</td><td>Rs.5,56,49,930/-</td><td rowspan="4">RTGS No. CNRBR52018102 500528616, dt.25/10/18</td></tr> <tr> <td>NPV</td><td>Rs.1,79,45,542/-</td></tr> <tr> <td>Create &amp; maintain alternate habitat/home for avifauna</td><td>Rs.6,79,500/-</td></tr> <tr> <td>Cost of boundary pillars by erecting four feet high reinforced cement concrete pillars of the diverted forest land.</td><td>Rs.4,28,800/-</td></tr> <tr> <td><b>Total</b></td><td><b>7,47,03,772/-</b></td><td></td></tr> </tbody> </table>	Item	Amount (In Rs.)	DD/RTGS/ e.payment	CA	Rs.5,56,49,930/-	RTGS No. CNRBR52018102 500528616, dt.25/10/18	NPV	Rs.1,79,45,542/-	Create & maintain alternate habitat/home for avifauna	Rs.6,79,500/-	Cost of boundary pillars by erecting four feet high reinforced cement concrete pillars of the diverted forest land.	Rs.4,28,800/-	<b>Total</b>	<b>7,47,03,772/-</b>	
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(vii)	The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection)	The user agency has certified in the compliance report that aforesaid condition is not applicable.															

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	Act, 1986, if required;	
(viii)	The boundary of the diverted forest land, shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, forward and back bearing and distance from pillar to pillar.	The user agency has deposited the cost of Rs.4,28,800/- for boundary of the diverted forest land by erecting four feet high reinforced cement concrete pillars and the same has been deposited in Ad-hoc CAMPA vide RTGS No. RTGS No. CNRBR 52018102500528616, dt.25/10/18. A copy of the same is enclosed herewith as ( <i>Annexure No. II</i> ) p/171-6174
(ix)	Wherever possible and technically, feasible, the User Agency shall undertake afforestation measures along the roads within the area diverted under this approval, in consultation with State Forest Department at the project cost;	The User Agency has submitted an undertaking. A copy of the same is enclosed herewith as ( <i>Annexure No. I</i> ) p/150
(x)	The User Agency will provide retaining walls, breast walls and drainage as per requirement to make the slope stable;	The User Agency has submitted an undertaking. A copy of the same is enclosed herewith as ( <i>Annexure No. I</i> ) p/150
(xi)	The User agency will undertake comprehensive soil conservation measure at the project cost in consultation with the State Forest Department.	The User Agency has submitted an undertaking. A copy of the same is enclosed herewith as ( <i>Annexure No. I</i> ) p/150
(xii)	The designing of culverts/ bridges, if any, over the natural streams/ rivers/ canals should be done in such a manner that it does not hamper the natural course of water, does not give rise to water logging, and also does not hamper movement of wild animals;	The User Agency has submitted an undertaking. A copy of the same is enclosed herewith as ( <i>Annexure No. I</i> ) p/150
(xiii)	No labour camp shall be established on the forest land;	The User Agency has submitted an undertaking. A copy of the same is enclosed herewith as ( <i>Annexure No. I</i> ) p/149
(xiv)	The User Agency shall provide fuels preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage	The User Agency has submitted an undertaking. A copy of the same is enclosed herewith as ( <i>Annexure No. I</i> ) p/149



	and pressure on the nearby forest areas;	
(xv)	All structures proposed for crossing in the forest patches should be of box culverts type with optimum height. Provisions of guided fencing, in consultation with the State Forest Department, shall be provided on either side of such culverts upto a length of 100 meters to guide the wildlife to cross the road through the proposed road crossing only.	The User Agency has submitted an undertaking. A copy of the same is enclosed herewith as ( <i>Annexure No. I</i> ) P/149
(xvi)	Portion of the existing road (corresponding to re-alignment) falling in the forest land should be dismantled and planted with trees at the cost of the User Agency.	The User Agency has submitted an undertaking. A copy of the same is enclosed herewith as ( <i>Annexure No. I</i> ) P/149
(xvii)	The forest land shall not be used for any other purpose other than that specified in the project proposal.	The User Agency has submitted an undertaking. A copy of the same is enclosed herewith as ( <i>Annexure No. I</i> ) P/149
(xviii)	The layout plan of the proposal shall not be changed without the prior approval of the Central Government.	The User Agency has submitted an undertaking. A copy of the same is enclosed herewith as ( <i>Annexure No. I</i> ) P/149
(xix)	The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government.	The User Agency has submitted an undertaking. A copy of the same is enclosed herewith as ( <i>Annexure No. I</i> ) P/149
(xx)	No damage to the flora and fauna of the adjoining area shall be caused.	The User Agency has submitted an undertaking. A copy of the same is enclosed herewith as ( <i>Annexure No. I</i> ) P/149
(xxi)	Felling of trees shall be restricted to 1508 trees. Any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department.	The User Agency has submitted an undertaking. A copy of the same is enclosed herewith as ( <i>Annexure No. I</i> ) P/149
(xxii)	Project affected trees (1288) falling in girth class of 60 cm	The User Agency has ensured in the compliance report that project affected trees (1288) falling in girth class of 60 cm



	and below should be translocated by the User Agency/ State Government at the cost of User Agency by using tree translocating machines wherever possible.	and below will be translocated by the User Agency/ State Government at the cost of User Agency by using tree translocating machines wherever possible.
(xxiii)	Following additional conditions, recommended by the PCCF, State Government of Maharashtra at the time of submission of proposal, shall be complied with by the User Agency;	
	a) Space at the cost of Project Authority should be provided in the form of Booths/ Kiosk/ Hall etc. at roads indicated by Forest Department to facilitate setting up of Forest Check Nakas or Jan-Van-Dhan Stall/ Information Centres by the Forest Department.	The User Agency has submitted an undertaking. A copy of the same is enclosed herewith as ( <i>Annexure No. I</i> ) p/149
(xxiv)	The user agency in consultation with the State Government shall create and maintain alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project. Birds nest artificially made out of eco-friendly material shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project.	The user agency has deposited the an amount of Rs. 6,79,500/- to create and maintain alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project and the same has been deposited in Ad-hoc CAMPA vide RTGS No. CNRBR52018102 500528616, dt.25/10/18. A copy of the same is enclosed herewith as ( <i>Annexure No. II</i> ) p/171 to 174
(xxv)	The State Government shall complete settlement of rights, in terms of the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any, on the forest land to be diverted and submit the documentary evidence as prescribed by this Ministry in its letter No.11-9/1998-FC(pt) Dated 03/08/2009, in support thereof. The certificate submitted by the Collector is giving conflicting message. On one side Collector is writing that the process has	The user agency has submitted the certificate of Collector, Nagpur vide Rev/B-1-a/C.R.20/W.S. 1077/2018 dt.12.7.2018 under Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act.2006 in prescribed format (Form I) as per Government of India guidelines dt.5/7/2013. p/91



	been completed and at the same time he is writing that (Not applicable, as there are no habitants belonging to Scheduled Tribes and Other Traditional Forest Dwellers, as per letter of MoEF F. No.11-9/98-FC(pt) dated 05/02/2013.	
(xxvi)	Certificate from the DCF concerned, regarding location of the area outside/ within 10 Km of distance from the boundary of Protected Areas shall be submitted along with the compliance report.	The certificate from the DCF, Nagpur Division Nagpur has certified that the total length of project i.e. 40.700 Km. out of that 37.230 Km stretch is beyond 10 Km and only 2.470 Km stretch is within 10 Km from the boundary of the Protected area (Sanctuary and National Park). A copy of the same is enclosed herewith as ( <i>Annexure No.III</i> ) p/175
(xxvii)	The User Agency shall submit the six monthly self-compliance reports in respect of the above conditions on 01 <sup>st</sup> January and 1 <sup>st</sup> July every year to this office as well as to the Nodal Officer of the State.	The User Agency has submitted an undertaking. A copy of the same is enclosed herewith as ( <i>Annexure No.I</i> ) p/148
(xxix)	Any other condition that the concerned Regional office of this Ministry may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife; and	The User Agency has submitted an undertaking. A copy of the same is enclosed herewith as ( <i>Annexure No.I</i> ) p/148
(xxx)	The User Agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines for the time being in force as applicable to the project.	The User Agency has submitted an undertaking. A copy of the same is enclosed herewith as ( <i>Annexure No. IV</i> ) p/148



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

Encl : As above

Yours sincerely,

*G. Saprakash*  
(G. Saprakash)

Addl. Principal Chief Conservator of Forests  
& Nodal Officer  
Maharashtra State, Nagpur

Copy submitted to Principal Secretary (Forests), Revenue & Forests Department, Mantralaya, Mumbai -32, for information.

Copy to the Chief Conservator of Forests (T), Nagpur for information.

Copy to the Deputy Conservator of Forests, Nagpur Forest Division, Nagpur for information.

Copy to the Estate Officer, Municipal Corporation, Nagpur Civil Lines, Nagpur-440001 for information.