

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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Sub:- Diversion of 2.9046 ha Reserved Forest land in favour of Maharashtra Jeevan Pradhikaran Division, Yavatmal for installation of Sewage Treatment Plant (STP) & Sewerages in Village- Pimpalgaon, Wadgaon Road and Umarsara, District- Yavatmal in the State of Maharashtra-reg.

No. Desk-17/NodalYavatmal/ID-12885 (1)/1442/2020-21

Nagpur - 440 001, Date :- 08/11/2021

To,

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

- Ref:- 1. Government of India, Ministry of Environment, Forests and Climate Change,
Regional Office, Nagpur letter No. F.No.FC-I/MH-224/NGP/8081, dated 18/05/2021
2. The Conservator of Forests (T), Yavatmal letter No.CF(Y)/Desk-10/FCA/598/2021-22, dated 01/11/2021

Sir,

Government of India, Ministry of Environment, Forests and Climate Change, Regional Office, Nagpur conveyed the 'in-principle' approval for diversion of 2.9046 ha Reserved Forest land in favour of Maharashtra Jeevan Pradhikaran Division, Yavatmal for installation of Sewage Treatment Plant (STP) & Sewerages in Village- Pimpalgaon, Wadgaon Road and Umarsara, District- Yavatmal in the State of Maharashtra. The compliance report of the conditions of in-principle approval was furnished vide letter dt.31/03/2021 as under:-

Sr. No.	Conditions laid down by Central Government letter dt.18/05/2021	Compliance
1.	Legal status of the forest land shall remain unchanged;	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure No.I)
ii	Forest land will be handed over only after required non-forest land for the project is handed over by the user agency to the State Forest Department;	Compensatory Afforestation over 3.00 ha. out of 10.42 ha. non forest land in Gut No.63 in Village Nanza, Tal. Kalamb Dist. Yavatmal the said land has been transferred on 25/08/2021 and handed over to Forest Department on 18/09/2021, RFO, vide letter dated 24/09/2021. The original notification for declaring non forest land under section-4 or section 29 will be submitted by the User Agency to Forest Department after receipt. The copies of the same is enclosed herewith as (Annexure No.II)
iii	Compensatory afforestation:	
a.	Compensatory afforestation shall be taken up by the Forest Department over 3.00 ha non-forest land in Gut. No. 63 at Village- Nanza, Taluka- Kalamb, Dist- Yavatmal. As far as possible, a mixture of local indigenous species along with 10% RET species of Yavatmal District shall be planted and monoculture of any species may be avoided;	Compensatory afforestation shall be taken up by the Forest Department over 3.00 ha non-forest land in Gut. No. 63 at Village- Nanza, Taluka- Kalamb, Dist- Yavatmal. In this regard, the User Agency has deposited an amount of Rs.21,90,159/- toward the cost of Compensatory Afforestation in Ad-hoc CAMPA Account. The copy of the same is enclosed herewith as (Annexure No.III)

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;	Compensatory Afforestation over 3.00 ha. out of 10.42 ha. non forest land in Gut No.63 in Village Nanza, Tal. Kalamb Dist. Yavatmal the said land has been transferred on 25/08/2021 and handed over to Forest Department on 18/09/2021, RFO, vide letter dated 24/09/2021. The original notification for declaring non forest land under section-4 or section 29 will be submitted by the User Agency to Forest Department after receipt. The copies of the same is enclosed herewith as (Annexure No.II) .
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 User Agency has deposited an amount of Rs.21,90,159/- toward the cost of Compensatory Afforestation in Ad-hoc CAMPA Account. The copy of the same is enclosed herewith as (Annexure No.III)
v	NPV:	
a	The State Government shall charge the Net Present Value(NPV) for the 2.9046 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;	The User Agency has deposited an amount of Rs.18,18,280/- toward the cost of Net Present Value in Ad-hoc CAMPA Account. The copy of the same is enclosed herewith as (Annexure No.III)
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;	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure No.IV)

vi.	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;	The User Agency has deposited an amount of Rs.4,803/- toward the cost of felling of trees in State Bank of India, Branch Deputy Conservator of Forests, Yavatmal Forest Division, Yavatmal account vide D.D.No.613393, dated 08/10/2021. The copy of the same is enclosed herewith as (Annexure No.V)																		
vii.	All the funds received from the User Agency under the project shall be transferred / deposited to CAMPA fund only through <i>e-portal</i> (<i>https://parivesh.nic.in</i>)"	<p>The total amount of Rs.41,13,439/- -has been deposited by User Agency in Ad hoc CAMPA New Delhi, Account No. MAHARASHTRA CAMPA Account No. 150787244244677 through NEFT vide RTGS No. UTR No. SBINR 52021080636255356, dated 06/08/2021 of Maharashtra State, CAMPA and the same is enclosed herewith as (Annexure-II). The details are as below –</p> <table><tr><th>Sr. No</th><th>Item</th><th>Amount (In Rs.)</th><th>DD/RTGS/ e.payment</th></tr><tr><td>1</td><td>CA</td><td>Rs.21,90,159/-</td><td rowspan="3">UTR No. SBINR 52021080636255356, dated 06/08/2021</td></tr><tr><td>2</td><td>NPV</td><td>Rs.18,18,280/-</td></tr><tr><td>3</td><td>Cost of boundary pillars</td><td>Rs.1,05,000/-</td></tr><tr><td colspan="2">Total</td><td>Rs.41,13,439/-</td><td></td></tr></table>	Sr. No	Item	Amount (In Rs.)	DD/RTGS/ e.payment	1	CA	Rs.21,90,159/-	UTR No. SBINR 52021080636255356, dated 06/08/2021	2	NPV	Rs.18,18,280/-	3	Cost of boundary pillars	Rs.1,05,000/-	Total		Rs.41,13,439/-	
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Total		Rs.41,13,439/-																		
viii.	The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector;	The User Agency has submitted the certificates of Collector, Yavatmal under Schedule Tribes and Other Traditional Forest Dweller's (Recognition of Forest Rights) Act, 2006 issued vide letter No. AK/Wanhakka/WS/732/2021, dated 23/09/2021 in prescribed format (Form-I) as per Government of India latest guidelines dated 05/07/2013. A copy of the same is enclosed herewith as (Annexure No. VI)																		
ix.	Cross sectional map of linear portion shall be submitted along with Stage-I compliance report;	The has submitted cross section map. The copy of the same is enclosed herewith as (Annexure No.VII)																		
x.	The pipeline shall be laid down 1.5 meter below the ground and after lying down of pipe line the ground will be leveled.	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure No.VIII)																		
xi.	To improve the <i>Forest / Tree</i> 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 at one or more places to raise at least 3500 seedlings of forestry species 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 area including forest area and for hand holding with local people residing in vicinity of proposed road, User Agency shall voluntary distribute remaining 50% of	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure No.IX)																		

	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;	
xii.	User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;	Not Applicable.
xiii.	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 No.X)
xiv.	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 No.XI)
xv.	Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the laborer 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 No.XII)
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;	The User Agency has deposited an amount of Rs.1,05,000/- toward the cost of demarcation of boundary pillars in Ad-hoc CAMPA Account. The copy of the same is enclosed herewith as (Annexure No.XIII)
xvii.	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 herewith as (Annexure No.XIV)
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;	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure No.XV)
xix.	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 No.XVI)
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;	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure No.XVII)
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	The User Agency has submitted an undertaking. The copy of the same is enclosed herewith as (Annexure No.XVIII)

	dt 29/01/2018;	
xxii..	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 herewith as (Annexure No.XIX)
xxiii	The compliance report shall be uploaded on <i>e-portal</i> <i>01https://parivesh.nic.in/</i> .	The condition will be followed.

In view of the above facts, it is requested that Government of India may kindly be moved for formal approval under section – 2 of the Forest (Conservation) Act, 1980 as early as possible.

Enclose : As above

Yours sincerely

8/11/21

(Naresh Zurmure)

**Additional Principal Chief Conservator of Forests
& Nodal Officer**

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

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

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

Copy to the Executive Engineer, Maharashtra Jeevan Pradhikaran Division, Yavatmal for information.