



**Office of the Principal Chief Conservator of Forests (Head of Forests Force),
Maharashtra State, Nagpur**

Additional Principal Chief Conservator of Forests & Nodal Officer,
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No.Desk-17/Nodal/Aurangabad/ID-12810/507 /2022-23
Nagpur - 440 001, Date: 02/06/2022

To,

The Deputy Director General (Central)
Ministry of Environment, Forests and Climate Change,
Integrated Regional Office, Ground Floor, East Wing,
Civil Lines, Nagpur-440001

Sub:- Diversion of 6.38 ha forest land in favour of Public Works Department National Highways Division under Forest (Conservation) Act, 1980 for Rehabilitation and Upgradation of the newly declared National Highway Aurangabad-Jalgaon (NH-735F) in the State of Maharashtra.

- Ref:- 1. Government of India, Ministry of Environment Forests & Climate Change, Integrated Regional Office, Nagpur letter dated 31.03.2021 of F.No.FC-II/MH-139/2021-NGP/7991.
2. The Chief Conservator of Forests (T.), Kolhapur letter No.Desk-5/Land/C.R.49 (20-21)/223/22-23, dated 23/05/2022.

Sir,

Integrated Regional Office, Ministry of Environment, Forests and Climate change, Government of India, Nagpur conveyed the 'in-principle' approval for the diversion of 6.38 ha forest land in favour of Public Works Department National Highways Division under Forest (Conservation) Act, 1980 for Rehabilitation and Upgradation of the newly declared National Highway Aurangabad-Jalgaon (NH-735F) in the State of Maharashtra. The compliance report of the conditions of 'in-principle' approval is furnished as under:-

Co. No.	Conditions put forth by the Government of India	Compliance	Page No.
i	Legal status of the diverted forest land shall remain unchanged.	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure-1).	10
ii	Compensatory afforestation		
a.	Compensatory afforestation shall be taken up by the Forest Department over 12.76 ha degraded forest land in Survey No.2, Compt. No. 34a at Village-Khultabat, Tehsil-Khultabat, Dist- Aurangabad at the cost of the User Agency As far as possible, a mixture of local indigenous species along with 10% RET species of Aurangabad District shall be planted and monoculture of any species may be avoided.	For compensatory afforestation over 12.76 ha. degraded forest land in survey No.2, Compt. No 34a at Village Khultabat, Tahsil-Khultabat, Dist- Aurangabad. The User agency has deposited Rs.93,15,476/- (In words Ninety Three lakhs fifteen thousand four hundred seventy six only) in Ad-hoc CAMPA, Maharashtra A/c no. 150786134626849 through e-challan on dt.28/04/2021 Transaction ID. S042101280. (Annexure-4/1,4/2 & 24)	9, 13 & 14
b.	The fencing of CA area shall be started from the boundary of forest area.	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure-2).	11

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 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 Rs. 93,15,476/- (In words Ninty Three lakhs fifteen thousand four hundred seventy six only) in Ad-hoc CAMPA, Maharashtra A/c no. 150786134626849 through e-challan on dt.28/04/2021 Transaction ID. S042101280. The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure-3, 4/1, 4/2 & 24)	9, 12, 13 & 14
iv	NPV:		
a.	The state government shall charge the Net Present Value (NPV) for 6.38 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 and 08/05/2008 in IA No. 566 in WP(C)No. 202/1995 and as per the guidelines issued by the Ministry vide 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 in this regard.	User agency has deposited Cost of NPV of Rs. 39,93,880/- deposited to Ad-hoc CAMPA, Maharashtra A/c no. 150786134626849 through e-challan on dt.28/04/2021 Transaction ID. S042101280. (Annexure-4/1,4/2 & 24).	9, 13 & 14
b.	Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by Hon'ble Supreme Court if 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.	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure-5).	15
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 tree shall be de-positd by the User Agency with the State forest Department.	User agency has deposited Cost of felling of trees of Rs. 5,45,354/- deposited to Dy. Conservator of Forest Aurangabads, A/c no. 62123824257 through RTGS on dt.17/05/2021 Bank ref ID.105172602538 (Annexure-6)	16
vi	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 separate nursery alone or more places to raise at least 25,000 seedlings of forestry species along	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure-7).	17

	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 area including forest area and for hand holding with local people residing in vicinity of proposed road, User Agency shall voluntarily 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.		
vii	All the funds received from the user agency under the project shall be transferred/deposited to CAMPA fund only through the e-portal (https://parivesh.nic.in/).	The User Agency has deposited Rs.1,34,39,696/- in the Ad-hoc CAMPA account. The Dy. Conservator of Forests, Aurangabad Forest Division, Aurangabad has submitted Proforma to be furnished for remittance of funds in Ad-hoc CAMPA. The copy of the same is enclosed as (Annexure-24).	9
viii	The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.	The complete compliance of the FRA, 2006 is enclosed herewith as (Annexure-8).	18 to 51
ix	User Agency in consultation with State Forest Department shall construct the wild life passages in the form of underpasses at least at every 500 meters in forest land for smooth movement of wildlife as well as in non-forest areas where there is a traditional / seasonal route of wildlife movement. The dimensions of all such wild life passages shall be kept as suggested by Wildlife Institute of India in manual entitled "Eco-friendly Measures to Mitigate Impacts of Linear Infrastructure on Wildlife, published in 2016". A report in this regard shall be submitted to IRO, MoEF&CC along with Stage-I compliance.	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure-9).	52
x	The User Agency, shall undertake comprehensive soil conservation measures at the project cost in	The User Agency has submitted an undertaking. The copy of the same is enclosed	53

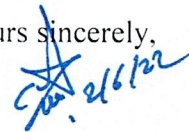
	consultation with the State Forest Department. A 10 years Soil Conservation Plan on the same shall be submitted along with the compliance report of the Stage-I approval.	herewith as (Annexure-10).	
xi	State Forest Department shall undertake avenue plantation as per IRC norms at the cost of User Agency.	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure-11).	54
xii	Speed regulating signage will be erected along the road at regular interval in the Protected Area/Forest Areas;	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure-12).	55
xiii	User Agency shall obtain Environmental Clearance as per provision of the Environmental (Protection) act 1986, if applicable.	The User Agency has submitted an undertaking that environment clearance is not required for the project as per the provision of Environment (Protection) Act, 1986, EIA notification 2006 and its amendment vide SO-2559 dated 22/08/2013. The copy of the same is enclosed herewith as (Annexure-13).	56
xiv	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 herewith as (Annexure-14).	57
xv	No labour camp shall be established on the forest land.	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure-15).	58
xvi	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 herewith as (Annexure-16).	59
xvii	The boundary of 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 herewith as (Annexure-17 & 17a).	60 & 61
xviii	No additional or new path will be constructed inside the forest area for transportation of construction material for execution of the project work.	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure-18).	62

xix	The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favor of the user agency or project life, whichever is less.	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure-19).	63
xx	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 herewith as (Annexure-20).	64
xxi	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 herewith as (Annexure-21).	65
xxii	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 herewith as (Annexure-22).	66
xxiii	Any other condition that the ministry of Environment, Forest & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forest & wildlife.	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure-23).	67
xiv	The compliance report shall be uploaded on e-Portal (https://parivesh.nic.in/)	Noted.	8

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

Encl:- As above

Yours sincerely,



(Naresh Zurmure)

Addl. Principal Chief Conservator of Forests
& Nodal Officer

Copy submitted to: The Principal Chief Secretary (Forests), Revenue & Forest Department, Mantralaya Mumbai-32 for information and necessary action.

Copy for information:

1. The Chief Conservator of Forests (T.), Kolhapur.
 2. The Deputy Conservator of Forests, Aurangabad Forest Division, Aurangabad.
 3. The Executive Engineer, PWD/NH Division, Aurangabad.
- (Email: ramdas.khalse@gmail.com & spaurangabad.ee@mahapwd.com)