

Forest Land-Yavatmal

Diversion of 0.0847 ha. Reserved Forest land under Forest (Conservation) Act, 1980 for laying of underground electricity Cable 11 KVH along PWD, Road from route MJP premise to Godhani sub-station, Yavatmal District in the State of Maharashtra.

Government of Maharashtra

Revenue and Forest Department

Government Order No.: FLD-3223/CR.126/F-10

Mantralaya, Mumbai-400 032

Date:- 16.05.2023

Reference:-

Additional Principal Chief Conservator of Forests & Nodal Officer, MS, Nagpur
Letter No. Desk-17/ Nodal / Yavatmal /I.D-14267/3475/2022-23, dt.17.03.2023.

Preamble:-

The Maharashtra Jeevan Pradhikaran, Yavatmal has submitted a proposal for diversion of 0.0847 ha. Forest land under section-2 of Forest (Conservation) Act, 1980 for laying of underground electricity Cable 11 KVH along PWD, Road from route MJP premise to Godhani sub-station, District-Yavatmal to the State Forest Department. APCCF & Nodal Officer has submitted this proposal to Government of Maharashtra vide letter under referred above.

Order:-

In exercise of powers under general approval given by MoEF&CC, Govt. of India vide Handbook of FCA Guidelines-2019, Chapter 4 (para-4.2), Government of Maharashtra is pleased to grant '**In-Principle**' approval to the diversion of 0.0847 ha. Forest Land under section-2 of the Forest (Conservation) Act, 1980 for laying of underground electricity Cable 11 KVH along PWD, Road from route MJP premise to Godhani sub-station, Yavatmal District in the State of Maharashtra.

The details of Forest Land proposed for diversion are as under:-

Sr. No.	Item	Name of the Village	Comptt No.	Survey No.	Length x Width (in Mtr)	Area (Sq.m)	Area (Ha.)	Legal Status
1	The Proposal is for diversion of 0.0847 ha. forest land for laying of underground electricity Cable 11 KVH along PWD,	Umarsara, District Yavatmal	513	8/2	847 x 1	847	0.0847	Reserved Forest

Road from route MJP premise to Godhani sub-station, Yavatmal District.								
Total Forest Area (in ha.)						847	0.0847	

2. This 'In-principle' approval is issued subject to the following conditions:-

- 1) The legal status of the land shall remain unchanged.
- 2) Forest land will be handed over only after required non-forest land for the project is handed over to the User Agency.
- 3) There are no trees in the vicinity of the proposed land for compensatory afforestation. Therefore, the Concerned Deputy Conservator of Forests shall ensure that plants will grow on the proposed land for compensatory afforestation at Village-Umarsara (Comptt. No. 513, Gut No. 8/2), Tal. Yavatmal, Dist. Yavatmal, prior to grant permission for commencement of work, so that costs of afforestation will not be in vain.

4) Compensatory Afforestation:-

- a) Compensatory Afforestation shall be taken up by the Forest Department over 1.00 ha. degraded Forest land in Comptt. No. 513 and Gut No. 8/2 at Village Umarsara, Tal. Yavatmal, Dist. Yavatmal at the cost of the user agency. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided.
- b) 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.

5) Net Present Value:-

- a) The Forest Department shall charge the Net Present Value (NPV) for the 0.0847 ha. Forest land 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 & File No.5-3/2011-FC(Vol-I), Dated 06/01/2022 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 from the User Agency. The User Agency shall furnish an undertaking to this effect.
- 6) All the funds received from the user agency under the project shall be transferred/deposited to CAMPA fund only through e-portal (<http://parivesh.nic.in>)
- 7) The electric line shall be laid down 1.5 meter below the ground and after laying down of electric line the ground will be leveled.
- 8) For further maintenance of the project, the agency shall obtain permission from the concerned Deputy Conservator of Forests as and when required.
- 9) The forest land shall not be used for any purpose other than specified in the proposal.
- 10) No felling of trees shall be done during the implementation of project.
- 11) No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- 12) The User Agency shall pay the cost of additional Net Present Value, if required in future.
- 13) No labour camp shall be established on the forest land.
- 14) After completion of the project, User Agency will reclaim the area under RoW suitably.
- 15) The layout plan of the proposal shall not be changed without prior approval of the State Government.
- 16) This sanction is subject to the final clearance by the Department of Information & Technology for the project and concerned PWD authorities for the project.
- 17) The User Agency shall compensate the private owners of forest land if any, in accordance with the prevalent laws, rules & guidelines.
- 18) The User Agency shall obtain Environmental Clearance as per the provisions of the Environment (Protection) Act, 1986, if applicable.
- 19) All other conditions as may be mandatory under relevant Acts, Rules and Guidelines shall be complied by the User Agency.
- 20) All the conditions stipulated by the Forest Department shall be binding on User Agency.
- 21) The User Agency shall make good of any loss to Forest / Environment.
- 22) All necessary approvals required for the project as per the prevailing laws of the land would be obtained by User Agency.
- 23) Any breach of the conditions by the User Agency will be treated as violation of the provisions of the Forest (Conservation) Act, 1980.
- 24) The compliance report shall be uploaded on e-portal (<http://parivesh.nic.in>)

3. This Government Order is available at the Government of Maharashtra's website www.maharashtra.gov.in with reference No. 202305181223531819. This Order has been signed digitally.

By order and in the name of the Governor of Maharashtra.

(Ganesh Jadhao)
Under Secretary to the Government of Maharashtra

Copy to:-

1. Secretary, Ministry of Environment, Forests & Climate Change, Government of India, New Delhi
2. Regional Officer (Central), Integrated Regional Office, Ministry of Environment, Forests & Climate Change, Government of India, Nagpur.
3. Principal Chief Conservator of Forests (Head of Forest Force), Maharashtra State, Nagpur.
4. Additional Principal Chief Conservator of Forests & Nodal Officer, M.S., Nagpur
5. Principal Chief Conservator of Forests & CEO (Maha-CAMPA), M.S., Nagpur
6. Additional Principal Chief Conservator of Forests (Conservation), M.S., Nagpur
7. Collector, Yavatmal.
8. Chief Executive Officer, Zilha Parishad, Yavatmal.
9. Chief Conservator of Forests (T), Yavatmal.
10. Deputy Conservator of Forests, Yavatmal.
11. M/s. Maharashtra Jeevan Pradhikaran, Yavatmal.
12. Select File (F-10).