



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

Integrated Regional Office
Ground Floor, East Wing
New Secretariat Building
Civil Lines, Nagpur - 440001
apccfcentral-ngp-mef@gov.in

F.No. FC-I/MH-189/2020-NGP /7693

Date: 14.01.2021

To,

The Principal Secretary (Forests),
Revenue and Forest Department,
Hutatma Rajguru Chowk
Madam Cama Marg
Mantralaya, Mumbai - 400032.

Sub: Diversion of 1.9425 ha of Forest Land in favour of The Executive Engineer (B & C) Zila Parishad, Pune (South) for joining SH-121, Baramati-Indapur to MDR159 Nimgaon Ketaki-Bijawadi road named as village road no. 3 at Village- Gokhali and Tarangewadi, Tal- Indapur in Pune District in the State of Maharashtra.

Sir,

The undersigned is directed to refer to APCCF & Nodal Officer (FCA), Maharashtra vide his letter no. Desk-17/NC/II/ID 12785/(20)/369/2020-21 dated 13.08.2020 on the above subject seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 and APCCF & Nodal Officer (FCA), Maharashtra letter no. Desk-17/NC/II/ID 12785/(20)/927/2020-21 dated 23.12.2020 forwarding additional information as sought by this Office vide letter of even number dated 16.09.2020 and to say that the said proposal has been examined by the Regional Office (WCZ) in light of relevant provisions of the Forest (Conservation) Act, 1980 and Guidelines issued thereunder.

After careful examination of the proposal and on the basis of the recommendation of the Addl. PCCF & Nodal Officer (FCA), Government of Maharashtra, the Central Government hereby accords '**in-principle**' under Section - 2 of the Forest (Conservation) Act, 1980 for diversion of 1.9425 ha of Forest Land in favour of The Executive Engineer (B & C) Zila Parishad, Pune (South) for joining SH-121, Baramati-Indapur to MDR159 Nimgaon Ketaki-Bijawadi road named as village road no. 3 at Village- Gokhali and Tarangewadi, Tal- Indapur in Pune District in the State of Maharashtra subject to the fulfilment of the following conditions:

- i. Legal status of the forest land shall remain unchanged;
- ii. Forest land will be handed over only after required non-forest land for the project is handed over to the user agency;
- iii. **Compensatory afforestation**
 - a) Compensatory afforestation shall be taken up by the Forest Department over 1.9425 ha non forest land of Gut No. 51 at Village- Pale N.M., Tal- Maval, Dist- Pune at the cost of the User Agency. As far as possible, a mixture of local indigenous species along with 10% RET species of Pune District shall be planted and monoculture of any species may be avoided;
 - b) The non-forest land which has been transferred and mutated in favour of the State Forest Department for the purpose of compensatory afforestation shall be declared as Reserved Forest under Section-4 or Protected Forest under Section-29 of the Indian Forest Act, 1927 or under the relevant Section(s) of the State Forest Act. The Nodal Officer, Forest (Conservation) Act, 1980 may report compliance within a period of six (6) months from the date of grant of final approval and send 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, to this Office for information and record;

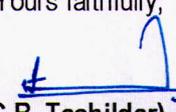
- iv. The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars if required on the CA land shall be deposited in advance with the Forest Department by the project authority. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years;
- v. **NPV:**
 - a) The State Government shall charge the Net Present Value (NPV) for the 1.9425 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;
 - 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;
- 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;
- vii. All the funds received from the user agency under the project shall be transferred/ deposited to CAMPA fund only through **e-portal** (<https://parivesh.nic.in/>);
- viii. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector;
- ix. Action against violation shall be undertaken as per the provisions made under Para 1.21 of Handbook of Forest Conservation Act, 1980 published in 28.03.2020 and detailed report in this regard shall be submitted along with Stage-I compliance;
- x. 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 at one or more places to raise at least 5,000 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 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;
- xi. User Agency shall raise strip plantation on both sides and central verge of the road as per the IRC norms;
- xii. Speed regulating signage will be erected along the road at regular intervals in the Protected Areas/ Forest Areas;
- xiii. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;

- xiv. The layout plan of the proposal shall not be changed without prior approval of Central Government;
- xv. No labour camp shall be established on the forest land;
- 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;
- xvii. 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;
- xviii. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;
- xix. 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;
- xx. The forest land shall not be used for any purpose other than that specified in the project proposal;
- 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;
- 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;
- xxiii. 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;
- xxiv. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>);
- xxv. The State Government, if so desire, may pass an order for tree cutting and commencement of work in accordance with the provisions as contained in Section 11.2, Chapter-11 of Handbook of Forest (Conservation) Act, 1980 and Forest Conservation Rules, 2003 (Guidelines and Clarification) issued in 2019.

After receipt of a report on the compliance of conditions no iv, v (a), vi, vii, viii, ix and undertakings, duly authenticated by the competent authority in the State Government, in respect of all other conditions, from the State Government, formal approval will be considered in this regard under Section-2 of the Forest (Conservation) Act, 1980.

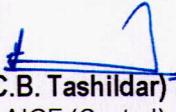
This issues with the approval of Regional Officer (Central), Integrated Regional Office, MoEF & CC, Nagpur.

Yours faithfully,


(C.B. Tashildar) 14 Jan '21
AIGF (Central)

Copy to:

- i. The PCCF (HoFF), Government of Maharashtra, Nagpur.
- ii. The Addl. PCCF & Nodal Officer (FCA), Government of Maharashtra, Nagpur.
- iii. User agency.
- iv. Guard file.


(C.B. Tashildar) 14 Jan '21
AIGF (Central)

