

## **PUBLIC WORKS DEPARTMENT**

**Executive Engineer,**  
National Highway Division, Ratnagiri

Tel :- 02352 – 222394	nhratnagiri.ee@mahapwd.com eenhratnagiri@gmail.com
No. NHD/RTN/PB/PO-2/ 1384/2018-19	Date:- 27/05/2019

To ✓  
The Dy. Conservator of Forest,  
Forest Division, Sawantwadi

**Sub:** Diversion of 3.4659 ha of Forest land in favour of National Highway Division, Ratnagiri for Rehabilitation and Up-gradation of existing two lane of NH-66 from Km. 367/200 to 406/030 (Talgaon to Kalmath section) to Four lane configuration with paved shoulder under NHDP Phase- IV in Sindhudurg District in the State of Maharashtra.

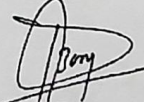
**Ref:** (1) CCF Nagpur letter no 453/2018-19 dated 13/28.05.2018  
(2) MOEF & CC Letter no F. No. FC-I/MH-92/2018-NGP/3707 dated 23.05.2018  
(3) Your office letter No. 555 Dtd. 23.05.2019

With regard to the Proposal of diversion of 3.4659 ha affected forest land principally being accepted and agreed to for the captioned NH-66 from Km 367/200 to 406/030 (Talgaon to Kalmath section) by the Government of India & Ministry of Environment & Forest's Regional Office, Nagpur, vide their letter No. 2, with conditions that have been complied chronologically and submitted by CCF, Kolhapur to Nodal office, Nagpur.

Some queries has been raised by the Principal CCF and Nodal Officer, Nagpur which was communicated by your office vide letter under reference No.3.

The compliance of the paras concerned with this office alongwith revised proposal is submitted herewith for further necessary action please.

Copy - Revised proposal - 3 copies

  
(P.P. Bangosavi)  
Executive Engineer  
National Highway Division  
Ratnagiri

- ✓ Copy submitted to The Chief Engineer, N.H.(P.W.), Konkan-Bhavan, Navi-Mumbai for information and further needful action please.
- ✓ Copy submitted to The Superintending Engineer, N.H. Circle, Konkan-Bhavan, Navi-Mumbai for information.
- ✓ Copy to Assistant Engineer (Gr-I), NH Sub-Division, Kharepatan for information.
- ✓ Copy to M/s. KCC Talgaon-Kalmath Highways (P) Ltd., Camp Office, Kasarde Tal, Kankavali for information.

**Name of the Project-** Rehabilitation and up-gradation of existing two lane NH-66 from Km 367/200 to Km 406/030 (Talgaon to Kalmath section) to four lane configuration with paved shoulder under NHDP Phase- IV in Sindhudurg district in the state of Maharashtra

Condition No.	Condition	Compliance
I	Legal status of the diverted forest land shall remain unchanged	Yes, Legal status of the diverted forest land shall remain unchanged. Undertaking for the same is enclosed


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Condition No.	Condition	Compliance
II	Differential GPS map of the area proposed for diversion, duly certified by the competent authority in the State Forest Department, shall be submitted along with the Stage-I compliance.	Differential GPS map of the area proposed for diversion is enclosed. <b>(Annexure- 1)</b>

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Condition No.	Condition	Compliance
III	Compensatory afforestation over the degraded forest land, twice in extent to the forest land being diverted, shall be raised and maintained, by the state forest Department at the cost of the User Agency	The amount of Rs. 67,15,000/- for Compensatory Afforestation is deposited vide UTR No. P18111237277191, dated 13.11.2018 in the CAMPA account by E-Challan and the details attached (Annexure- 2)

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(2)

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Condition No.	Condition	Compliance
IV	The User Agency shall 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 for anticipated cost increase for works scheduled for subsequent years;	The amount of Rs. 67,15,000/- for Compensatory Afforestation is deposited vide UTR No. P18111237277191, dated 13.11.2018 in the CAMPA account by E-Challan and the details attached <b>(Annexure- 2)</b>

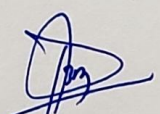
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Condition No.	Condition	Compliance
V	The state government shall charge the Net Present value (NPV) OF of the forest land being diverted under this proposal from the User agency as per the orders of Hon"ble Supreme Court Of India dated 28.03.2018, 24.04.2008 and 09.05.2008 in writ Petition (Civil) No.202/1995 and the guidelines issued by this ministry vide its letter 5-3/2007-Fc dated 05.02.2009 in this regard.	The amount of Net Present Value (NPV) for proposed area 3.4659 ha. X Rs. 10,43,000 per Ha. = Rs. 36,15,000/- is deposited vide UTR No. P18111237277191, dated 13.11.2018 in the CAMPA account by E-Challan and the detailes attached ( <b>Annexure- 2</b> )

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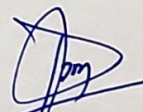


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Condition No.	Condition	Compliance
VI	All the time of payment of the Net Present Value (NPV) at the then prevailing rate, the user Agency shall furnish an undertaking to pay the additional of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India	Yes, the additional amount of NPV, if so determined. As per the final decision of the Hon'ble Supreme Court of India, will be paid. The Undertaking for the same is enclosed

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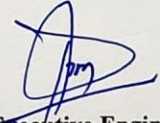
  
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Condition No.	Condition	Compliance
VII	All the funds received from the user agency under the project except the funds realized for regeneration/ demarcation of safety zone, shall be transferred to ad-hoc CAMPA through E-Challan in the savings Bank account pertaining to the State concerned,	As per demand Note, total amount of Rs. 158.61 lakh in CAMPA account through E-Challan and details are attached. <b>(Annexure- 2)</b>

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Condition No.	Condition	Compliance
VIII	The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required	As length of the project is less than 100 Km., the Environmental clearance is not required as per the Guidelines on dt. 22.08.2013 of the Environmental (Protection) Act, 1986.


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Condition No.	Condition	Compliance
IX	The boundary of the diverted forest land, shall be demarcated of ground at 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 boundary of the diverted forest land will be demarcated on the 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 undertaking for the same is attached.

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Condition No.	Condition	Compliance
X	The user agency arrange to raise strip plantation on either side of the road and central verge at project-cost, as per IRC specification, with maintenance of 7 – 10 years.	Yes, as per IRC specification, strip plantation on both sides of the road will be done and maintained for 7-10 years. The undertaking for the same is attached.


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Condition No.	Condition	Compliance
XI	Wherever possible and technical feasible, the user agency shall undertake afforestation measures along the roads with in the area diverted under this approval in consultation with the state forest department at the project cost	Yes, afforestation measures along the roads with in the area diverted in consultation with the state Forest Department will be undertaken as required. The undertaking for the same is attached.

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Condition No.	Condition	Compliance
XII	The reclamation of quarry should be done under the supervision of the state forest department. The quarry shall be reclaimed and afforested complete before project is closed	In view of construction of road project, the reclamation of quarry, if required, will be done with the supervision of the state Forest Department.

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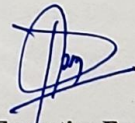
  
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Condition No.	Condition	Compliance
XIII	Overburden shall not be dumped outside the width of the road the muck generated in the earth cuttings will be disposed of at the designated dumping sides and in no case muck / debris will be allowed to roll down the hill slopes.	Yes, the 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 sides and in no case muck / debris will be allowed to roll down the hill slopes. The undertaking for the same is enclosed.

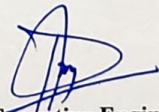
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Condition No.	Condition	Compliance
XIV	The user agency will provide retaining wall, breast walls and drainage as per requirement to make the slope stable.	As per provision and guideline of IRC SP 84, the retaining wall, breast walls and drainage as per requirement to make the slope stable. The undertaking for the same is enclosed.

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Condition No.	Condition	Compliance
XV	The user agency shall prepare and implement a comprehensive Soil Conservation plan in forest area being in consultation with the State Forest department at the project cost. A plan on the same shall be submitted along with the compliance report of the Stage -1 approval;	Yes, the user agency prepared and submitted the comprehensive Soil Conservation plan in forest area being in consultation with the State Forest department at the project cost. (Annexure- 3)

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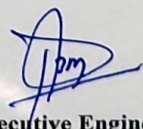
  
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Condition No.	Condition	Compliance
XVI	The designing of culverts / bridges, if any, over the natural streams / rivers / canals should be done in such a manner that it does not hamper the natural course of water, does not give rise to water-logging and also does not hamper movement of wild animals.	The design of culverts / bridges over the natural streams / rivers / canals will be done in such a manner that it does not hamper the natural course of water, does not give risk to water-logging and also does not hamper movement of wild animals. The undertaking for the same is enclosed.

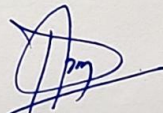
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Condition No.	Condition	Compliance
XVII	No labour camp shall be established on the forest land;	Yes, No labour camp shall be established on the forest land. The undertaking for the same is enclosed.


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Condition No.	Condition	Compliance
XVIII	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 and pressure on the nearby forest areas;	Yes, the alternate fuels to the labour and staff working at site will be provided so as to avoid any damage and pressure on the nearby forest areas. The undertaking for the same is enclosed.

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Condition No.	Condition	Compliance
XIX	The forest land shall not be used for any purpose other than that specified in the proposal;	Yes, the forest land will not be used for any purpose other than that specified in the proposal. The undertaking for the same is enclosed.

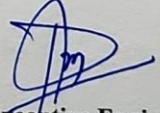
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Condition No.	Condition	Compliance
XX	The layout plan of the proposal shall not be changed without the prior approval of the Central Government.	Yes, the layout plan of the proposal will not be changed without the prior approval of the Central Government. The undertaking for the same is enclosed.

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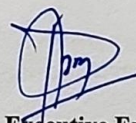
  
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Condition No.	Condition	Compliance
XXI	The forest land proposed to be diverted shall under no circumstance be transferred to any other agency, department or person without prior approval of the Central government:	Yes, the forest land proposed to be diverted will not be transferred under any circumstance to any other agency, department of person without prior approval of the Central Government. The undertaking for the same is enclosed.

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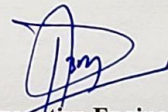
  
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Condition No.	Condition	Compliance
XXII	No damage to the flora and fauna of the of the adjoining area shall be caused;	Yes, No damage to the flora and fauna of the adjoining area will be caused. The undertaking for the same is enclosed.

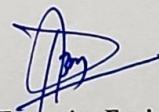
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Condition No.	Condition	Compliance
XXIII	As the forest area is inhabited by the Schedule-1 species, comments recommendations of the PCCF (Wild life) shall be submitted along with the compliance of Stage-I approval. The recommendations / Majors, if any, suggested by the PCCF (Wild life) for the protection and conservation of wild life in the area, shall be implemented by the state forest department at the project cost. Report on the same shall be submitted along with Stage-I compliance.	Yes, the user agency prepared and submitted the wildlife Conservation plan in forest area being in consultation with the State Forest department at the project cost. The undertaking for the same is enclosed.  (Annexure- 4)

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Condition No.	Condition	Compliance
XXIV	Vehicles and officials of the state forest department should be allowed free access on the road without any sort of fee / toll.	Yes, Vehicles and officials of the state forest department will be allowed free access on the road without any sort of fee / toll. The undertaking for the same is enclosed.

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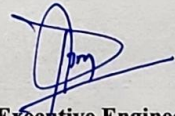
  
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Condition No.	Condition	Compliance
XXV	Space at cost of project authority should be provided by the User Agency in form of booths / Kiosk / hall etc. at nodes indicted by the forest department to facilitate setting of forest check Nakas or Jan-Van- Dhan Stall/information centres by the Forest Department. Detail of the same along with the locations shall be submitted along with the compliance of Stage-I approval.	Space at cost of project authority will be provided by the User Agency in form of booths / Kiosk / hall etc. at nodes indicted by the forest department The undertaking for the same is enclosed.

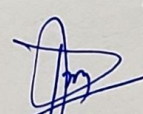
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Condition No.	Condition	Compliance
XXVI	Any tree felling shall be done by only when it is unavoidable and that too under strict supervision of the State forest department. Complete tree enumeration shall be submitted along with the compliance Stage I approval.	As per estimate given by Forest Department for felling of 713 trees required amount Rs. 7,02,949/-was deposited to Dy. Conservator of Forests through demand draft of HDFC Bank vide DD No. 000655, dt. 01.12.2018. Any tree felling will be done by only when it is unavoidable and that too under strict supervision of the State Forest Department. The undertaking for the same is enclosed.

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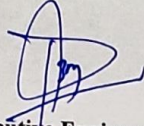
  
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Condition No.	Condition	Compliance
XXVII	The user agency in consultation with the state government shall create and maintain alternate habitat / home for avifauna, whose nesting trees are to be cleared in this project. Bird's nests artificially made 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 in consultation with the state government will create and maintain alternate habitat / home for avifauna, whose nesting trees are to be cleared in this project. Bird's nests artificially made out of eco-friendly material will be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project. And for this purpose of creating bird's nests, the amount of 713 nos. x Rs. 450/- = Rs. 3,21,000/- is deposited in the CAMPA account vide UTR No. P18111237277191, dt. 13.11.2018 in CAMPA account by E- Challan.

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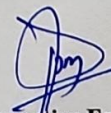
  
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Condition No.	Condition	Compliance
XXVIII	Complete compliance of schedule Tribes and other Traditional forest Dwellers (Recognition of forest Rights) Act-2006 shall be submitted in accordance with the provisions of the MoEF&CC's guidelines dated 05.07.2013 and documentary evidence in support of settlement of rights as stipulated in clause (a) of the Form-I annexed of the MoEF&CC's advisory dated 05.07.2013 viz, copies of records of meeting and consultation with the forest rights Committee(s), Gramsabhas, Sub-Divisional Level Committee shall be submitted before stage-II approval. Same shall be ensure by the state government before grant of working permission and complete compliance shall be submitted along with the compliance report of the stage-I approval.	It has been confirmed and certified that there are no Scheduled Tribes and Other Traditional Forest Dwellers in project section. The certificate of the Collector, Sindhudurg and SDO (Revenue), Kankavali is enclosed. (Annexure-5)

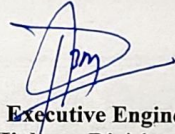
Deputy Conservator of Forests  
Sawantwadi Forest Division Sawantwadi

  
Executive Engineer  
National Highway Division Ratnagiri

**Name of the Project-** Rehabilitation and up-gradation of existing two lane NH-66 from Km 367/200 to Km 406/030 (Talgaon to Kalmath section) to four lane configuration with paved shoulder under NHDP Phase- IV in Sindhudurg district in the state of Maharashtra

Condition No.	Condition	Compliance
XXIX	The user agency shall submit six monthly self-compliance reports as on 1 <sup>st</sup> January and 1 <sup>st</sup> July of every year to this office as well as to the Nodal Office of the state;	Yes, six monthly self-compliance reports as on 1 <sup>st</sup> January and 1 <sup>st</sup> July of every year to this office as well as to the Nodal Office of the state. The undertaking for the same is enclosed.

Deputy Conservator of Forests  
Sawantwadi Forest Division Sawantwadi


  
Executive Engineer  
National Highway Division Ratnagiri



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Condition No.	Condition	Compliance
XXX	The state government shall monitor compliance of condition of Forest Clearance and shall submit in this regard yearly report as on 31 <sup>st</sup> December of every Year;	The self-compliance report will be submitted on time to the State Government for monitoring the compliance of conditions of forest clearance and for submitting the yearly report. The undertaking for the same is enclosed.

Deputy Conservator of Forests  
Sawantwadi Forest Division Sawantwadi

  
Executive Engineer  
National Highway Division Ratnagiri



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Condition No.	Condition	Compliance
XXXI	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 forest & wildlife	Yes, it is agreed to follow 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 forest & wildlife. The undertaking for the same is enclosed.


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Condition No.	Condition	Compliance
XXXII	The User Agency and the state government shall ensure compliance to provision of the all Acts, Rules, Regulation and Guidelines, for the time being in force, as applicable to the project.	Yes, The User Agency and the state government will ensure compliance to provision of the all Acts, Rules, Regulation and Guidelines, for the time being in force, as applicable to the project end. The undertaking for the same is enclosed.


**Deputy Conservator of Forests**  
Sawantwadi Forest Division Sawantwadi

  
**Executive Engineer**  
National Highway Division Ratnagiri

**Name of the Project-** Rehabilitation and up-gradation of existing two lane NH-66 from Km 367/200 to Km 406/030 (Talgaon to Kalmath section) to four lane configuration with paved shoulder under NHDP Phase- IV in Sindhudurg district in the state of Maharashtra

Condition No.	Condition	Compliance
XXXIII	Grant of working permission to the extent proposal may be considered by the State Government in accordance with the provision as contained in the MoEF&CC's guidelines dated 28.08.2015, Working permission, if considered by the State Government in accordance with the MoEF&CC's guidelines dated 28.08.2015, should be accorded only after ensuring complete compliance of Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006	Question does not arise, as there are no Scheduled Tribes and Other Traditional Forest Dwellers in this project section. The certificate of the Collector, Sindhudurg and SDO (Revenue), Kankavali is enclosed herewith.

Deputy Conservator of Forests  
Sawantwadi Forest Division Sawantwadi

  
Executive Engineer  
National Highway Division Ratnagiri



### UNDERTAKING

I, User Agency is hereby undertakes to the following conditions stipulated by the GOI, MOEF, Regional Office (WCZ), Nagpur vide order No. FC-I/MH-86/2018/NGP/3707, dated 23.05.2018 (in Principle approval) for diversion of 3.4659 ha for rehabilitation and up-gradation of existing two lane of NH-66 from Km 367/200 to 406/030 (Talgaon to Kalmath section) to four lane configuration with paved shoulder under NHDP Phase- Iv on Hybrid Annuity Mode in Sindhudurg District in State of Maharashtra.

**Name of the Project-** Rehabilitation and up-gradation of existing two lane NH-66 from Km 367/200 to Km 406/030 (Talgaon to Kalmath section) to four lane configuration with paved shoulder under NHDP Phase- IV in Sindhudurg district in the state of Maharashtra

**Condition No. VII:** 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 savings Bank account pertaining to the State concerned,

**Compliance:** As per demand Note, total amount of **Rs. 106.51 lakh** in CAMPA account through E-Challan is deposited vide UTR No. 81112327719, dt. 13.11.2018 and **Rs. 17.10 lakh** vide RTGS No. MUM-HDFCR52019021364715364, dt. 12.02.2019 & **Rs. 35.00 lakh** vide RTGS No. HDFCR52019040271986894, dt. 02.04.2019 the details are attached.

Place:

Date:

Deputy Conservator of Forests  
Sawantwadi Forest Division Sawantwadi

  
Executive Engineer  
National Highway Division Ratnagiri