

**OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS (HEAD OF FOREST FORCE), MAHARASHTRA STATE, NAGPUR**

ADDITIONAL PRINCIPAL CHIEF CONSERVATOR OF FORESTS AND NODAL OFFICER, MAHARASHTRA STATE, NAGPUR,  
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No. Desk-17/NC/1/ID-12819 (72)/ 212 /2021-22  
Nagpur - 440 001, Date :- 02/06/2021

To,  
The Deputy Director General (Central)  
Ministry of Environment, Forests, and Climate Change,  
Regional Office, Ground Floor, East Wing,  
New Secretariat Building,  
Civil Lines, Nagpur-440001

**Sub:-** Diversion of 17.01 ha. of forest land in favour of Maharashtra State Road Development Corporation Ltd., Mumbai for rehabilitation and up-gradation of Sahapur-Patgaon Section-I (KM 0.000 to Km 20.130) part of NH-3 Shahapur-Murbad-Patgaon-Karjat-Khopoli-NH-4 section of newly declared NH-568 A in the State of Maharashtra-reg.

- Ref:-** 1) MoEF & CC, Government of India, Regional Office, Nagpur vide letter No.F.No.FC-II/MH-150/2021-NGP/8061, dated.30/04/2020. p/29  
2) The Chief Conservator of Forests (T), Thane letter No.Desk-10/FCA/CR-8/2-210/OW/71, dated 17/05/2021 p/37

Sir,

Ministry of Environment, Forest and Climate Change, Government of India, Regional Office, Nagpur vide letter under reference No.1 has sought compliance on 4 points. Accordingly, the Chief Conservator of Forests (T), Thane vide letter under reference No. 2 has submitted the compliance of shortcoming in this regard to this office. The compliance report as desired by Government of India vide letter dt.30/04/2021 is submitted as under:-

Sr. No.	Point	Compliance
i	Consolidated single KML file of entire road alignment under instant proposal, dully highlighting proposed forest area for diversion has not been submitted. The same needs to be submitted	Consolidated single KML file of entire road alignment under instant proposal, dully highlighting proposed forest area for diversion is enclosed herewith as (Annexure No.I) <span style="float: right;">enclosed</span>
ii	Since Eco-Sensitive Zone of Tansa Wildlife Sanctuary has not been notified, ESZ is deemed to be 10 Km. The State Government shall obtain comments from PCCF (Wildlife), Maharashtra on the importance of area from wildlife point of view and conservation measures, if any shall be submitted.	The User Agency has certified that as per Ministry of Environment and Forests notification dated 22/08/2013 the proposed project does not attract prior Environmental Clearance from SEIAA/EAC (MoEF&CC) as expansion of National Highway projects upto 100 kms involving additional right of way or land acquisition upto 40 mtr on existing alignments and 60 mtr on re-alignment or by-passes may be exempted from the preview of the EIA Notification 2006 as per amendment & hence as per MoEF&CC (Wildlife Division) letter No.F.No.6-60/2020 WL Part (1), dated 16/07/2020 wildlife clearance is not required. 2.0 In this regard as reported by the Deputy Conservator of Forests, Shahapur the nearest Tansa Wildlife Sanctuary is located 3.09 km away from starting points of the project and the forest area involved in the project is located 4.5 Km away from Tansa Wildlife Sanctuary is Outside the proposed Eco-Sensitive zone around Tansa Wildlife Sanctuary for which Draft Notification is issued. Further he has also <span style="float: right;">p/35</span>



	1502/20/20	<p>Certified in Part-II &amp; Site Inspection Report that no rare/endangered unique species of flora &amp; fauna was found in the proposed area.</p> <p>So considering the above facts and the guidelines issued vide MoEF&amp;CC (Wildlife Division) letter F.No.6-60/2020 WL, dated 16/07/2020 the comments from PCCF (Wildlife), Maharashtra on the importance of area from wildlife point of view &amp; conservation measures may not be required.</p>
iii	<p>Certificate ensuring importance of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 is not submitted along with the proposal. Original FRA-2006 certificate along with documentary evidences in the form of copies of the resolutions of the concerned Forest Rights Committee(s), Gram Sabha(s), Sub-Divisional Level Committee(s) recording their consent for the proposal and bearing signature of the participants shall be submitted. In addition to this, copies of record of proceedings of the Forest Rights Committee, Sub Divisional Level Committee(s) may also be submitted.</p>	<p>Government of India vide letter No.11-43/2013-FC, dt.3/12/2018 has issued guidelines regarding compliance of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forests Right) Act, 2006. As per these guidelines:-</p> <p><i>'Accordingly, it is clarified that within the time period stipulated for compliance of Stage I condition, Deputy Commissioner shall complete the process of compliance of FRA (including forwarding its findings to be concerned CF), hence for the purpose of the MoEF &amp; CC, as per the provisions under the Forest (Conservation) amendment rules, 2016 the compliance under FRA is not required for consideration of in-principle approval. This has to be furnished by the State Government for consideration of the proposal by the Ministry for final approval'</i></p> <p>Hence, the user agency has given an undertaking The User Agency has submitted an undertaking with the proposal for submission of FRA Certificate stating that FRA Certificate will be submitted on receipt from Collector Thane or with the Stage-I approval compliance report.</p>
iv	<p>Details of employment potential in terms of man days of skilled, semiskilled and unskilled persons on permanent (direct and indirect) and temporary (direct and indirect) basis have not been provided. The same need to be provided by the State Government</p>	<p>Details of employment potential in terms of man days of skilled, semiskilled and unskilled persons on permanent (direct and indirect) and temporary (direct and indirect) is enclosed herewith as <b>(Annexure-II)</b></p> <p>2/31</p>

In view of the above, it is requested that the Government of India may kindly be moved for approval under section-2 (ii) of the Forest (Conservation) Act-1980, at the earliest.

Encl:- As above

Yours sincerely,

(Naresh Zurmure)

Addl. Principal Chief Conservator of Forests  
& Nodal Officer

Copy submitted to the Principal Secretary (Forests), Revenue & Forest Department., Mantralaya, Mumbai -32 for information.

Copy to the Chief Conservator of Forests (T), Thane for information.

Copy to the Deputy Conservator of Forests, Shahapur Forest Division, Shahapur for information.

Copy to the Executive Engineer, Maharashtra State Road Development Corporation Ltd., Opp. Bandra Reclamation Bus Depot, Near Lilavati Hospital, K.C. Marg, Bandra (West), Mumbai-400050 for