



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

Regional Office (WCZ)
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F. No. FC-II/MH-101/2019-NGP/5067

Dated: 6th March, 2019

To

The Secretary,
Govt. of Maharashtra,
Revenue & Forest Department,
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,

I am directed to refer to the State Government of Maharashtra's letter no. F-5-31/2018/10-2 dated 18.09.2018 on the above subject seeking prior approval of the Central Government under the Forest (Conservation) Act, 1980 and to say that examination of said proposal in Regional Office (WCZ), Nagpur revealed following:

- i. State Government has mentioned that 11.4926 ha area as proposed for diversion under instant proposal is an additional area requirement for already approved 34.9831 ha area. Accordingly, proposal needs to be revised and clubbed together for 34.9831 ha plus 11.4926 ha.
- ii. The Regional Office (WCZ), Nagpur vide letter dated 19.02.2018 accorded In-principle approval for 34.9831 ha forest area under instant proposal subject to general, standard and additional conditions. State Government need to submit the complete compliance report of same. Further, State Government needs to submit complete compliance of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.
- iii. It is mentioned by the State Government in para 2.3 of the covering letter that some trees were not marked and there is variation in the numbers of trees, but the area remains same, however, number of additional trees are not mentioned for 34.9831 ha area.
- iv. As now with the additional area of 11.4926 ha, the proposal will become more than 40 ha, the CF should inspect the area and submit his field inspection report dully recording his field observation.
- v. State Government may submit the cogent justification for requirement of additional area along with comparative area calculation statement.
- vi. Details of proposal specifically with respect to additional proposed area, i.e. 11.4926 ha, like proposed additional Ro'W, change in any previously proposed re-alignment, details of new or revised structures proposed in forest.

- vii. DCF, Yavatmal has been mentioned that area inhibit endangered and Schedule-I species like Tiger, Leopard and Wolf. Further, DCF has suggested that to maintain the continuity of forest habitat construction of flyover/underpasses in compartment No 497 and 498 is proposed. Comments of PCCF, Wildlife may be obtained on possible adverse impact on wildlife movement due to additional area and mitigation measures thereof, if any.
- viii. In online submitted Part-II, density has been mentioned 0.1 and 0.4, however, in Part-II submitted along with proposal same has been mentioned 0.4 to 0.6. Discrepancy may be revisited by State Government and correct details may be furnished.
- ix. Original copy of site inspection report of DCF, Yavatmal has not been submitted along with proposal.
- x. State Government need to submit complete compliance of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 for additional 11.4926 ha in accordance with the provisions of the MoEF&CC's Guidelines dated 5.07.2013 and documentary evidences in support of settlement of rights as stipulated in clause (a) of the Form-I annexed to the MoEF&CC's advisory dated 5.07.2013 viz. copies of records of meetings and consultations with the Forest Rights Committee(s), Gram Sabha(s), Sub-Divisional Level Committee.
- xi. 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.
- xii. An undertaking may be obtained from the User Agency, in accordance with the MoEF&CC's Guidelines dated 7.01.2013.
- xiii. It has been mentioned by the State Government in covering letter that out of 9608 trees proposed for felling in Yavatmal Division under previously approved area, 5093 trees has been felled and 4515 trees are proposed for felling; however, worked has been completed in 15.2008 ha area. State Government may submit their comment on handing over the forest land prior to complete tree felling.

In view of the above, the State Government is requested to submit the complete information as mentioned above, to this Ministry for further necessary action in the matter.

Yours faithfully,



(N K Dimri)

Technical Officer (Gr-I)

Copy to:

- i. The PCCF, Government of Maharashtra, Nagpur.
- ii. The Nodal Officer FCA), O/o of the PCCF, Government of Maharashtra, Nagpur.
- iii. User Agency.
- iv. Guard File.

- Sd -

(N K Dimri)

Technical Officer (Gr-I)