



भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE
CHANGE

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F. No. FC-II/MH-42/2016-NGP/1201

Dated: 5th January, 2017

To

✓ The Secretary,
Govt. of Maharashtra,
Revenue & Forest Department,
Mantralaya, Mumbai-400032

Sub: Diversion 15.84 ha of Zudupi Jungle land of 3 villages in Nagpur city Taluka, District Nagpur under category – II (encroachment prior to 12.12.1996 using simplified procedure) in consolidate form under Forest (Conservation) Act, 1980 – regarding.

Sir,

I am directed to refer to the State Government of Maharashtra's letter no. FLD-3416/CR-201/F-10 dated 23.06.2016 on the above subject seeking prior approval of the Central Government under the Forest (Conservation) Act, 1980 and the Addl. PCCF & Nodal Officer (FCA), Government of Maharashtra's letter no. Desk-17/NC/RS-1/ID-12455/932/16-17 dated 22.08.2016 forwarding additional information as sought by the Regional Office, vide its letter of even number dated 28.07.2016 and to say that the said proposal has been examined and recommended by the Regional Empowered Committee constituted by the Central Government under Section-4 of the aforesaid Act.

After careful examination of the proposal of the State Government and on the basis of the recommendation of the Regional Empowered Committee and approval of the same by the competent authority of the MoEF&CC, New Delhi, the Central Government hereby accords 'in-principle' approval under Section -2 of the Forest (Conservation) Act, 1980 for diversion of 15.84 ha of Zudupi Jungle land of 3 villages in Nagpur city Taluka, District Nagpur under category – II (encroachment prior to 12.12.1996 using simplified procedure) in consolidate form under Forest (Conservation) Act, 1980 subject to the fulfilment of the following conditions:

- (i) Legal status of the diverted forest land shall remain unchanged;
- (ii) The State Government shall pay the NPV as per undertaking submitted by the State Government in letter no. FLD-3416/CR-201/F-10 dated 3.01.2017 addressed to the Secretary, Government of India MoEF&CC, New Delhi.
- (iii) 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;
- (iv) The State Government will ensure the notification of 92,115 ha of Zudpi Jungle as RF/PF (16,309 ha already notified and 75,806 ha to be notified), which has been considered suitable for

- forestry management, development and conservation by the High Power Committee in accordance with clause 7 (a) of the MoEF&CC's letter no. 8-33/2001-FC dated 4.03.2014.
- (v) The State Government shall submit a 10 years perspective plan for greening of the Zudupi jungle land being notified to the Ministry of Environment, Forests and Climate Change which may also include compensatory afforestation to be taken against future diversions of the forest lands for State Government's purpose in accordance with clause 7 (b) of the MoEF&CC's letter no. 8-33/2001-FC dated 4.03.2014.
 - (vi) Compensatory levies, if any, to be realized from the agency under the project shall be transferred to Ad-hoc CAMPA, through e-challan, in the Saving Bank Account pertaining to the State concerned;
 - (vii) The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) 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;
 - (ix) The State Government shall not use the Zudupi Jungle land for the purpose other than specified in the diversion proposal. However, the State Government is at liberty to approach the Hon'ble Supreme Court for change in the land classification/land use of the Zudupi Jungle land in accordance with clause 4 of the MoEF&CC's letter no. 8-33/2001-FC dated 4.03.2014.
 - (x) 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;
 - (xi) No damage to the flora and fauna of the adjoining area shall be caused;
 - (xii) Any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;
 - (xiii) The District Collector has submitted a certificate under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 on the basis of resolution of Corporation Mahasabha. However, if there are any discrepancies, the State Government shall ensure for complete settlement of rights, in terms of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 at the earliest;
 - (xiv) The User Agency shall submit six monthly self-compliance reports as on 1st January and 1st July of every year to this office as well as to the Nodal Officer of the State;
 - (xv) The State Government shall monitor compliance of conditions of Forest Clearance and shall submit in this regard yearly report as on 31st December of every year;
 - (xvi) 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
 - (xvii) 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.

After receipt of a report on compliance of conditions no (v) and undertakings, duly authenticated by the competent authority in the State Government, in respect of all other conditions report on the compliance of the above conditions from the State Government, formal approval will be considered in this regard under Section-2 of the Forest (Conservation) Act, 1980. The transfer of forest land to the User

Agency shall not be affected by the State Government till formal order approving the diversion of forest land is issued by the Central Government.

Yours faithfully,

(Charan Jeet Singh)
Scientist 'C'

Copy to:

- i. The PCCF, Government of Maharashtra, Nagpur.
- ii. The Addl. PCCF & Nodal Officer (FCA), Government of Maharashtra, Nagpur.
- iii. The Director (ROHQ), MoEF&CC, Indira Paryavaran Bhawan, Jorbagh Road, Aliganj New Delhi.
- iv. User agency.
- v. Guard file

(Charan Jeet Singh)
Scientist 'C'