

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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Sub:- Diversion of 166.485 ha. of forest land in favour of Maharashtra State Road Development Corporation (M.S.R.D.C) Limited for construction of Nagpur-Mumbai Super Express Way (Package-II) from Km (89.0+ 469.0 km) in Wardha and Amravati District to Km (347.0 Km + 725 Km) in Buldana and Jalna District in the State of Maharashtra-reg.

No. : Desk-17/NC/I/I.D- 25898/ 899 /18-19

Nagpur - 440 001, Dated : 19/07/2018

To,
The Additional Principal Chief Conservator of Forests (Central),
Government of India,
Ministry of Environment, Forests, and Climate Change,
Regional Office, Ground Floor, East Wing,
New Secretariat Building, Civil Lines, Nagpur-440001

Ref:- 1. Government of India, MoEF & CC, Regional Office, Nagpur's letter F.No. FC-II/MH-29/2018-NGP/3796, dt.07/06/2018.

2. Chief Conservator of Forests (T), Yavatmal vide letter No. Desk-10/FCA/529, dt.13/7/2018.

Sir,

Regional Office, Government of India, Nagpur vide letter under reference No.1 has sought compliance on 10 points. Accordingly, the Chief Conservator of Forests (T), Yavatmal vide letter under reference No. 2 has submitted the compliance in this regard to this office. The compliance as desired by Regional Office, Government of India letter dt. 7/06/2018 is submitted as under:-

Sr. No.	Points	Compliance
1	The State Government in its forwarding letter has mentioned that the CA will be undertaken over non-forest land while Nodal Officer (FCA), Maharashtra in his letter dated 10.01.2018 has mentioned that the CA will be raised over Zudpi Jungle land to be made available by the CCF, Nagpur, Exact detail of CA land may be re-confirmed by the State Government and the same may be uploaded in the online proposal.	Initially user Agency had offered Zudpi Jungle land for Compensatory Afforestation, most of which was eventually found unsuitable for plantation. Therefore, the user agency has proposed 116.485 non forest land in survey no.114 and 189 in village Ghatshendera, Tal. Kannad, Dist. Aurangabad. The exact details has now been uploaded online. The suitability certificate alongwith CA scheme duly approved by Deputy Conservator of Forest, Aurangabad are enclosed herewith as (Annexure I)

2	Area calculation statement, in tabular form, indicating the forest patch wise length and breadth along with the detail of area left on both left and side of the bifurcated forest patch may be submitted by the State Government. Further, details of area of forest patches being bifurcated from the proposed rehabilitation/up gradation work or re-alignment, if any, may also be submitted by the State Government.	The detailed area statement indicating the forest patchwise length and breadth along with the details of area left on both side of the bifurcated forest patch is attached herewith as (Annexure II) . However, the Chief Conservator of Forests (T) Yavatmal has in his compliance report has certified that the rehabilitation, up-gradation or re-alignment work are not proposed in this project so no bifurcation of forest will take place due to these reasons.								
3	Inspection report of the CCF has been submitted only in respect of Akola Forest Division only. As the total area involved in the proposal is 166.485 ha, inspection report from the Nodal CCF for the entire area needs to be submitted corresponding to all three Divisions.	The Chief Conservator of Forests (T) Yavatmal was appointed the Coordinating Officer, for submission and processing of the proposal. He has inspected sites of three divisions on 29/06/2018 & 07/07/2018 and consolidated site inspection report of sites of three divisions are attached herewith as (Annexure III)								
4	Examination of detail of trees submitted in the online proposal, inspection report of CCF and State Government recommendation revealed substantial discrepancies indicating total project affected trees as 38, 467, 47, 610 and 49, 345 respectively. Discrepancy needs to be rectified and exact number of trees.	<p>The Chief Conservator of Forests (T) Yavatmal in his compliance report has certified that earlier affected trees of three divisions were shown separately. In his previous inspection report the same was limited to Akola Division, so number of trees affected in his report was 47610 trees. As Coordinating Officer, CCF (T) Yavatmal had inspected sites of all three division and revised inspection report is depicting correct figure of affected trees i.e. 49,345 trees division wise breakup of number of trees affected is as under:-</p> <table><tr><td>1. Amaravati Division :-</td><td>301</td></tr><tr><td>2. Akola Division :-</td><td>47610</td></tr><tr><td>3. Buldhana Division : -</td><td>1434</td></tr><tr><td>Total No trees for package :-</td><td>49,345</td></tr></table> <p>The division wise details of affected trees is attached herewith as (Annexure IV)</p>	1. Amaravati Division :-	301	2. Akola Division :-	47610	3. Buldhana Division : -	1434	Total No trees for package :-	49,345
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5	Examination of the alternative explored revealed that the no detail pertaining to other attributes, other than forest area, examined while finalizing the alignment have been submitted in the proposal. Further, comments of the Nodal Officer (FCA) and the State Government on the alternatives examined and reasons for	The detailed alternative analysis report considering attributes such as Engineering Aspects, Environment aspects, social aspects and cost aspects is submitted by user agency and this office agrees with the same. The details are attached herewith as (Annexure V)								

	discarding the same have not been submitted along with the proposal.	
6	As the proposed project falls within the proposed Eco-sensitive Zones of Kate Purna WLS and Karanja Sohal WLS and in light of fact extant projects needs environment clearance which ipso facto mandates the approval of the Standing Committee of the NBWL. The State Government may therefore, submit the status of approval, if any, obtained by the User Agency from the Standing Committee of the NBWL.	As the proposed project falls within the proposed Eco-sensitive Zones of Kate Purna WLS and Karanja Sohal WLS, the user agency had already applied for wildlife clearance. The proposal for the same has been recommended with conditions by Chief Wildlife Warden and State Board of Wildlife (SBWL) and has been submitted to Director General of Forest and Special Secretary, MoEF & CC, New Delhi Vide letter no WLP04.18/CR-141/F-1 dt. 23 April, 2018 & letter no. WLP04.18/CR-137/F-1 dt. 23 April, 2018. The copies of the covering letter are attached herewith as a <i>(Annexure VI)</i>
7	As per the recent guidelines issued by the Wildlife Division of the MoEF & CC based on the recommendation made by the Standing Committee of the NBWL, a note on the proposed provisions provided for the passage of wildlife across the proposed expressway needs to be submitted by the state Government.	The report about proposed for mitigation measures, including structures for easy movement of Wildlife in forest patches falling within proposed Nagpur Mumbai Super Communication Expressway Package II are attached herewith as <i>(Annexure VII)</i>
8	The Cost Benefit Ratio of 1:23:58 has been estimated by the State Government in the instant case while CB analysis submitted for the other 3 packages viz. I, II, III and IV indicated the CB ratio as 1:33.79, 1:21.30 and 1:44.41, respectively. Given the fact the entire project, corresponding to all its packages, is being implemented by assuming similar per units parameter of cost and benefits, the substantial variations in the CB analysis needs to be justified by the State Government.	<p>The User Agency has mentioned that there is variation in CB ratio of different packages, even though all such packages are part of one project i.e. Nagpur Mumbai Super Communication Expressway project. The parameters considered for arriving at CB ratio are alongwith the same but it's extent varies from package to package. Cost and Benefit ratio is heavily dependent on crop density of division area, it's extent, engineering design technology at places, length or entire ROW over forest and non-forest area etc. All these parameters are different for each package therefore there are variations which may be justifiable.</p> <p>The User Agency has further stated that in the earlier submission to REC there was error in user agency's calculation due to wrong computation of some data, which have now been rectified and revised, works out to 1:18.40 as against 1:23.58 reported earlier.</p> <p>The User Agency now worked out comprehensive CB ratio for entire project (End to End) which comes to 1:19.42. The detailed comprehensive CB ratio analysis is attached herewith as <i>(Annexure VIII)</i></p>

9	Complete compliance of Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 has not been submitted as the proceedings of Sub Divisional Level in Washim District and resolution of Gram Sabha in Buldana District have been submitted along with the compliance Complete the compliance of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 needs to be submitted by the State Government.	Complete compliance of Schedule Tribes & Other Traditional Forest Dwellers (Recognition of forest Rights) Act 2006 is attached herewith as <i>(Annexure IX)</i>
10	An undertaking may be obtained from the User Agency by the State Government in accordance with the provisions of the MoEF&CCs Guidelines dated 7.01.2013.	An Undertaking in accordance with the provisions of the MoEF&CC's Guidelines dated 07.01.2013 is obtained from User Agency and it is attached herewith as <i>(Annexure X)</i>

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,


(G. Sa. Prakash)

Draft Approved by
Addl P.C.C.E & N.O. M.S. Nagpur

for Addl. Principal Chief Conservator of Forests
& Nodal Officer,
Maharashtra State, Nagpur

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

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

Copy to the Deputy Conservator of Forest, Akola, Buldana, Amravati, Division for information

Copy to the Executive Engineer, Maharashtra State Road, Development Corporation Limited, Package-II, Camp Office, Nagpur for information.