



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
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F. No. FC-II/MH-101/2019-NGP / 11378

Date: 30.03.2023

✓ To,

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

Sub: Diversion of additional 11.4926 ha Reserved Forest Land for already approved 34.9831 ha area, in favour of National Highway Authority of India (NHAI), PIU-Yavatmal for Rehabilitation and Upgradation of existing 2 lane to 4 lane configuration of NH-361 between Km 110.800 to Km 207.200 (Design Chainage - Km 342.000 to 440.000) under NHDP Phase - IV in Yavatmal District in the state of Maharashtra- regarding.

Sir,

The undersigned is directed to refer to State Government of Maharashtra letter no.FLD-2019/CR-42/F-10 dated 07.02.2019 on the above subject seeking prior approval of the Central Government under Section- 2 of the Forest (Conservation) Act, 1980. After careful examination of the proposal of the State Government, '**in-principle**' approval was accorded by the Central Government vide its letter of even number dated 11.06.2019. The Addl. PCCF & Nodal Officer (FCA), Government of Maharashtra has now submitted a report on the compliance of conditions stipulated in the 'in-principle' approval and requested the State Government to grant final approval to the proposal.

In this connection, I am directed to say that on the basis of compliance report submitted by the Addl. PCCF & Nodal Officer (FCA), Government of Maharashtra vide his letter no. Desk-17/NC/I/ID-12683/1396/19-20 dated 02.12.2019, letter no. Desk-17/Nodal/Yavatmal/ID-12683/1209/2021-2022 dated 13.10.2021, letter no. Desk-17/Nodal/Yavatmal/ID-12683(2)/1882/2021-22 dated 22.12.2021, letter no. Desk-17/Nodal/Yavatmal/I.D.12683/1193/2022-23 dated 10.08.2022 and letter no. Desk-17/Nodal/Yavatmal/ID-12683/2938/2022-23 dated 02.02.2023 forwarding additional information as sought vide this office letter of even number dated 09.01.2020, 30.11.2021, 31.12.2021 and 25.09.2022, the Central Government hereby accords '**final approval**' under Section - 2 of the Forest (Conservation) Act, 1980 for Diversion of additional 11.4926 ha Reserved Forest Land for already approved 34.9831 ha area, in favour of National Highway Authority of India (NHAI), PIU-Yavatmal for Rehabilitation and Upgradation of existing 2 lane to 4 lane configuration of NH-361 between Km 110.800 to Km 207.200 (Design Chainage - Km 342.000 to 440.000) under NHDP Phase - IV in Yavatmal 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. **Compensatory afforestation**
 - a) Compensatory afforestation shall be taken up by the Forest Department over 23 ha double degraded forest land in Compt. no. 424, Range- Ner, District- Yavatmal at

the cost of the User Agency. 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. Atleast four water bodies shall be constructed in the form of tank/ stop dams etc if the same are not available in the area or in nearby vicinity. Further, if existing tanks/ stop dams are available and needs desilting/ repair; same shall be carried out to meet the water requirement of wild animals throughout the year;

- iii. 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;
- iv. The State Government, Maharashtra/ Nodal Officer (FCA), Maharashtra shall ensure settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (No. 2 of 2007) before issuing an order for handing over of forest land to the User Agency as per Rule- 9 (6) (b) (ii) of Forest (Conservation) Rules, 2022 dated 28.06.2022;
- v. To improve the Forest/ Tree cover and to reduce pollution in the State, as mandated in National Forest Policy, 1988 and Environmental (Protection) Act, 1986 respectively, the User Agency with involvement of Joint Forest Management Committees (JFMC's) and in consultation with local DCF shall raise at least 10,000 seedlings of forestry species along with bamboo, fruit bearing, medicinal, ornamental and indigenous/local for 10 years. At least 50% of seedlings shall be planted in the vicinity of project area and remaining 50% of seedlings shall be distributed among villagers as per choice of villagers. The concerned JFMC's shall maintain record of plantation/ seedling distribution to villagers
- vi. User agency shall raise strip plantation on both sides and central verge of the road as per the IRC norms;
- vii. Speed regulating signage will be erected along the road at regular intervals in the Protected Areas/ Forest Areas;
- viii. Wherever feasible, User Agency in consultation with State Forest Department shall increase the size of box culverts in such a way that it also serves the purpose of wildlife passages as suggested by Wildlife Institute of India in manual entitled "Eco-friendly Measures to Mitigate Impacts of Linear Infrastructure on Wildlife, published in 2016;
- ix. The existing carriageway in the forest area, in the patches corresponding to re-alignments, shall be dismantled and land shall be handed over back to the State Forest Department. A reclamation plan by planting suitable species of trees be prepared in consultation with the Forest Department and the amount so required will be deposited with the forest department by the User Agency for taking up reclamation of the area;
- x. As the forest area is inhabited by the Schedule-I species, the User Agency shall meet the cost for implementation of Conservation Plan to be approved by the Principle Chief Conservator of Forests (Wildlife) & CWLW, if required in future;
- xi. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;
- xii. The layout plan of the proposal shall not be changed without prior approval of Central Government;
- xiii. No labour camp shall be established on the forest land;

- xiv. 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;
- xv. 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;
- xvi. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;
- xvii. 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;
- xviii. The forest land shall not be used for any purpose other than that specified in the project proposal;
- xix. 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;
- xx. 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;
- xxi. 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;

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

Yours faithfully,



(C.B. Tashildar)
AIGF (Central)

Copy to:

1. The IGF (RoHQ), Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jorbagh Road, Aliganj, New Delhi- 110003.
2. The PCCF (HoFF), Government of Maharashtra, Nagpur.
3. User agency.
4. Guard file.



(C.B. Tashildar)
AIGF (Central)