

**BEFORE THE NATIONAL GREEN TRIBUNAL,  
WESTERN ZONE BENCH, PUNE  
ORIGINAL APPLICATION No. 40 OF 2020**

**IN THE MATTER OF**

Ganesh Suresh Borhade

...Applicant

Versus

Union of India Ors.

...Respondents

**REPLY ON BEHALF OF RESPONDENT NO. 4, NATIONAL HIGHWAYS  
AUTHORITY OF INDIA ("NHAI")**

(A)

**BEFORE THE NATIONAL GREEN TRIBUNAL,  
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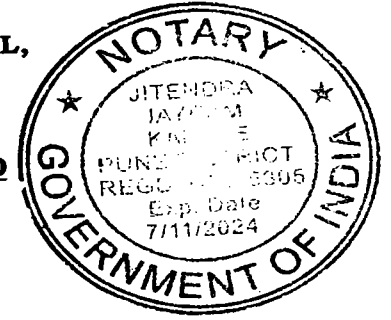
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DATE: 05/12/2020.  
Place: PUNE

  
Advocate for Respondent



**BEFORE THE NATIONAL GREEN TRIBUNAL,  
WESTERN ZONE BENCH, PUNE  
ORIGINAL APPLICATION No. 40 OF 2020**



**IN THE MATTER OF**

Ganesh Suresh Borhade

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Versus

Union of India &Ors.


...Respondents

**Most respectfully submits as under:**

1. The Respondent No. 4 is a Body Corporate, constituted by an Act of Parliament, being National Highways Authority of India Act, 1988 an Act to provide for the constitution of an authority for the development, maintenance and management of National Highways and for matters connected therewith or incidental thereto. The development and maintenance of National Highways is fully financed by the Central Government as this function comes within Entry 23 of the Union List of the VIIth Schedule to the Constitution. The main functions of the authority would be to develop and maintain National Highways whose management and operation is vested in the Central Government and the Central Government will provide funds to the Authority for the discharge of its function. The authority will be responsible for the development, maintenance and management of National Highways which are vested in it by the Central Government. For the purpose of management of Highways, the authority will regulate and control the plying of vehicles on the Highways vested in it.

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2. At the outset, it is respectfully submitted that all averments, contentions, statements and/ or allegations made in the Appeal qua the Answering Respondent (Respondent No. 4), are denied and shall not be deemed to have been accepted and/or admitted for want of express traverse.
  3. It is submitted that, the averments made against the answering Respondent through the top-noted Application are totally baseless, illogical, devoid of any substance, imaginary, illegal, improper as the same is premature and therefore, not at all maintainable in law and on facts.
  4. It is submitted that that Applicant have moved the subject application only with an ulterior motive to subvert the developmental activities being carried out by the Respondent No. 4 under the aegis of the National Highways Act, 1956.
  5. The Respondents shall now deal with the parawise averments made by the Appellants, as under:
  6. With reference to Para No. III, the contents thereof are denied as the averments contained therein are devoid of the facts. The answering Respondent submits that there has been no violation of any kind as summarily suggested by the Applicant at para under reference. On the contrary, the answering Respondent submits that complete compliance of the Environment Clearance and the Forest Clearances have been observed during the upgradation of 2 lane carriageway to 4 lane of Khed-Sinnar Section of NH-50 from km. 42.000 to km. 177.000.





7 With reference to Para 1, the answering Respondent is not aware of the credentials of the Applicant and hence cannot vouch/make observations of the same.

8. With reference to Para 2, it is submitted that the contents thereof to the extent of description of the Respondents are a matter of record and hence deserve no reply.

9. With reference to Para 3, the contents thereof are denied to the extent that the Applicant has raised substantial questions relation to environment. The Respondent submits that there has been no violation of any of the Clearances/Approvals as alleged. The Applicant at para under reference has enlisted certain purported issues, which the answering Respondent shall deal with in the foregoing paras hereunder.

10. With reference to Paras 4 to 7, it is submitted that the contents thereof are quotation of the certain terms (Specific Conditions) of the Environment Clearance and allegations made therefrom which are denied as the same are divorced from the facts. The Respondent submits that the project length passes through three (3) districts viz. Pune, Ahmednagar and Nashik. As the project required diversion of forest land in all the three districts, the Respondent sought for forest diversion to the competent authorities of all the three districts.

11. The Respondent submits that the Forest Clearances are sought for and granted in stages i.e. in-principle approval (Stage-I) and the clearance approval (Stage-II) by the Ministry of Environment & Forests, Government of India (MoEF). The Government of Maharashtra vide Order dated 20.06.2015 for Pune District, 24.06.2015 for Ahmednagar District and 23.09.2015 for Nashik



District has granted permission for use of the said forest land for non-forest purpose. A copy of the said Orders dated 20.06.2015, 24.06.2015 and 23.09.2015 are collectively annexed herewith and marked as **Annexure-1 (colly)**.

12. It is imperative to submit that as per the Environment Clearance dated 21.03.2013, it was specified that the project involved diversion of forest land up to 49.79 ha. However, as the project stretch passes through three districts, the diversion of forest land in respective districts is tabulated below:

S.No	District	Area of Forest Land (ha)	Stage-I clearance (In principle) approval letter no./dtd	Stage-II clearance approval letter no./dtd
1	Pune	18.9749 ha	MoEF, Bhopal letter dated 19.11.2014	Received vide MoEF Nagpur letter dated 16.06.2015
2	Ahmednagar	33.9585 ha	MoEF, Bhopal letter dated 17.12.2014	Received vide MoEF Nagpur letter dated 16.06.2015
3	Nashik	1.1144 ha	MoEF, Bhopal letter dated 04.07.2014	Working permission received letter dated 23.09.2015. Stage-II clearance is under process.

13. Therefore, the actual forest area diversion is 54.03 ha of forest land in accordance with Section 2 of the Forest (Conservation) Act, 1980. It is submitted that the Environment Clearance dated 21.03.2013 specified diversion of forest land up to 49.79 ha, which was subsequently revised as 54.03 ha after joint intervention with the forest department. Out of the said 49.79 ha of proposed forest land to be diverted, it was observed by the Respondent that a total of 33.95 ha of forest land was required to be diverted in Ahmednagar District and the rest of the forest land would fall under other two districts viz. Pune and Nashik. A copy of the said Environment Clearance dated 21.03.2013 is annexed hereto and marked as **Annexure-2**.

4. Accordingly, upon application, MoEF granted in-principle approval for diversion of forest land of 33.95 ha in Ahmednagar District vide its letter dated 17.12.2014, which the Applicant has admitted through the Application. Further, the MoEF vide its letter dated 16.06.2015, granted clearance approval for the same. A copy of the said letters dated 17.12.2014 and 16.06.2015 issued by MoEF are collectively annexed herewith and marked as **Annexure-3 (colly)**.

15. Further, the Applicant has relied upon a reply dated 20.01.2020 to an RTI Application made by the Applicant to state that instead of 33.95ha of diversion of forest land, there has been a diversion of 54.03 ha of forest land. The Respondent submits that the Applicant has never made any RTI application in respect of diversion of forest land at any particular district, but for the entire stretch of the upgradation of the national highway. Therefore, the Respondent informed vide reply to RTI that the total diversion of forest land has been about 54.03 ha. Therefore, there has been no violation of any of the provisions of Forest Conservation Act 1980 or any other law for the time being in force by the Respondent. The Respondent submits that the Applicant has merely attempted to twisted reading of the Forest Clearance for Ahmednagar with that of the reply to RTI Application, which is untenable. A copy of the said RTI application dated 04.12.2019 and NHA replies dated 20.01.2020 and 07.06.2019 are collectively annexed herewith and marked as **Annexure-4 (colly)**.

16. With reference to Para 8 to 10, it is submitted that the contents thereof are denied for being vague and to the extent of factually

inaccuracy. The Applicant has failed to point out the failure of the Respondent to comply with the stipulations mandated by the competent authority in Ahmednagar District. The Respondent has followed the stipulations put by the competent authority i.e. Sub-Divisional Officer (SDO) Sangamner vide letter dated 08.01.2014. Further, the Respondent vide letter dated 16.07.2019 with reference to felling of trees and plantation (avenue & median) carried out along the stretch of the project has been furnished with reasons. It is incorrect of the Applicant to aver that the Respondent has informed SDO, Sangamner that the Respondent would only plant 3 trees for every tree that would be felled. On the contrary, the Respondent vide letter dated 16.07.2019 informed the said SDO that as per IRC SP21:2009, 3 trees are to be planted for every one tree felled, whereas the said SDO had stipulated 10 trees to be planted for every 1 tree that would be felled. The Respondent vide the said letter informed that such a stipulation is taxing, although never denied compliance of the same. The Respondent seeks to rely on the letter dated 16.07.2019 for the true content and meaning of the same. The Respondent contests the photographs purportedly of July 2020 as relied upon by the Applicant and hence be put to strict proof of the same. A copy of the letters dated 08.01.2014 and 16.07.2019 are collectively annexed herewith and marked as **Annexure-5 (colly)**.

17. With reference to Para 11 & 12, the Respondent submits that the necessary permissions from the competent authorities viz. Forest and Revenue Departments of all the three districts have been obtained in respect of the tree felling permission for the forest and non-forest areas and particularly scheduled and non-scheduled trees as per the stipulations of the Forest Department of Government of Maharashtra. The Ministry of Forest and Climate Change vide letter

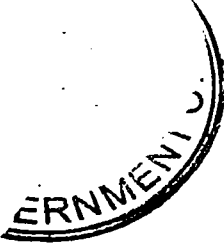
dated 19.11.2014 for Pune District, 17.12.2014 for Ahmednagar District & 04.07.2014 for Nashik District granted in-principle approval to NHAI. In compliance thereof, the answering Respondent has deposited funds in appropriate accounts towards compensatory afforestation, NPV, etc. The details of the amounts deposited by the answering Respondent according to the debt notes of the forest department are as under:

Sl. No	District	Compensatory Afforestation & other Charges	Forest Tree Cutting Charges	Total amount Deposited by the answering Respondent
1	Pune	3,21,66,568/-	10,55,638/-	3,32,22,206/-
2	Ahmednagar	14,21,71,847/-	3,35,440/-	14,25,07,287/-
3	Nashik	20,82,262/-	1500/-	20,83,762/-

A copy of the in-principle approval granted by Ministry of Forest and Climate Change to NHAI vide letters dated 19.11.2014, 17.12.2014 and 04.07.2014 are annexed herewith and marked as **Annexure-6(colly)**.

18. Accordingly, the Respondent in December 2014 (26.12.2014) has deposited an amount of INR 14.25 Crores towards compensatory afforestation to be carried out in Ahmednagar District and the same was informed by the vide letter dated 05.02.2015, 27.03.2015, 24.12.2014, 26.12.2014 and 30.10.2014. A copy of the letter dated 26.12.2014 issued by the Respondent is annexed herewith and marked as **Annexure-7**.

19. With reference to Para 13 & 14, it is submitted that as per the notification issued by MoEF dated 14.01.1997 as amended on 13.01.1998, 05.01.1999 and 06.11.2000, construction of Rain Water Harvesting structure is mandatory in and around Water Crises areas as may be notified by the Central Ground Water Board. Therefore, in



the event if the project stretch and the surrounding areas are not falling within the notified lists issued by the Central Ground Water Board, the construction of rain water harvesting structure is not mandatory. It is imperative to submit that the subject project stretch including the stretch that passes through the Ahmednagar district does not feature in the said notified lists and hence the question of construction of rain water harvesting structure does not arise and hence reliance on some photographs by the Applicant is misconceived and misleading. A copy of the notification issued by MoEF dated 14.01.1997 (as amended) is annexed herewith and marked as **Annexure-8.**

20. With reference to Para 15 & 16, it is submitted that the contents thereof are denied as the same are infested with baseless allegations against the answering Respondent. The Applicant has sought to submit that the answering Respondent has committed some fraud in respect of theft and damage of the trees and plantations carried out along the project stretch. The Respondent is a Corporate Body under complete control of the Central Government and hence emphatically submits that no fraud or any wrong-doing or non-compliance has been made or caused by the answering Respondent. In fact, the letters dated 14.03.2017, 29.02.2016, 17.03.2016 and 15.03.2016 along with the photographs evidences the reporting of frequent occurrence of theft of the plants planted for avenue plantation and the same are annexed here with and marked as **Annexure- 9 (colly).**

21. The Respondent through the project concessionaire had contemporaneously taken all plausible and possible measures to mitigate miscreants damaging the plantations. Further, the

Respondent vide the said letter dated 16.07.2019 has furnished detailed reasons as to theft and other impediments faced by the Respondent along the stretch of the project. Moreover, the concessionaire abandoned the project around November 2017 and hence the Respondent had to appoint an EPC contractor to get the balance work left over to be carried out including the plantation, which the Applicant has chosen to term as 'outsourcing' by the Respondent.

22. The Respondent submits that the length of the subject project i.e. upgradation of 2 lane carriageway to 4 lane of Khed-Sinnar Section of NH-50 was of total 137.946 Kms. Out of the total 137.946 Kms, Provisional Completion Certificate (PCOD) was granted on 31.01.2017 for 104.636 km to the then concessionaire. The Respondent reiterates that the aim and objective of the Respondent is to ensure construction of national highways and strike a balance with the challenges of impact on the environment, all of which is carried out through concessionaires and contractors and hence cannot be termed as outsourcing and illegal. Furthermore, the Respondent has never contended that there was no duty imposed on the Respondent to ensure plantation of the trees at the end of the construction phase or otherwise. A copy of the letter dated 16.07.2019 issued by the Respondent may be referred at Annexure-5.

23. With reference to Para 17 & 18, it is submitted that the contents thereof are denied as the same are blatantly wrong to the extent of bald and baseless allegations levelled against the answering Respondent. The Respondent submits that under the jurisdiction of the said SDOSangamner, a total number of 2373 were cut down.

However, in lieu of these tree felling, the Respondent via its concessionaire have made avenue plantation of 19,988 trees and special plantation of 5,695 in the area that falls under SDO Sanganner. In addition, the median (central median/divider) plantation of 79,194 number of plants were carried out. The Respondent has never misled to have planted 'plants' in place of 'trees' as alleged. It is imperative to submit that the aforesaid number of plantations are excluding transplantation of trees carried out along the stretch of the project. The avenue plantation with spacing of 10m - 15m interval has been observed conforming to the IRC SP 21:2009 standards.

24. With reference to Para 19, the Respondent submits that the contents thereof are mere reiteration of the averments contained in the preceding paras of the Application, which the Respondent has addressed hereinabove and seeks to rely on the same for the sake of brevity.
25. With reference to Para 20, it is submitted that the contents thereof are denied to the extent of non-compliance by the Respondent of the stipulations mandated by the forest clearance. It is reiterated that on bare perusal of condition 3(a) of the forest clearance, it is evident that the forest department shall carry out the compensatory afforestation at the cost of the answering Respondent. Therefore, the Respondent has already deposited way back in the year 2014 an amount of INR 14.25 Crores towards compensatory afforestation, tree cutting charges etc with the competent authority of the forest department.
26. With reference to Para 21 & 22, it is submitted that the contents thereof are denied as the same are vague and without any justifications to the averments contained therein.

27. With reference to Para 23, it is submitted that the Applicant has acknowledged that the answering Respondent has deposited more amounts than identified under the EIA Report.

28. With reference to Para 24 to 26, it is submitted that the Applicant has extracted certain IRC Guidelines and relies on the same to make blatant vague allegations of non-compliance without any justification. The Respondent earnestly submits that the Applicant be put to strict proof of the same. In any event, the Respondent submits that IRC SP 21: 2009 was followed for the subject project and no violation thereof has ever been made let alone in the case of transplantation of trees. Further the Applicant alleges vague allegations and seeks reparation. It is earnestly submitted that adherence to the stipulations/compliances by the Respondent cannot be construed as calls for reparation without there being any violation of any such stipulations/guidelines etc.

29. The Respondent submits that the 'Grounds' for the subject application is mere repetition of the averments contained in the preceding paragraphs and extracts of the judgements many of which are inapplicable and hence do not provide any strength to the application. Therefore, the Respondent submits that the Applicant has failed to make out any grounds whatsoever, to move the subject application and as such the application deserves to be rejected on this count alone.

**PRAYER:**

Therefore, in the light of the foregoing submissions made, documents relied and applicable law, it is most humbly prayed that the

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Application be rejected with exemplary cost so that such abuse of provisions law stands mitigated, in the interest of justice and equity.

Date: 05/12/2020.

PUNE

  
FOR RESPONDENT NO. 4

Presented by Advocate for the Respondent No. 4:



  
FOR M.V. KINI, Law Firm  
MUMBAI

**VERIFICATION:**


Verified at Pune on 05 day of December, 2020, that the contents of this Reply are true and correct on the basis of the records as maintained at the office of the Respondent No. 4 in its ordinary course of business. No part of it is false or concealed therefrom.

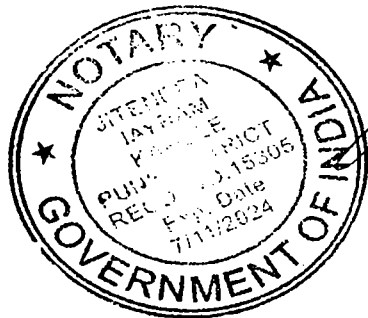
Date: 05/12/2020  
Pune

  
**FOR RESPONDENT NO. 4**




Presented by Advocate for the Respondent No. 4:

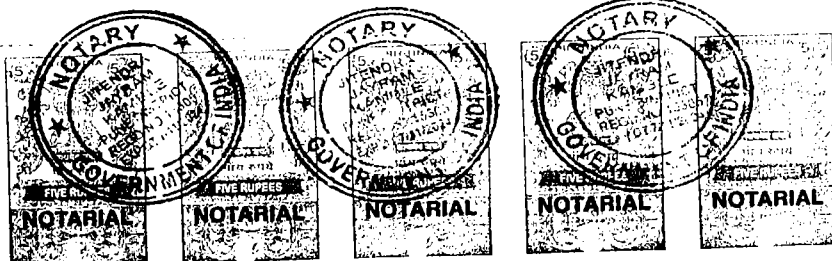
  
**FOR M.V. KINI, Law Firm  
MUMBAI**



**BEFORE ME**

  
**JITENDRA J. KAMBLE  
ADVOCATE & NOTARY  
GOVT. OF INDIA  
PUNE**

**05 DEC 2020**



Annexure - 1

16

Issue of working permission for tree cutting and commencement of Work.

Diversion of 33.9585 Ha. of Reserved Forest land for Rehabilitation and upgrading to 4 laning of NH-50 from Khed to Sinnar from Km 97/000 to 157/000 (Ahmednagar district portion) in Ahmednagar Dist.

**Government of Maharashtra**  
**Revenue and Forest Department**  
**Government Order No.FLD-1814/CR-92/F-10**  
 Mantralaya, Mumbai 400032.

Date: 24/06/2015

Read:

- 1) Letter from Principal Chief Conservator of Forests (Head of Forest Force), Maharashtra State, Nagpur, No.Desk-17/NC/W.I.D.12323/(13)/58/14-15,dt 7/4/2014
- 2) Letter from Government of Maharashtra of even no. dated 03/07/2014.
- 3) Letter from Ministry of Environment, Forests & Climate Change, Government of India, Regional Office, Western Region, Bhopal no.6-MHC 029/2014-BHO/2118, dated 17/12/2014
- 4) Letter from Ministry of Environment, Forests & Climate Change, Government of India, New Delhi F.No.11-306/2014-FC, dated 07/05/2015.
- 5) Letter from Government of Maharashtra of even no. dated 04/06/2015

Order :-

Whereas, the Principal Chief Conservator of Forests (Head of Forest Force) Maharashtra State, Nagpur, vide his letter referred at sr. no.1 above, has submitted a proposal to the State Government, which has been received from Project Director, National Highways Authority of India, Project Implementation Unit, Toyota Showroom Road, Nashik for diversion of 33.9585 Ha. of forest land for Rehabilitation and upgrading to 4 laning of NH-50 from Khed to Sinnar from Km 97/000 to 157/000 (Ahmednagar district portion) purpose;

AND whereas, Project Director, National Highways Authority of India, Project Implementation Unit, Toyota Showroom Road, Nashik's proposal for Rehabilitation and upgrading to 4 laning of NH-50 from Khed to Sinnar from Km 97/000 to 157/000 (Ahmednagar district portion) in Ahmednagar district and as per Government of India, Forest (Conservation) Act, 1980 guidelines the project is site specific and non-availability of alternative non-forest land for Rehabilitation and upgrading to 4 laning of NH-50 from Khed to Sinnar from Km 97/000 to 157/000 (Ahmednagar district portion) purpose was considered;

AND whereas, Government of Maharashtra after careful scrutiny and consideration has recommended it to the Government of India to divert the 33.9585 ha. of forest land for the above project under section 2 of Forest (Conservation) Act, 1980;



*(Handwritten signature)*

Government Order No.: FLD-1814/CR-82/F-10

AND whereas, Government of India after due consideration vide its letter referred at sr. no. 3 above granted in-principle approval to above proposal submitted by Government of Maharashtra for diversion of forest land under section 2 of Forest (Conservation) Act, 1980. The said approval is subject to fulfillment of certain conditions by the User Agency mentioned in its letter dated 17/12/2014;

AND whereas, Government of India, Ministry of Environment, Forests & Climate Change has given its general approval under the Forest (Conservation) Act, 1980 that for linear projects in-principle approval under Forest (Conservation) Act, 1980 may be deemed as working permission for tree cutting and commencement of work, subject to condition mentioned in Government of India's letter referred at Sr.No.4 above.

AND whereas, the Government of Maharashtra vide letter referred at sr. no.5 above has submitted compliance of those conditions to the Ministry of Environment, Forests & Climate Change, Government of India, Regional Office (WCZ), Nagpur;

NOW, therefore, Government of Maharashtra hereby grants working permission for tree cutting and commencement of work for the proposal of diversion of 33.9585 ha. of Forest land more specifically described in the proposal submitted vide letter mentioned at sr. no.-1 here in above from Principal Chief Conservator of Forests (Head of Forest Force), Maharashtra State, Nagpur and as per details given in the Schedule given below, subject to condition mentioned in Government of India's letter referred at Sr.No.4 above to the User Agency, i. e. Project Director, National Highways Authority of India, Project Implementation Unit, Toyota Showroom Road, Nashik for Rehabilitation and upgrading to 4 laning of NH-50 from Khed to Sinnar from Km 97/000 to 157/000 (Ahmednagar district portion) purpose. This working permission for tree cutting and commencement of work is also subject to compliance of following conditions by the User Agency-

1. The User Agency shall comply with all the conditions stipulated in the in-principle approval and shall seek & obtain final / formal approval of Government of India under Forest (Conservation) Act, 1980 for diversion of such forest land at the earliest and in any case not later than one year from the date of grant of in-principle order. The Chief Conservator of Forests (Territorial), Nashik shall ensure the strict compliance of the conditions by the User Agency. Chief Conservator of Forests (Territorial), Nashik will furnish the report in this regard to Additional Principal Chief Conservator of Forests and Nodal Officer, Maharashtra State, Nagpur from time to time.
2. The User Agency shall inform the concerned Sub Divisional Forest Officer / Deputy Conservator of Forests by letter before date of commencement of work and tree cutting in proposed forest land. The concerned Deputy Conservator of Forests shall immediately inspect the proposed forest land and shall ensure that there is no violation of any law. In case of violation, the concerned Deputy Conservator of Forests shall take actions as per the law.
3. In case of non-compliance of any of the above conditions, the concerned Chief Conservator of Forests / Sub Divisional Forest Officer / Deputy Conservator of Forests

Government Order No.: FLD-1814/CR-92/F-10

shall report through the State Government to Additional Principal Chief Conservator of Forests, Government of India, Ministry of Environment, Forests & Climate Change, Regional Office (WCZ), Nagpur as per procedure laid down in the clause 1.9 of guidelines on 25/10/1992 under the Forest (Conservation) Act, 1980.

**SCHEDULE**

Village	Taluka & Dist.	Gut No	Legal Status	Area in Ha.
Ghargaon	Tal. Sangamner Dist. Ahmednagar	417, 21, 195	Reserved Forest	1.2722
Ambikhalsa		424, 467		1.0214
Karjule Pathar		130, 193		0.6375
Pokhari Baleshwar		241, 243, 244		3.3954
Chandanapuri (Gabharwadi)		172		0.0633
Khandarmal		99/1, 194, 100		1.3717
Dolasane		314, 368, 177, 178		3.0186
Gunjalwadi Pathar		60/1		0.0400
Gabharwadi		102, 71		15.4282
Pimpalgaon Depa		967		0.0200
Velhade		168/5		0.2556
Saykhindi		55		1.2160
Karhe		481, 482, 483, 484		6.2186
<b>Grand Total</b>				<b>33.9585 Ha</b>

This Government Order of Maharashtra Government is available on its website [www.maharashtra.gov.in](http://www.maharashtra.gov.in). Reference no. for this is 201506241629434219. This order has been signed digitally.

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

**TIWARI  
VIRENDRA  
RAMBAHAL**

(Virendra Tiwari)

Chief Conservator of Forests (Mantralaya)

Digitally signed by TIWARI VIRENDRA  
RAMBAHAL  
DN: c=IN, o=GOVERNMENT OF  
MAHARASHTRA, ou=REVENUE AND  
FOREST, CN=917243, postalCode=400032,  
email=virendra.tiwari@maharashtra.gov.in, cn=TIWARI VIRENDRA  
RAMBAHAL  
Date: 2015.06.24 16:44:39 +05'30'

Copy forwarded with request to upload this order on their website along with the Stage clearances to:

1. Secretary, Ministry of Environment, Forests & Climate Change, Government of India, New Delhi
2. Additional Principal Chief Conservator of Forests (Central), Ministry of Environment, Forests & Climate Change, Government of India, Regional Office (WCZ), Nagpur

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Government Order No.: FLD-1814/CR-92/F-10

Copy to:

1. Principal Chief Conservator of Forests (HoFF), Maharashtra State, Nagpur
2. Principal Chief Conservator of Forests (Wildlife), Maharashtra State, Nagpur
3. Principal Secretary (Roads), Public Works Department, Mantralaya, Mumbai
4. Principal Secretary, Tribal Development Department, Mantralaya, Mumbai
5. Additional Principal Chief Conservator of Forests and Nodal Officer, Maharashtra State, Nagpur.
6. Additional Principal Chief Conservator of Forests (CAMP), Maharashtra State, Nagpur
7. Additional Principal Chief Conservator of Forests (Conservation), Maharashtra State, Nagpur.
8. Chief Conservator of Forests (Forest Conservation), Nagpur.
9. Chief Conservator of Forests (Territorial), Nashik.
10. Collector, Ahmednagar
11. Chief Executive Officer, Zilla Parishad, Ahmednagar
12. Sub Divisional Forest Officer, Sangamner
13. Project Director, National Highways Authority of India, Project Implementation Unit, Toyota Showroom Road, Nashik
14. Select File Desk F-10.

2. Collector, Ahmednagar, Chief Executive Officer, Zilla Parishad, Ahmednagar and Sub Divisional Forest Officer, Sangamner are hereby directed to forward the copy of this order to concerned Heads of Local Bodies, Panchayats, Municipal Bodies in addition to the relevant offices of the Government and they shall also ensure the display of this order on their notice board as well as on the notice board of local self government bodies for the information of general public.

3. Project Director, National Highways Authority of India, Project Implementation Unit, Toyota Showroom Road, Nashik is hereby directed that they should publish the entire order of working permission for tree cutting and commencement of work granted in verbatim along with the details of Survey No., Gut No., area and legal status of each Survey, Gut No. etc. along with the conditions and safe guards imposed by the Central Government while granting working permission for tree cutting and commencement of work in two widely circulated daily newspapers, one in vernacular language and other in English language and submit the copies of newspapers to Chief Conservator of Forests (Territorial), Nashik & Sub Divisional Forest Officer, Sangamner

4. Heads of Local Bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government are hereby directed to display the same on their notice board for 30 days from the date of receipt for the information of general public.

<b>N. H. A. I. (PIU) NASHIK</b>	
Inward No.	4658
Date	27.07.2015
Filed In	
Sign	<i>[Signature]</i>

*M. V. V. V.*  
 What is the status of  
 'A' above. request  
 publication of details  
 in district newspaper  
*[Signature]*  
 28/7/15

मुख्य वनसंरक्षक, (प्रादेशिक) नाशिक यांचे कार्यालय.  
जुना आग्रा रोड, आदिवासी विकास मदन समोर, नाशिक ४२२ ००२

विषय:- काम सुरु करण्यास व वृक्ष तोडण्यास परवानगी देण्याबाबत. राष्ट्रीय महामार्ग क्रमांक ५० (खेड ते सित्रर) क्षेत्र १.११४४ हे. ता.सित्रर जि.नाशिक

जा.क्र. कक्ष-२/जमीन/३४४०/२०१५-१६ .  
नाशिक , ४२२ ००२, दिनांक २४/९/२०१५

- याचा :- १) म.अपर प्रधान मुख्य वनसंरक्षक व केंद्रस्थ अधिकारी, महा.राज्य, नागपुर यांचे पत्र क्रमांक कक्ष-१७/एनसी/२/आयडी १२३१९(१३)/५९ दिनांक ७/४/२०१४  
२) केंद्र शासन, पत्र क्रमांक ६-एमएचबी-२०/२०१४-बीएचओ/१२२७ दिनांक ४/७/२०१४  
३) उप वनसंरक्षक, पश्चिम भाग, नाशिक. यांचे पत्र क्रमांक कक्ष-३/जमीन/वसं/२७५२ दिनांक २६/३/२०१५  
४) मुख्य वनसंरक्षक (प्रा) नाशिक यांचे पत्र क्रमांक कक्ष-२/जमीन/वसं/३ दिनांक १/४/२०१५  
५) म.अपर प्रधान मुख्य वनसंरक्षक व केंद्रस्थ अधिकारी, महा.राज्य.नागपुर यांचे पत्र क्रमांक कक्ष-१७/नोसेल/२/आयडी-१२३१९ (१३)/२२२ दिनांक १५.५.२०१५  
६) उप वनसंरक्षक, पश्चिम भाग, नाशिक यांचे पत्र क्रमांक कक्ष-३/जमीन/वसं/६७२ दिनांक २९/५/२०१५  
७) पर्यावरण, वन व जलवायु परिवर्तन मंत्रालय, भारत सरकार, नवी दिल्ली यांचे पत्र क्रमांक एफ नंबर-११-३०६/२०१४/एफसी, दिनांक ७/५/२०१५  
८) महाराष्ट्र शासन, महसूल व वन विभाग, शासन परिपत्रक क्रमांक एफएलडी-२०१५/प्र.क्र.७७/फ-१०, दिनांक १/७/२०१५

आदेश :-

ज्या अर्थी, म.अपर प्रधान मुख्य वनसंरक्षक व केंद्रस्थ अधिकारी, महा.राज्य, नागपुर यांनी प्रकल्प संचालक, भारतीय राष्ट्रीय महामार्ग प्राधिकरण, नाशिक यांचेकडून प्राप्त झालेला राष्ट्रीय महामार्ग क्र.५० खेड ते सित्रर कि.मी.१५७/१०० ते १७७/१०० (नाशिक जिल्हाभाग ) चार पदरीकरण तसेच मजबुतीकरण करण्याकरिता नाशिक जिल्हयातील क्षेत्र १.११४४ हेक्टर राखीव वन जमीन वळती करण्याचा प्रस्ताव म.अपर प्रधान मुख्य वनसंरक्षक (केंद्र), भोपाळ यांना उपरोक्त अ.क्र.१ येथील पत्रानुसार सादर केलेला होता.

आणि ज्या अर्थी, प्रकल्प संचालक, भारतीय राष्ट्रीय महामार्ग प्राधिकरण, नाशिक यांनी प्रस्तावित केलेल्या राष्ट्रीय महामार्ग क्र.५० खेड ते सित्रर कि.मी.१५७/१०० ते १७७/१०० (नाशिक जिल्हाभाग ) चार पदरीकरण तसेच मजबुतीकरण करण्याचा प्रस्ताव,भारत सरकारचे वन (संवर्धन) अधिनियम, १९८० च्या मार्गदर्शक सूचनानुसार प्रकल्प स्थळ विवक्षीत (site specific) आहे, तसेच या प्रस्तावासाठी पर्यायी वनेतर जमीन उपलब्ध नसल्याची बाब विचारात घेण्यात आली.

आणि ज्या अर्थी, भारत सरकारने या प्रस्तावावर नीट विचार करुन, वन (संवर्धन) अधिनियम, १९८० च्या कलम-२ खाली सादर केलेल्या प्रस्तावास वरील अ.क्र.२ अन्वये तत्त्वतः मंजुरी दिलेली आहे. ही मंजुरी भारत सरकारच्या दिनांक ४/७/२०१४ च्या पत्रात नमूद केलेल्या अटीची पूर्तता प्रकल्प यंत्रणा करेल याच्या अधीन राहून प्रदान केली आहे,

आणि ज्याअर्थी, पर्यावरण, वन मंत्रालय, भारत सरकार, नवी दिल्ली यांनी वरील अ.क्र.७ व महाराष्ट्र शासन, महसूल व वन विभाग, मंत्रालय, मुंबई यांनी वरील अ.क्र.८ अन्वये वन (संवर्धन) अधिनियम, १९८० अंतर्गत एकरेषिय प्रकल्पांना (linear projects) तत्त्वतः मान्यता मिळाल्यानंतर काही अटीना अधीन राहून काम सुरु करण्यास व झाडे तोडण्यास परवानगी देण्याबाबत सर्वसाधारण मान्यता दिली आहे.

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आणि ज्याअर्धी, म.अपर प्रधान मुख्य वनसंरक्षक व केंद्रस्थ अधिकारी, महाराष्ट्र राज्य, नागपुर यांना वरील अ.क्र.४ पत्रान्वये अटी पूर्तता अहवाल सादर केला आहे. परंतु वरील अ.क्र.५ नुसार सादर अटी शर्ती मधील अट क्र.२, ३(b), ८, ९, १२, १६ व १७ व रक्कमेबायतचा विहित नमुन्यातील proforma चा अहवाल प्रकल्प यंत्रणेकडून येणे बाकी आहे. तो उप वनसंरक्षक यांनी त्यांचेकडील वरील अ.क्र.६ नुसार प्राप्त करणे अपेक्षित आहे.

म्हणून याद्वारे असे निर्देश देत आहे की, प्रकल्प प्राधिकरण म्हणजेच प्रकल्प संचालक, भारतीय राष्ट्रीय महानाग्रा प्राधिकरण, नाशिक यांना राष्ट्रीय महामार्ग क्र.५० खेड ते सिन्नर कि.मी.१५७/१०० ते १५७/१०० (नाशिक जिल्हाभाग) चार पदरीकरण तसेच मजयुतीकरण करण्यासाठी खाली दिलेल्या अनुसूची मध्ये नमुद केलेली आणि म.अपर प्रधान मुख्य वनसंरक्षक व केंद्रस्थ अधिकारी, महाराष्ट्र राज्य, नागपुर यांचे संदर्भ क्र.१ येथील पत्रानुसार सादर केलेल्या प्रकल्प प्रस्तावात अधिक तपशिलात नमुद केलेली १.११४४ हेक्टर वन जमीनीवर काम सुरु करण्यास व झाडे तोडण्यास परवानगी देत आहे. ही परवानगी भारत सरकारच्या दिनांक ०७/५/२०१५ व महाराष्ट्र शासनाच्या दिनांक ०९/७/२०१५ च्या परिपत्रकातील अटी व शर्तीच्या पूर्ततेच्या अधीन राहून तसेच खालील अटीच्या अधीन राहून देण्यांत येत आहे.

- (१) प्रकल्प यंत्रणेने वन (संदर्भन) अधिनियम, १९८० अंतर्गत तत्त्वतः मान्यता मिळालेल्या पत्रातील अटीची पूर्तता तात्काळ करून अंतीन मान्यता प्राप्त होईल याबाबत दक्षता घ्यावी. तत्त्वतः मान्यता मिळालेल्या दिनांकापासून एक वर्षाच्या आत प्रकल्प यंत्रणा सर्व अटीचे तंतोतंत अनुपालन करेल याची उप वनसंरक्षक, पश्चिम भाग, नाशिक हे खात्री करतील, मुख्य वनसंरक्षक (प्रादेशिक) नाशिक यांचे मार्फत याबाबतचा अहवाल येथीवेळी म.अपर प्रधान मुख्य वनसंरक्षक व केंद्रस्थ अधिकारी, महाराष्ट्र राज्य, नागपुर यांना सादर करतील.
- (२) प्रकल्प यंत्रणेने प्रस्तावित वन जमीनीवर काम सुरु करण्यापूर्वी, काम सुरु करण्यास तसेच झाडे तोडण्यास परवानगीसाठी संबंधित उप वनसंरक्षक यांना कळविणे आवश्यक आहे. संबंधित उप वनसंरक्षक यांनी स्वळ पाहणी करून प्रस्तावित वन जमीनीवर वनभंग झाला आहे का ते पाहणे, तसेच वनभंग झाला असल्यास, कायदानुसार आवश्यक कार्यवाही करावी.
- (३) उपरोक्त अटीपैकी कोणत्याही अटीचे अनुपालन न केल्यास (non compliance) संबंधित उप वनसंरक्षक/ सहाय्यक वनसंरक्षक/ वनपरिक्षेत्र अधिकारी वन (संदर्भन) अधिनियम, १९८० अंतर्गत दिनांक २५/१०/१९९२ रोजी निर्गमित केलेल्या मार्गदर्शक सूचनातील कलम १.९ नुसार अहवाल राज्य शासनामार्फत म.अपर प्रधान मुख्य वनसंरक्षक, पश्चिम-मध्य क्षेत्र, पर्यावरण, वन व जलवायु परिवर्तन मंत्रालय, भारत सरकार, नागपुर यांना सादर करतील.

#### अनुसूची

गावाचे नांव	तालुका व जिल्हा	गट क्र	वैधानिक दर्जा	क्षेत्र (हे)
नांदुर सिंगोटे	सिन्नर जि.नाशिक	३१३, ३१४, ३१६, ३१७ कंपार्ट.नं.२६२	Reserved Forest	१.११४४

सादर आदेश म.मुख्य वनसंरक्षक (प्रादेशिक) नाशिक यांच्या [www.ccfnashik2012@gmail.com](mailto:www.ccfnashik2012@gmail.com) या संकेतस्थळावर उपलब्ध करण्यांत आला आहे.

मुख्य वनसंरक्षक (प्रादेशिक)  
नाशिक

प्रति,

उप वनसंरक्षक, पश्चिमभाग, नाशिक

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प्रत :

१. म.प्रधान मुख्य वनसंरक्षक (वनबल प्रमुख) महाराष्ट्र राज्य, नागपुर
२. म.प्रधान मुख्य वनसंरक्षक (वन्यजीव) महाराष्ट्र राज्य, नागपुर
३. म.प्रधान सचिव (रस्ते) सार्वजनिक बांधकाम विभाग, मंत्रालय, मुंबई
४. म.प्रधान सचिव, आदिवासी विकास विभाग, मंत्रालय, मुंबई
५. म.अपर प्रधान मुख्य वनसंरक्षक तथा केंद्रस्थ अधिकारी, महाराष्ट्र राज्य, नागपुर
६. म.अपर प्रधान मुख्य वनसंरक्षक (कॅम्पा) महाराष्ट्र राज्य, नागपुर
७. म.अपर प्रधान मुख्य वनसंरक्षक (संधारण) महाराष्ट्र राज्य, नागपुर
८. मुख्य वनसंरक्षक (संयर्धन) नागपुर
९. जिल्हाधिकारी, नाशिक

१०. मुख्य कार्यकारी अधिकारी, जिल्हा परिषद, नाशिक

११. प्रकल्प संचालक, भारतीय राष्ट्रीय महामार्ग प्राधिकरण, पीआयु, टोयाटो शोरुम रोड, नाशिक

२/- जिल्हाधिकारी, नाशिक व मुख्य कार्यकारी अधिकारी, जिल्हा परिषद, नाशिक व उप वनसंरक्षक, पश्चिम भाग, नाशिक यांना कळविण्यांत येते की, वरील आदेशाची प्रत स्थानिक संस्था, पंचायत, नगरपालिका, नगरपरिषद व संबंधीत कार्यालयाचे प्रमुख यांना पाठविण्यांत यावी. तसेच त्यांनी वरील आदेश त्यांच्या कार्यालयातील सूचना फलकावर तसेच वरील कार्यालय प्रमुखाच्या सूचना फलकावर सर्वसामान्य जनतेच्या माहितीसाठी प्रदर्शिले जातील याची कृपया खात्री करावी.

३/- प्रकल्प संचालक, भारतीय राष्ट्रीय महामार्ग प्राधिकरण, पीआयु टोयाटो शोरुम रोड, नाशिक यांना कळविण्यांत येते की, वन मंजु-याचे सर्व आदेश, सर्व क्र. गट क्र. त्यांचे प्रत्येकाचे क्षेत्र आणि वैधानिक दर्जा इत्यादि आणि केंद्र शासनाने मान्यतेच्या आदेशात घातलेल्या अटी व संरक्षित बाबी यांच्यासह एक स्थानिक भाषेतील व एक इंग्रजी भाषेतील प्रसिध्द अशा दोन दैनिक वृत्तपत्रात प्रसारित करावे आणि त्याची प्रत उप वनसंरक्षक, पश्चिम भाग, नाशिक व या कार्यालयास देण्यात यावी.

४/- स्थानिक स्वराज्य संस्था, पंचायत, नगरपालिका, नगर परिषद आणि संबंधीत शासकीय कार्यालयाचे प्रमुख यांना कळविण्यांत येते की, आदेशाची प्रत मिळाल्यापासुन ३० दिवसापयत सदर आदेश सुचना फलकावर प्रदर्शित करावे.

Issue of working permission for tree cutting and commencement of Work.

Diversion of 18.9749 ha. of Forest land for Rehabilitation and upgrading to 4 laning of NH-50 from Khed to Sinnar from Km 42/00 to 97/000.

**Government of Maharashtra**  
**Revenue and Forest Department**  
**Government Order No. FLD-1913/CR-254/F-10**  
**Mantralaya, Mumbai 400032.**

Date: 20/06/2015

Read:

- 1) Letter from Principal Chief Conservator of Forests (Head of Forest Force), Maharashtra State, Nagpur, No.Desk-17/NC/WI.D.J(14)/598/13-14, dt 16/7/2013
- 2) Letter from Government of Maharashtra of even no. dated 29/01/2014.
- 3) Letter from Ministry of Environment, Forests & Climate Change, Government of India, Regional Office, Western Region, Bhopal no. 6-MHC 008/2014-BHO/2026, dated 19/11/2014
- 4) Letter from Ministry of Environment, Forests & Climate Change, Government of India, New Delhi F.No.11-306/2014-FC, dated 07/05/2015.
- 5) Letter from Government of Maharashtra of even no. dated 05/03/2015

Order :-

Whereas, the Principal Chief Conservator of Forests (Head of Forest Force) Maharashtra State, Nagpur, vide his letter referred at sr. no.1 above, has submitted a proposal to the State Government, which has been received from Project Director, National Highways Authority of India, Project Implementation Unit, Toyota Showroom Road, Nashik for diversion of 18.9749 Ha. of forest land for Rehabilitation and upgrading to 4 laning of NH-50 from Khed to Sinnar from Km 42/00 to 97/000 purpose;

AND whereas, Project Director, National Highways Authority of India, Project Implementation Unit, Toyota Showroom Road, Nashik's proposal for Rehabilitation and upgrading to 4 laning of NH-50 from Khed to Sinnar from Km 42/00 to 97/000 and as per Government of India, Forest (Conservation) Act, 1980 guidelines the project is site specific and non-availability of alternative non-forest land for Rehabilitation and upgrading to 4 laning of NH-50 from Khed to Sinnar from Km 42/00 to 97/000 purpose was considered;

AND whereas, Government of Maharashtra after careful scrutiny and consideration has recommended it to the Government of India to divert the 18.9749 ha. of forest land for the above project under section 2 of Forest (Conservation) Act, 1980;

AND whereas, Government of India after due consideration vide its letter referred at sr. no. 3 above granted in-principle approval to above proposal submitted by Government of

Government Order No.: FLD-1913/CR-254/F-10

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 Maharashtra for diversion of forest land under section 2 of Forest (Conservation) Act, 1980. The said approval is subject to fulfillment of certain conditions by the User Agency mentioned in its letter dated 18/11/2014;

AND whereas, Government of India, Ministry of Environment, Forests & Climate Change has given its general approval under the Forest (Conservation) Act, 1980 that for linear projects in-principle approval under Forest (Conservation) Act, 1980 may be deemed as working permission for tree cutting and commencement of work, subject to condition mentioned in Government of India's letter referred at Sr.No.4 above.

AND whereas, the Government of Maharashtra vide letter referred at sr. no.5 above has submitted compliance of those conditions to the Ministry of Environment, Forests & Climate Change, Government of India, Regional Office (WCZ), Nagpur,

NOW, therefore, Government of Maharashtra hereby grants working permission for tree cutting and commencement of work for the proposal of diversion of 18.9749 ha. of Forest land more specifically described in the proposal submitted vide letter mentioned at sr. no.-1 here in above from Principal Chief Conservator of Forests (Head of Forest Force), Maharashtra State, Nagpur and as per details given in the Schedule given below, subject to condition mentioned in Government of India's letter referred at Sr.No.4 above to the User Agency, i. e. Project Director, National Highways Authority of India, Project Implementation Unit, Toyota Showroom Road, Nashik for Rehabilitation and upgrading to 4 laning of NH-50 from Khed to Sinnar from Km 42/00 to 97/000 purpose. This working permission for tree cutting and commencement of work is also subject to compliance of following conditions by the User Agency-

1. The User Agency shall comply with all the conditions stipulated in the in-principle approval and shall seek & obtain final / formal approval of Government of India under Forest (Conservation) Act, 1980 for diversion of such forest land at the earliest and in any case not later than one year from the date of grant of in-principle order. The Chief Conservator of Forests (Territorial), Pune shall ensure the strict compliance of the conditions by the User Agency. Chief Conservator of Forests (Territorial), Pune will furnish the report in this regard to Additional Principal Chief Conservator of Forests and Nodal Officer, Maharashtra State, Nagpur from time to time.
2. The User Agency shall inform the concerned Deputy Conservator of Forests by letter before date of commencement of work and tree cutting in proposed forest land. The concerned Deputy Conservator of Forests shall immediately inspect the proposed forest land and shall ensure that there is no violation of any law. In case of violation, the concerned Deputy Conservator of Forests shall take actions as per the law.
3. In case of non-compliance of any of the above conditions, the concerned Chief Conservator of Forests / Deputy Conservator of Forests shall report through the State Government to Additional Principal Chief Conservator of Forests, Government of India, Ministry of Environment, Forests & Climate Change, Regional Office (WCZ), Nagpur as per procedure laid down in the clause 1.9 of guidelines on 25/10/1992 under the Forest (Conservation) Act, 1980.

Government Order No.: FLD-1913/CR-254/F-10

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**SCHEDULE**

Village	Taluka	Dist	Gut No	Legal Status	Area in Ha.
Warchi Bamburwadi	Khed	Pune	101, 109	Reserved Forest	9.6892
Nigutwadin	Ambegaon		100	Unclassified forest	1.2593
Tambademala			13, 14,	Reserved Forest	2.177
Kalamb			185	Reserved Forest In charge of Revenue Department	1.1230
Bhorwadi			18	Reserved Forest	0.0134
Aale, Santwadi	Junnar		2532, 2511, 552	Reserved Forest	4.7130
<b>Total area</b>					<b>18.9749 Ha.</b>

This Government Order of Maharashtra Government is available on its website [www.maharashtra.gov.in](http://www.maharashtra.gov.in). Reference no. for this is 201506201057532419. This order has been signed digitally.

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

**TIWARI  
VIRENDRA  
RAMBAHAL**

Digitally signed by TIWARI VIRENDRA  
RAMBAHAL  
DN: CN = TIWARI VIRENDRA  
RAMBAHAL, C = IN, O = Maharashtra,  
OU = GOVERNMENT OF  
MAHARASHTRA, OU = REVENUE AND  
FOREST, ID = 817243  
Date: 2015.08.20 11:01:59 +05'30'

(Virendra Tiwari)

Chief Conservator of Forests (Mantralaya)

Copy forwarded with request to upload this order on their website along with the Stage-I clearances to:

1. Secretary, Ministry of Environment, Forests & Climate Change, Government of India, New Delhi
2. Additional Principal Chief Conservator of Forests (Central), Ministry of Environment, Forests & Climate Change, Government of India, Regional Office (WCZ), Nagpur

Copy to:

1. Principal Chief Conservator of Forests (HoFF), Maharashtra State, Nagpur
2. Principal Chief Conservator of Forests (Wildlife), Maharashtra State, Nagpur
3. Principal Secretary (Roads), Public Works Department, Mantralaya, Mumbai
4. Principal Secretary, Tribal Development Department, Mantralaya, Mumbai
5. Additional Principal Chief Conservator of Forests and Nodal Officer, Maharashtra State, Nagpur.
6. Additional Principal Chief Conservator of Forests (CAMPA), Maharashtra State, Nagpur

Government Order No.: FLD-1913/CR-254/F-10

- 7. Additional Principal Chief Conservator of Forests (Conservation), Maharashtra State, Nagpur.
- 8. Chief Conservator of Forests (Forest Conservation), Nagpur.
- 9. Chief Conservator of Forests (Territorial), Pune.
- 10. Collector, Pune
- 11. Chief Executive Officer, Zilla Parishad, Pune
- 12. Deputy Conservator of Forests, Junnar
- 13. Project Director, National Highways Authority of India, Project Implementation Unit, Toyota Showroom Road, Nashik
- 14. Select File Desk F-10.

2. Collector, Pune, Chief Executive Officer, Zilla Parishad, Pune and Deputy Conservator of Forests, Junnar are hereby directed to forward the copy of this order to concerned Heads of Local Bodies, Panchayats, Municipal Bodies in addition to the relevant offices of the Government and they shall also ensure the display of this order on their notice board as well as on the notice board of local self government bodies for the information of general public.

3. Project Director, National Highways Authority of India, Project Implementation Unit, Toyota Showroom Road, Nashik is hereby directed that they should publish the entire order of working permission for tree cutting and commencement of work granted in verbatim along with the details of Survey No., Gut No., area and legal status of each Survey, Gut No. etc. along with the conditions and safe guards imposed by the Central Government while granting working permission for tree cutting and commencement of work in two widely circulated daily newspapers, one in vernacular language and other in English language and submit the copies of newspapers to Chief Conservator of Forests (Territorial), Pune & Deputy Conservator of Forests, Junnar.

4. Heads of Local Bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government are hereby directed to display the same on their notice board for 30 days from the date of receipt for the information of general public.

A

<b>N. H. A. I. (P. U.) NASHIK</b>	
Inward No.	4659
Date	27.07.2015
Filed in	_____
Sign.	<i>[Signature]</i>

*What is the status of above regarding publications of details. In above on priority*

*Myr-2*

*[Signature]*  
28/7

Annexure - 2

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F.No. 10-58/2011-IA-III  
Government of India  
Ministry of Environment & Forests  
(IA-III Division)

Paryavaran Bhawan,  
CGO Complex, Lodhi Road,  
New Delhi - 110 003

Dated: 21<sup>st</sup> March, 2013

To  
Chief General Manager (LA),  
National Highways Authority of India,  
G-5B6, Sector - 10, Dwarka,  
New Delhi - 110075

DGN(Env)

Subject: Environment Clearance for rehabilitation and upgradation of 2-lane carriageway to 4-lane of Khed-Sinnar Section of NH-50 from km 42.000 to km 177.000 in the State of Maharashtra by M/s NHAI - Reg.

This has reference to your letter No. 11013/1/2k/Env/202 dated 26.12.2012 seeking Environmental Clearance under the Environment Impact Assessment Notification, 2006. The proposal has been appraised as per prescribed procedure in the light of provisions under the Environment Impact Assessment Notification, 2006 on the basis of the mandatory documents enclosed with the application viz., the Form-I, EIA, EMP, Public Hearing proceedings and the additional clarifications furnished in response to the observations of the Expert Appraisal Committee constituted by the competent authority in its meeting held 28<sup>th</sup> - 29<sup>th</sup> January, 2013.

2. It is interalia, noted that the project road starts from Khed km 42.000 to and ends at Sinnar km 177.000 traversing through Pune, Ahmednagar and Nashik districts of Maharashtra State. Length of existing road is 135 kms. The proposed design length is 137.946 kms, passing through Khed (Rajguru Nagar), Peth, Manchar, Kalam, Narayangaon, Alephata, Bota, Sangamner and Nandur Shingote major towns. The existing ROW varies from 20 to 45 m and proposed ROW is 60 m. The project road passes through 65 km plains, 58.40 km rolling and 11.6 km hilly terrain. There are 5 Ghat sections along the project road (Khed, Peth-Awsari, Ektare, Chandanapuri, and Karhe Ghats). Land requirement for proposed improvements is 840.642 ha. 279.50 ha is available. 561.142 ha is to be acquired (Reserve forest land 49.792 ha, Agriculture land 437.37 ha, Built-up area 36 ha & Govt. land 37.98 ha). There is no Wild Life Sanctuary or National Park within 10 km radius of the project. There are two existing bypasses at Peth & Sangamner. 7 bypasses have been proposed at Khed, Manchar, Kalam, Narayangaon, Alephata, Bota and Nandur Shingote. There are 8 Nos. of existing major bridges. Proposal is for 1 major bridge to be retained, 7 new constructions and 1 reconstruction. There are 43 Nos. of existing minor bridges. Proposal is for widening of 22 minor bridges and 23 new constructions. There are 317 Nos. of existing culverts. Proposal is for widening of 168 culverts, 43 reconstruction and 106 new constructions. Construction of two flyovers at Khed and Alephata

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bypasses is proposed. Two toll plazas are proposed to be developed. Provision of 22.6 km service road and 34.4 km slip road is made. About 4,700 trees in non-forest area and 3,500 trees in forest area are proposed to be felled. The avenue plantation shall be carried out as per IRC SP: 21, 2009 apart from the statutory requirement. 126 properties/structures will be affected due to the proposed improvements. 675 KLD of water will be required for about 400 days during construction and dust suppression. The fly ash from Nashik thermal power plant (about 25 km) shall be used for construction of embankments depending on availability. The total environmental budget is Rs 3.22 Crore. R&R cost of the project is Rs 13.9 Crore & total project cost is Rs 1541.10 Crore.

3. The EAC in its meeting held on 13<sup>th</sup> -15<sup>th</sup> July, 2011 finalised ToR including conduct of Public hearing. Public Hearing conducted on 26.06.2012 at Narayangaon, Pune District on 28.06.2012 at Collectorate, Nashik and on 18.10.2012 at Sangamner, Ahmednagar District.

4. The Expert Appraisal Committee, after due consideration of the relevant documents submitted by the project proponent and additional clarifications furnished in response to its observations, have recommended for the grant of Environmental Clearance for the project. Accordingly, the Ministry hereby accords necessary Environmental Clearance for the above project as per the provisions of Environment Impact Assessment Notification, 2006 and its subsequent amendments, subject to strict compliance of the terms and conditions as follows:

5. **SPECIFIC CONDITIONS:**

- (i) The project involves diversion of 49.79 ha of forest land for which the proponent shall obtain the requisite FC. The proponent can execute the above project on the entire stretch located in non-forest land, provided that the proponent submits an undertaking while making application to get FC that the execution of work on non-forest land shall not be cited as a reason for grant of FC and in case FC is declined, width of the portion of road falling in the forest land will be maintained at its existing level.
- (ii) Project road does not pass through any eco-sensitive area and within 10 km from eco-sensitive area.
- (iii) It is indicated that 4700 nos. trees from forest area and 3500 trees in non-forests area to be felled for the project. Necessary permission from competent authority shall be obtained for tree cutting. Compensatory tree plantation shall be carried out and cost provision should be made for regular maintenance.
- (iv) There are five ponds in and near the alignment, there shall not be any disposal of debris into the water bodies. It shall be ensured that the drainage/catchment of the ponds shall not be disturbed during construction.

- (v) Explore the possibilities of using cold mix technology wherever possible.
- (vi) Rain water harvesting including oil and grease trap shall be provided. Water harvesting structures shall be located at every 500 mts along the road. Vertical drain type rainwater harvesting structures shall be set up to minimize surface runoff losses of rainwater.
- (vii) R&R shall be as per the guidelines of State/Central Government.
- (viii) IRC guidelines shall be followed for widening & up-gradation of road.
- (ix) The responses/commitments made during public hearing shall be complied with letter and spirit.
- (x) All the recommendation of the EMP shall be complied with letter and spirit. All the mitigation measures submitted in the EIA report shall be prepared in a matrix format and the compliance for each mitigation plan shall be submitted to MoEF along with half yearly compliance report to MoEF-RO.
- (xi) The seismic nature of the area shall be taken into account while designing the project.
- (xii) The project proponent shall obtain necessary permission from the State Irrigation Department before drawing water from the river/ground sources for the purpose of the proposed construction activity.
- (xiii) Sidewalk shall be provided along the bridges.
- (xiv) The drain shall be at least 1 m. away from the toe of the embankment of the road adopting IRC guidelines.
- (xv) Longitudinal drains shall be provided all along the project road to ensure proper drainage of the area. In addition, adequate number of under passes and culverts to act as cross drainage structures shall also be provided.
- (xvi) The solid waste generated shall be used for rehabilitating the borrow areas.
- (xvii) For providing safety to the crossing animals and avoid road accidents speed breakers/rumbled strips shall be constructed at the identified locations of the animal movements. Enough hoardings and signages shall also be put up for the public and vehicles convenience.
- (xviii) Minimum of three times the number of trees to be cut shall be planted. It shall be ensured that the trees planted as a part of the



afforestation shall be looked after by NHAI. Tree plantation shall be of the same species/local species and survival shall be monitored. Transplantation of trees shall be carried out wherever possible. The tree plantation shall be taken up on the extreme end of the road.

- (xix) Necessary permission for tree felling from the concerned department shall be obtained before commencement of the project work and copies of the same shall be submitted to this Ministry.
- (xx) Adequate number of underpasses shall be provided in the habitation areas. The details of such underpasses shall be provided to the Ministry within 6 months from the date of issue of this letter.
- (xxi) Necessary clearance from the State Government shall be obtained for extraction of sand from the rivers.
- (xxii) Proper signage shall be installed at appropriate locations for the convenience of the traffic movement.
- (xxiii) The embankments/slopes and the slopes left after cutting shall be provided with vegetative turning to avoid soil erosion.
- (xxiv) The hot mix plant shall be located at least 500 mts. Away from habitation and on the barren land to avoid its adverse impact on the human population.
- (xxv) Rehabilitation and payment of compensation to the project affected people (PAPs) shall be made as per the policy of the State Government.
- (xxvi) Noise barriers shall be provided at appropriate locations particularly in the areas where the alignment passes through inhabited areas so as to ensure that the noise levels do not exceed the prescribed standards.
- (xxvii) For road safety, IRC guidelines in respect of road signages, service roads, bus bays, inter-sections, pedestrians crossings, etc. shall be strictly adhered to.

6. **GENERAL CONDITIONS:**

- (i) Adequate provision for infrastructure facilities including water supply, fuel and sanitation must be ensured for construction workers during the construction phase of the project to avoid any damage to the environment.
- (ii) Appropriate measures must be taken while undertaking digging activities to avoid any likely degradation of water quality.

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- (iii) Borrow sites for each quarry sites for road construction material and dump sites must be identified keeping in view the following:
- (a) No excavation or dumping on private property is carried out without written consent of the owner.
  - (b) No excavation or dumping shall be allowed on wetlands, forest areas or other ecologically valuable or sensitive locations.
  - (c) Excavation work shall be done in close consultation with the Soil Conservation and Watershed Development Agencies working in the area, and
  - (d) Construction spoils including bituminous material and other hazardous materials must not be allowed to contaminate water courses and the dump sites for such materials must be secured so that they shall not leach into the ground water.
- (iv) The construction material shall be obtained only from approved quarries. In case new quarries are to be opened, specific approvals from the competent authority shall be obtained in this regard.
- (v) Adequate precautions shall be taken during transportation of the construction material so that it does not affect the environment adversely.
- (vi) Borrow pits and other scars created during the road construction shall be properly levelled and treated.
- (vii) Adequate financial provision must be made in the project to implement the aforesaid safeguards.
- (viii) The project proponent will set up separate environmental management cell for effective implementation of the stipulated environmental safeguards under the supervision of a Senior Executive.
- (ix) Full support shall be extended to the officers of this Ministry/ Regional Office by the project proponent during inspection of the project for monitoring purposes by furnishing full details and action plan including action taken reports in respect of mitigation measures and other environmental protection activities.
- (x) A six-Monthly monitoring report shall need to be submitted by the project proponents to the Regional Office of this Ministry regarding the implementation of the stipulated conditions.
- (xi) Ministry of Environment & Forests or any other competent authority may stipulate any additional conditions or modify the existing ones,

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if necessary in the interest of environment and the same shall be complied with.

- (xii) The Ministry reserves the right to revoke this clearance if any of the conditions stipulated are not complied with the satisfaction of the Ministry.
- (xiii) In the event of a change in project profile or change in the implementation agency, a fresh reference shall be made to the Ministry of Environment and Forests.
- (xiv) The project proponents shall inform the Regional Office as well as the Ministry, the date of financial closure and final approval of the project by the concerned authorities and the date of start of land development work.
- (xv) A copy of the clearance letter shall be marked to concerned Panchayat/Local NGO, if any, from whom any suggestion/representation has been made received while processing the proposal.
- (xvi) Safety provision such as bus bays, service roads intersection improvement etc., will be carried out by the project proponent. The project proponent shall provide adequate facilities as per IRC norms/guidelines.
- (xvii) State Pollution Control Board shall display a copy of the clearance letter at the Regional Office, District Industries Center and Collector's Office/Tehsildar's office for 30 days.

7. These stipulations would be enforced among others under the provisions of Water (Prevention, and Control of Pollution) Act 1974, the Air (Prevention and Control of Pollution) Act 1981, the Environment (Protection) Act, 1986, the Public Liability (Insurance) Act, 1991 and EIA Notification 2006, including the amendments and rules made thereafter.

8. All other statutory clearances such as the approvals for storage of diesel from Chief Controller of Explosives, Fire Department, Civil Aviation Department, Forest Conservation Act, 1980 and Wildlife (Protection) Act, 1972 etc. shall be obtained, as applicable by project proponents from the respective competent authorities.

9. The project proponent shall advertise in at least two local Newspapers widely circulated in the region, one of which shall be in the vernacular language informing that the project has been accorded Environmental Clearance and copies of clearance letters are available with the State Pollution Control Board and may also be seen on the website of the Ministry of Environment and Forests at <http://www.envfor.nic.in>. The advertisement should be made within 10 days from the date of receipt of the Clearance letter and a copy of the same should be forwarded to the Regional office of this Ministry.


10. This Clearance is subject to final order of the Hon'ble Supreme Court of India in the matter of Goa Foundation Vs. Union of India in Writ Petition (Civil) No.460 of 2004 as may be applicable to this project.

11. Status of compliance to the various stipulated environmental conditions and environmental safeguards will be uploaded by the project proponent in its website.

12. Any appeal against this clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

13. The project proponent shall also submit six monthly reports on the status of compliance of the stipulated EC conditions including results of monitored data (both in hard copies as well as by e-mail) to the respective Regional Office of MoEF, the respective Zonal Office of CPCB and the SPCB.

14. The environmental statement for each financial year ending 31<sup>st</sup> March in Form-Y as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of EC conditions and shall also be sent to the respective Regional Offices of MoEF by e-mail.

  
(Lalit Kapur)  
Director (IA-III)

Copy to:

1. The Secretary, Department of Environment, Govt. of Maharashtra, Mantralaya, Mumbai - 400 032.
2. The Chairman, CPCB, Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, Delhi - 32.
3. The Chairman, Maharashtra Pollution Control Board, Kalpataru Points, 3<sup>rd</sup> & 4<sup>th</sup> floor, Opp. Cine Planet, Sion Circle, Sion (E), Mumbai - 400 022.
4. The Chief Conservator of Forests, Ministry of Environment and Forests, Regional Office, Western Region, Kendriya Paryavaran Bhavan, Link, Road No. 3, Ravishankar Nagar, Bhopal - 462016 (M.P.)
5. Guard File,
6. Monitoring Cell

(Lalit Kapur)  
Director (IA-III)

Annexure - 3

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

क्षेत्रीय कार्यालय, पश्चिम क्षेत्र,  
Regional Office, Western Region,  
"केन्द्रीय पर्यावरण भवन"  
"Kendriya Parivaran Bhavan"  
लिंक रोड नं-3, Link Road No. 3  
E-5, परिसर नगर/Ram Shankar Nagar  
भोपाल (म.प्र.)/Bhopal-462016 (M.P.)  
फोन नं./Phone No. 0755-2426615, 2463102, 2466525  
फैक्स नं./Fax No. 0755-2463102  
इमेल नं./E-mail: rowz.bpl-mef@nic.in

D. 17/12/2014

No.6-MHC 029/2014-BHO/218

To,

The Principal Secretary (Forests),  
Govt. of Maharashtra,  
Revenue & Forest Department,  
Mantralaya, Mumbai-400 032  
(Maharashtra)

Sub: Diversion of 33.9585 ha Reserved Forest land for Rehabilitation and upgrading to 4 laning of NH-50 from Khed to Sinnar from Km 97/000 to 157/000 (Ahmednagar district portion) in favour of Project Director, National Highways Authority of India in Ahmednagar District of Maharashtra

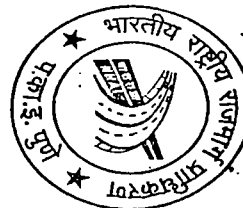
Sir,

I am directed to invite a reference to your letter No. FLD-1814/CR-92/F-10 dated 03/07/2014 & APCCF & Nodal Officer, Maharashtra State Nagpur letter No. Desk-17/NC/2/ID 12323/(13)/14-15 dated 19/08/2014 on the above mentioned subject seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980.

After due consideration of the proposal of the State Government, the undersigned, on behalf of the Central Government, is directed to convey in-principle approval for diversion of 33.9585 ha Reserved Forest land for Rehabilitation and upgrading to 4 laning of NH-50 from Khed to Sinnar from Km 97/000 to 157/000 (Ahmednagar district portion) in favour of Project Director, National Highways Authority of India in Ahmednagar district subject to the following terms and conditions:-

1. Legal status of the forest land shall remain unchanged.
2. Forest land shall be handed over to the User Agency only after the User Agency has got possession of non-forest land, if any, required for the project.
- 3 (a) Compensatory afforestation shall be taken up by the Forest Department over 67.917 ha degraded Forest land (Gut No. 232, 233, 235, 236, 237 Village- Pokhari Baleshwar, Gut No. 100, Village- Nimaj and Gut No. 172, Village- Gabanwadi, Tal- Sangamner, District- Ahmednagar) at the cost of the User Agency. As far as practicable a mixture of local indigenous species will be planted and monoculture of a species has to be avoided.
- (b) The land identified for the purpose of CA shall be clearly depicted on a Survey of India Toposheet of 1:50, 000. The bearing of each corner point and distances between successive points will be recorded alongwith GPS reading of Geo-Coordinates (Latitudes & Longitudes).

Contd....2



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4. The cost of compensatory afforestation shall be deposited in advance 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 in advance with the Forest Department by the project authority. The CA will be maintained for 7 to 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.
5. (a) The State Government shall charge the Net Present Value(NPV) for the 33.9585 ha forest area 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 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 by the State Government 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 to the Ad-hoc Compensatory Afforestation Fund Management & Planning Agency(CAMPA) in Saving Bank A/c No. SB01025218 of Corporation Bank, Lodhi Complex, New Delhi- 110003.
7. User agency shall obtain the Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.
8. The User Agency will defray the cost of removal of trees that fall in the area proposed for diversion. Felling of trees on the forest land being diverted shall be reduced to the bare minimum and the trees shall be felled under strict supervision of the State Forest Department.
9. 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.
10. Relevant directions contained in various notifications issued by the Central Government under the provisions of the Environment (Protection) Act, 1986 and Environment (Protection) Rules, 1986 made there under and amended from time to time regarding use of fly ash shall be fully complied with.
11. User agency shall take road side plantation and plantation on Central Verge as per IRC norms in this regard.
12. No toll tax shall be realized from the vehicles of State Forest Department.
13. The layout plan of the proposal shall not be changed without prior approval of the Central Government.


  
 16/12/14

Contd...3

-3-

14. The State Government shall complete settlement of rights, in terms of the Scheduled Tribes and Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any on the forest land to be diverted and submit the documentary evidence as prescribed by this Ministry in its letter No. 11-9/1998-FC (pt) dated 03/08/2009, read with letter No. 11-9/98-FC (pt.) dated 5/2/2013, in support thereof.
15. The user agency shall construct, if required, under passes and over passes for movement of wild animals etc in consultation with the State Forest Department.
16. Muck disposal, if required, shall be taken up as per the scheme approved by the Forest Department.
17. Soil conservation measures, if required, shall be taken up by the user agency.
18. No labour camp shall be established on the forest land.
19. It will be the responsibility of the User Agency to ensure that the labourers and staff engaged in construction activity do not damage nearby forest flora and fauna.
20. Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourers after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.
21. Proposed labour camps outside the forest area, are to be dismantled and removed. The labourers shall be sent back immediately after the completion of the work.
22. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
23. The boundary of the diverted forest land shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, forward and back bearing and distance from pillar to pillar.
24. The User Agency shall ensure that because of this project, no damage is caused to the Wildlife.
- 25 a) The forest land shall not be used for any purpose other than that specified in the project proposal.
- b) The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Central Government.
26. 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.
- 27 a) The User Agency shall submit six monthly compliance report as on 1<sup>st</sup> January and 1<sup>st</sup> July of every year to this office as well as to the Nodal Officer of the State.
- b) The State Government shall monitor compliance of conditions of Forest Clearance and shall submit in this regard yearly report as on 31<sup>st</sup> December of every year.
28. The User Agency and the State Government shall ensure compliance of provisions of all Acts, rules, regulations and guidelines for the time being in force as applicable to the project.

Contd...4

  
16/12/11

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- 4-
29. In view of the Government of India guideline letter NO. 11-306/2014-FC dated 08/08/2014 this in-principle approval may be deemed as the working permission for commencement of work subject to the condition that funds towards CA, NPV etc are realised from the User Agency by the State Forest Department and deposited in CAMPA account and provisions of FRA, 2006 are complied with.

After receipt of compliance report on fulfilment of the condition Nos 4, 5, 6, 8 and 14 from the State Government, proposal will be considered for final approval under Section - 2 of the Forest (Conservation) Act, 1980 by this office.


The order for transfer of forest land to user agency shall not be issued by the State Government till formal approval order for diversion of forest land is issued by this office.

Yours faithfully,

(S.K. Bhandari)  
Chief Conservator of Forests (Central)

Copy to :-

1. Director (ROHQ), Govt. of India, Ministry of Environment and Forests and Climate Change, Agni, C-wing, 3<sup>rd</sup> Floor, Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, New Delhi - 110003.
2. The Addl. Principal Chief Conservator of Forests and Nodal Officer Govt. of Maharashtra, Civil Lines, Nagpur.
3. The Sub Divisional Officer, Forest Division Sangamner, District-Ahmednagar, Maharashtra.
4. The Project Director, National Highways Authority of India, Project Implementation Unit, Toyota Showroom Road Nashik, District-Nashik, Maharashtra.
5. Order file

  
(S.K. Bhandari)  
Chief Conservator of Forests (Central)

16/11/14

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

Regional Office (WCZ)  
Ground Floor, East Wing  
New Secretariat Building  
Civil Lines, Nagpur - 440001  
E-mail: moefregionalofficenagpur@gmail.com

File No. 6-MHC-29/2014-BHO/106

Dated: 16/06/2015

To,

The Principal Secretary,  
Govt. of Maharashtra,  
Revenue & Forest Department,  
Mantralaya, Mumbai-400032

Sub: Diversion of 33.9585 ha of Reserved Forest Land for rehabilitation and upgrading to 4-laning of NH-50 from Khed to Sinnar from Km. 97/000 to 157/000 (Ahmadnagar District portion) in favour of Project Director, National Highways Authority of India in Ahmadnagar District of Maharashtra.

Ref. (1) This office letter No: 6-MHC-029/2014-BHO/1707 dated 17/12/2014.  
(2) Govt. of Maharashtra letter No. FLD-1814/C.R.92/F-10 dated 04/06/2015.  
(3) Officer on Special Duty (Ad-hoc CAMPA) MoEF, New Delhi letter No. 1-21/2013-CAMPA dated 27/05/2015.

Sir,

Reference is invited to your letter No. FLD-1814/CR-92/F-10 dated 03/07/2014 and APCCF & Nodal Officer, Nagpur letter No. Desk-17/NC/2/ID 12323/(13)/14-15 dated 19/08/2014 on the above mentioned subject seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act. 1980.

The Central Government vide this office letter (1) referred above had agreed in-principle for diversion of the above forest land for the purpose mentioned, subject to the fulfillment of condition No. 4,5,6,8 and 14 stipulated therein.

The State Government vide letter (2) referred above have reported compliance on the fulfillment of the said conditions.

Therefore, the undersigned is hereby directed to convey the formal approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 for the diversion of 33.9585 ha of Reserved Forest Land for rehabilitation and upgrading to 4-laning of NH-50 from Khed to Sinnar from Km. 97/000 to 157/000 (Ahmadnagar District portion) in favour of Project Director, National Highways Authority of India in Ahmadnagar District of Maharashtra subject to the following conditions:-

1. Legal status of the forest land shall remain unchanged.
2. Forest land shall be handed over to the User Agency only after the User Agency has got possession of non-forest land, if any, required for the project.
3. a) Compensatory Afforestation shall be taken up by the Forest Department over 67.917 ha. Degraded forest land (Gut No. 232, 233, 235, 236, 237 Village-Pokhari Baleshwar, Gut No. 100, Village-Nimaj and Gut No. 172, Village-Gabanwadi, Tal-Sangamner, District-Ahmednagar) at the cost of the User Agency. As far as practicable a mixture of local indigenous species will be planted and monoculture of species has to be avoided.

*Konwar Singh*  
16/6/15

Contd.....2

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-2-

- b) Land identified for CA shall be clearly depicted on a Survey of India Toposheet of 1:50,000. The bearing of each corner point and distance between two successive points will be recorded along with the GPS readings of Geo coordinates (Latitudes & Longitudes).
4. The user agency shall obtain Environmental Clearance as per the provisions of Environmental (Protection) Act, 1986 if required.
  5. a) No additional or new path will be constructed inside the forest area for transportation of construction materials to be used for execution of the project work. Camps shall not be allowed in Forest Area.  
b) Proposed labour camps outside the forest area are to be dismantled and removed. The labourers shall be sent back immediately after the completion of the work.
  6. The User Agency shall ensure that because of this project, no damage is caused to the Wildlife.
  7. User Agency will plant suitable species on both sides of the proposed road as per the State government norms or IRC Norms as the case may be.
  8. The User Agency shall provide fuel preferably alternate fuel to the staff and labourers working at the site to avoid damage /felling of trees and pressure on the adjacent forest areas.
  9. a) The forest land shall not be used for any purpose other than that specified in the project proposal.  
b) The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Central Government.
  10. Relevant directions contained in various notifications issued by the Central Government under the provisions of the Environment (Protection) Act, 1986 and Environment (Protection) Rules, 1986 made there under and as amended from time to time regarding use of fly ash shall be fully complied with.
  11. Muck disposal, if required, should be taken up as per the scheme approved by the Forest Department.
  12. Soil conservation measures, if required, should be taken up by the User Agency for which fund should be provided as per the current rate of works.
  13. The boundary of the diverted forest land shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars each inscribed with its serial number, forward and back bearing and distance from pillar to pillar.
  14. No taxes/toll will be levied on the vehicles of Forest Department plying on the road.
  15. The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
  16. 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.

*Harjeet Singh*  
16/6/15

Contd. .... 3

-3-

17. The user agency shall construct, if required, under passes and over passes for movement of wild animals etc in consultation with State Forest Department.
18. No labour camp shall be established on the forest land.
19. It will be the responsibility of the user agency to ensure that the labourers and staff engaged in construction activity do not damage nearby forest flora and fauna.
20. Relevant conditions of the in-principle approval order shall also be complied with.
21. Any other condition that the Ministry of Environment & Forests may impose, required in the interest of Afforestation, conservation and management of flora and fauna in the area, will be complied by the User Agency.
22. All statutory acts and rules made there under and guidelines applicable to the project have to be strictly followed.
23. a) The User Agency shall submit six monthly compliance reports as on 1<sup>st</sup> January and 1<sup>st</sup> July of every year to this office as well as to the Nodal Officer of the State.  
b) The State Government shall monitor compliance of conditions of Forest Clearance and shall submit in this regard yearly report as on 31<sup>st</sup> December of every year.
24. In case of non-compliance of any of the above conditions, the concerned Divisional Forest Officer shall report through the State Govt. to this office as per procedure laid down in the clause 1.9 of guidelines issued under Forest (Conservation) Act, 1980.

Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken accordingly.

The State Government shall ensure compliance of all the above conditions:

Yours faithfully,

*Kanwarjit Singh*

(Kanwarjit Singh)

Addl. Principal Chief Conservator of Forests

16/6/15

Copy to:-

1. The Director (RO HQ), Ministry of Environment, Forests and Climate Change, AGNI, C-Wing, 3rd Floor, Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, New Delhi-110003.
2. The Addl. Principal Chief Conservator of Forests and Nodal Officer Maharashtra, Forest Department Maharashtra, Civil Lines, Nagpur-440 001 (Maharashtra).
3. The Sub-Divisional Officer, Sangamner Forest Division, District-Ahmednagar, Maharashtra.
4. The Project Director, National Highways Authority of India, Project Implementation Unit, Toyota Showroom Road, Nashik, District-Nashik, Maharashtra.
5. Order file.

*Kanwarjit Singh*

(Kanwarjit Singh)

Addl. Principal Chief Conservator of Forests

16/6/15

Annexure-4

41

Date: 4/12/2019

To,  
The Public Information Officer  
National Highways Authority of India,  
S.no.134/1,BAIF Campus,  
Dr.Manibhai Desai Nagar,Warje ,Pune-411058

Sub: Requirement of Information under RTI Act, 2005.

Respected Madam/Sir,

You are kindly requested to provide the following information pertaining to tree plantation along the NH-50. Under the provision of the Right to information Act, we wish to seek the following information from your office.

1. Quantum of forest land diverted for construction of highway as well as list of Scheduled and Non-Scheduled trees felled within forest land.
2. Design, Built, Finance, Operate and Transfer (DBFOT) Contract between Concessionaire M/s Khed Sinner Expressway Ltd. And National Highway Authority of India for construction of stretch of section of NH - 50.
3. Status reports, documents, and other relevant statistics available with the Ministry regarding number of trees planted in addition to those that were:
  - I. Stolen by Delinquents;
  - II. Damaged by adjoining field farmers;
  - III. Number of plants dying due to natural death.
4. Status of bids called separately for works on 'Standalone' EPC basis stated as per letter No. N H A I

PIU/NSK/KS/2019/1588 dated 16<sup>th</sup> July,2019.

Note 1: As applicant is Below Poverty Line category no need of court fee stamp/postal order and fees for copies of necessary documents.

Note 2: Necessary documents must be provided with concerned official signatory's signs / stamp & within stipulated time frame.

Note 3: Proof for Below poverty line certificate is attached herewith.

Note 4: Required information to be provided by Post and via email and by hand.

Thanking you,



Yours faithfully,  
Ganesh Suresh Borhade

Communication details : 'SaiNiwas'  
At- Zole, Post- Chandanapuri, Tal- Sangamner  
Dist- Ahmednagar, Maharashtra, Pin-422605  
Mobile :9579088787  
Email-id : saiganeshborhade@gmail.com






## भारतीय राष्ट्रीय राजमार्ग प्राधिकरण

(सड़क परिवहन और राजमार्ग मंत्रालय, भारत सरकार)

### National Highways Authority of India

(Ministry of Road Transport & Highways, Govt. of India.)

Project Implementation Unit, Pune.

स.नं. १३४/१, बायफ भवन कॅम्पस, डॉ. मणीभाई देसाई नगर, वारजे, पुणे - ४११ ०५८, महाराष्ट्र राज्य.

S.No. 134/1, BAIF Bhawan Campus, Dr. Manibhai Desai Nagar, Warje Pune - 411 058, Maharashtra State.

दूरभाष/फैक्स Tel./Fax : 020 29708884 / 86 / 81 Email: pune@nhai.org



भारतभाला  
प्रगति के पथ पर अग्रसर

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NHAI /PIU /PUNE /RTI /2020/247

20.01.2020

Sh. Ganesh Suresh Borhade,  
'Sainiwas', At: Zole, Post: Chandanapuri,  
Tal: Sangamner, Dist: Ahmednagar,  
Mob. No. 95790 88787  
Pin - 422 605

Sub.: RTI Application under Right to Information Act, 2005 - reg.  
Ref.:

1. Your Application under RTI dt.04.12.2019 forwarded by PIU Nashik vide Lr. No. 2799dt.18.12.2019 & received to this office on dt.20.12.2019.
2. Your Application under RTI dt.04.12.2019 & received to this office on dt.11.12.2019

Sir,  
With reference to your application cited above, following information is provided based on the information given by Independent Engineer & Concessionaire:

Sr.No.	Information sought	Information provided						
1.	Quantum of forest land diverted for construction of highway as well as list of Scheduled and Non-Scheduled trees felled within forest land.	1) Diversion of Forest Land -54.03 Ha 2) List of Scheduled and Non-Scheduled trees felled within forest land is not available with this office.						
2.	Design, Built, Finance, Operate and Transfer (DBFOT) Contract between Concessionaire M/S Khed Sinner Expressway Ltd. And National Highway Authority of India for Construction of stretch of section of NH-50.	Information sought by you is available in the Concession Agreement. The agreement can be downloaded from NHAI website, <a href="https://nhai.gov.in">https://nhai.gov.in</a> free of cost.						
3.	Status reports, documents, and other relevant statistics available with the Ministry- regarding number of trees planted in addition to those that were.	As per Concession agreement No. of plants planted by Contractor <table border="1"> <thead> <tr> <th>Total No. Plants to be planted</th> <th>No. of Planted so far</th> </tr> </thead> <tbody> <tr> <td>Avenue Plants 27000</td> <td>27038</td> </tr> <tr> <td>Median 74806</td> <td>217316</td> </tr> </tbody> </table>	Total No. Plants to be planted	No. of Planted so far	Avenue Plants 27000	27038	Median 74806	217316
Total No. Plants to be planted	No. of Planted so far							
Avenue Plants 27000	27038							
Median 74806	217316							
I	Stolen by Delinquents	As communicated by Independent Engineer & Concessionaire, such type of information is not available with this office.						
II	Damaged by adjoining field farmers							
III	Number of plants dying due to natural death.							

Head Office: No. G5 & 6, Sector 10, Dwarka, New Delhi - 110 075.  
Tel. No.: 011 - 2507 4100 / 2507 4200 Fax No. 011 - 2508 2507 / 2508 3514  
Web Site : <http://www.nhai.org>

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4.	Status of bids called separately for works on 'Standalone' EPC Basis stated as per Letter No. NHAI/PIU/NSK/KS/2019/1588 dated 16 <sup>th</sup> July 2019	Bidding process is in progress at NHAI HQ level.
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The first Appellate Authority is Chief General Manager (Tech) & RO Mumbai, National Highways Authority of India, RO Office Mumbai - Maharashtra, 4th Floor, MTNL Telephone Exchange Bldg., Opp CBD Belapur Railway Station, CBD - Belapur, Navi Mumbai - 400614, Email - [romumbai@nhai.org](mailto:romumbai@nhai.org)

Thanking you,

Yours faithfully,

  
20.01.2020  
(S.D. Chitnis)

CPIO, GM (Tech) & PD, Pune

Copy to:

1. 1<sup>st</sup> Appellate Authority & the CGM (Tech), RO, Mumbai - for info. Please
2. The Project Director, Nashik - for info. Please
3. Master File



भारतीय राष्ट्रीय राजमार्ग प्राधिकरण  
( सड़क परिवहन और राजमार्ग मंत्रालय )  
**National Highways Authority of India**  
Ministry of Road Transport & Highways  
Project Implementation Unit, Nashik  
1st Floor, Kanstar Apartment, B-Wing, S. No. 316, T. No. 1  
Plot No. 1, Panchajanya, Nashik - 422 009 (MAHARASHTRA)  
Telefax: 0253 - 2388610 e-mail: nashik@nhai.org



भारतमाला  
**BHARATMALA**  
प्रगति के पथ पर अग्रसर  
ROAD TO PROSPERITY

BY ROAD

No: NHA/PIU/NSK/RTI/2019/1272

June, 2019

To,

**Shri. Ganesh Suresh Borade**  
Zcde, Pgst Chandanapuri, Tal. Sangamner,  
Dist. Ahmednagar

**Sub.: NHAI-PIU-NSK - Procurement of Information under RTI Act, 2005 - Reg.**  
**Ref.: Your application Dtd. 02.05.2019 under RTI Act. 2005.**

Sir,

This has reference to your application under RTI Act, 2005 cited tat ref. above. Your application has been registered in this office with Inward No. 3451, Dtd. 07.05.2019.

2. The Information sought by you is tabulated point-wise as below:

Sr. No.	Information Sought	Reply
1	Details of Trees planted against the Tress felled for widening/construction of Pune- Nashik (NH-50) from Km. 42.00 to 177.00 including the name of village, Revenue Department, Distance, Panchanama during tree plantation and Photos etc.	<p>i. A Total 5259 no. of trees were felled for widening/construction of Pune- Nashik (NH-50) from Km. 42.00 to 177.00. The stretch passes through 3 Districts namely Nashik (20 Km), Ahmednagar (60 Km) &amp; Pune (58 Km). The tree cutting permission is granted by Revenue &amp; Forest Dept. for Schedule &amp; Non- Schedule trees as per District jurisdiction. Copies of tree cutting permission granted is enclosed herewith as Annexure- A. Panchanama has been done by respective SDO &amp; Forest Officer while granting permission</p> <p>ii. The Photographs of Plantation done are attached as Annexure-B.</p> <p>iii. Also, as per the MoEF Clearance, it was directed to plant a minimum of three times the number of trees to be cut/ felled. Accordingly, the Concessionaire for the project has planted <u>36600 no. of Avenue Plants</u> and <u>74806 no. of Median Plants</u>, which is more than <u>3 times the no. of trees felled. Further work in Pune District &amp; some work in Ahmednagar &amp; Nashik District for Plantation is balance.</u> However, the Concessionaire for the project has abandoned the work &amp; balance work shall be taken up through new contractor being appointed by NHAI</p>

- 2 -

2.	Photo copy of proposal submitted by Tahsildar Sangamner to Sub Divisional Officer Sangamner in respect of Tree Plantation.	The Copy of proposal submitted by Tahsildar Sangamner to Sub Divisional Officer Sangamner in respect of Tree Plantation is not available with this office. However, the Environment Clearance for the subjected project has been obtained from Ministry of Environment & Forests. As such, no proposal is required to be submitted to Sub Divisional Office for tree plantation. Tree cutting permission given by SDO Sangamner is enclosed herewith as <b>Annexure- C</b> .
3.	Present Photograph of Planted trees	Present Photographs of the Planted Trees is attached as <b>Annexure-B</b> .
4.	Details of expenditure incurred for Maintenance of planted Trees	The subjected project has been taken up by NHAJ on DBFOT basis. As per the provisions of Concession Agreement, it is responsibility of the Concessionaire to Plant and Maintain the trees throughout the Concession period at its own cost. No expenditure on maintenance of plants has been made by NHAJ. The details of expenditure incurred on maintenance of plants by Concessionaire is not available with this office.

3. The Information of **Appellate Authority** to whom you may refer an appeal on this subject is given below for your reference:

**Shri. Rajeve Singh,**

PIO & CGM (T),

4<sup>th</sup> Floor, MTNL Telephone Exchange Building,  
Sector -11, Opp. CBD Belapur Railway Station,  
CBD-Belapur, Navi Mumbai-400614

Tel: 022-27564100 / 27564300 / 27568200

Email: [romumbai@nhai.org](mailto:romumbai@nhai.org)

Thanking you, -

Encl: Annexure-A, B & C.

Yours faithfully,



(P.G. Khodaskar)  
GM (T), Project Director,  
PIU-Nashik.

Copy to: CGM (Tech.) & RO, Mumbai for kind inf.

उपविभागीय अधिकारी संगमनेर भाग संगमनेर, यांचे समोरील कामकाज

विषय :- राष्ट्रीय महामार्ग खेड-लिंकर किमी ४२/००० ते १७७/००० तर्फे देण्यात येणारे झाडे तोडण्यास परवानगी मिळणेबाबत.

याचले :- (१) प्रकल्प संचालक भारतीय राष्ट्रीय राजमार्ग प्राधिकरण सुबोध हाऊस मुंबई नाशिक

यांचेकडील जा.क्र. NHAL/PUNSK/KS/२०१३/१९७५ दि. २२/२०/२०१३

२) तहसिलदार संगमनेर यांचे कार्यालय अहवाल क्र. कावि/अधीन-३/१२/२०१३ दि. २/१२/२०१३.

३) महाराष्ट्र जमीन महसूल अधिनियम १९६६ चे कलम २५ व त्याखालील अधिनियम १९६७ चे नियम ३.

४) या कार्यालयाकडील आदेश क्र. कावि-८/१०/२०१३ दिनांक २/१२/२०१३

क्र. कावि ८/१०/२०१३

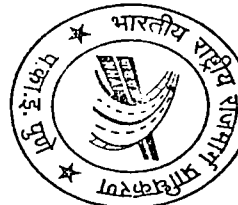
दुरुस्त आदेश

संगमनेर दिनांक ८/१२/२०१४

ज्या अर्थी प्रकल्प संचालक भारतीय राष्ट्रीय राजमार्ग प्राधिकरण सुबोध हाऊस मुंबई/नाशिक यांनी पुणे-नाशिक राष्ट्रीय महामार्ग क्र.५० किमी चरील (४२/००० ते १७७/०००) यामध्ये चौपदरीकरणांतर्गत राष्ट्रीय महामार्गाच्या रस्त्याच्या हद्दीत येणारी झाडे तोडणेस परवानगी मिळणेबाबत विनंती केली आहे. त्याअनुषंगाने तहसिलदार संगमनेर यांनी मंडळाधिकारी संगमनेर, धारगाव,डोळासणे,पिंपरणे यांचेकडेस चौकशीकामी पाठविले असता मंडळाधिकारी यांनी पंचनामे केले असून तहसिलदार संगमनेर यांचेकडेस अहवाल सादर केला आहे.तहसिलदार संगमनेर यांनी सादर केलेला उद्घोषातील क्र.२ अन्वये अहवाल पाहता त्यात नमुद केलेली झाडे तोडण्यास हरकत नाही असा अहवाल सादर केलेला आहे.

पुणे-नाशिक राष्ट्रीय महामार्ग क्र.५० कि.मी. चरील (४२/००० ते १७७/०००) यामध्ये चौपदरीकरणांतर्गत राष्ट्रीय महामार्गाच्या रस्त्याच्या हद्दीत अडथळा निर्माण करीत असल्याने सदरची झाडे तोडणे आवश्यक आहे अशी माझी खात्री झाली आहे. त्यामुळे खालील अटी व शर्तीवर महाराष्ट्र जमीन महसूल अधिनियम १९६६ चे कलम २५ व महाराष्ट्र जमीन महसूल(झाडे इ.च्या बाबतीत अधिकारांचे नियमन करणेबाबत) नियम १९६७ मधील तरतुदीनुसार प्रदान असलेल्या शक्तीचा वापर करून झाडे तोडण्यास खालील अटीवर परवानगी देत आहे.

अ.क्र.	झाडाचे नाव	संख्या	अ.क्र.	झाडाचे नाव	संख्या
१.	बामूळ (किकर)	११२२	१५	कोठ	३
२.	बामूळ (विलायती)	५५	१६	शंवगा	६
३	बोर	१०३	१७	पिंपळ	१३
४	निलगिरी	१३	१८	उंबर	९
५	लिंब	५६७	१९	करंजी	३
६	वड	१८१	२०	रायवळ	५०
७	बदाम	६	२१	खेजरी	१
८	शंवरी	३८	२२	नांदुरकी	१३०
९	निंबू	१४	२३	कांदेजा	२



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१०	रिसन	४	२४	कळी	३
११	दिस	२०	२५	गारन	५
१२	गुणमाल	२६	२६	रिसन कळ	३
१३	घडणुळ	४	२७	निगडी	३
१४	झाडलिय	२	२८	जंगली झाडे	२
			२९	इतर	१
		२१४८			२२५
	एकुण				२३७३

### अटी व शर्ती

- बिगर अनुसूचित जातीच्या प्रत्येक झाडामागे १० अशी एकुण २३७३ झाडांची एकुण २३७३० वृक्षांची लागवड येत्या वर्षीच्या (२०१४) च्या पावसाळ्यात करणे अर्जदार यांना महाराष्ट्र वृक्षतोड अधिनियम १९६४ सुधारीत (८१/२६) कलम ३ (अ) अन्वये दिलेल्या हमीपत्रानुसार बंधनकारक राहिल.
- परवानगी दिलेली व मार्कींग केलेल्या वृक्षांशिवाय इतर कोणत्याही वृक्षांची तोड करण्यात येऊ नये.
- सदरची परवानगी फक्त विनराखीय वृक्षतोडसाठीच आहे.
- झाडे तोडल्यामुळे मातीची धुप होणार नाही यासाठी विशेष योजना राबवाव्यात की जेणेकरून सध्याच्या जमिनीची व क्षेत्राच्या खालील शेतजमिन यांचे नुकसान होणार नाही, व पर्यावरणास धोका होणार नाही याची काळजी घ्यावी.
- या परवानगीस अनुसरून झाडे तोडल्यामुळे कोणत्याही व्यक्तीच्या मालमत्तेच्या आणि कोणत्याही हानिकारक नुकसान भरपाई भरणेस अर्जदार पात्र असेल.
- ही परवानगी ज्या तारखेस देणेत आली त्या तारखेपासून ६० दिवसांच्या कालावधीसाठी वैध असेल.
- झाडाची विक्री करावयाची असल्यास/वाहतूक करावयाची असल्यास वाहतुकीबाबत वनखात्याची परवानगी घ्यावी लागेल.
- तोडलेल्या झाडांची प्रचलित कायदेशिर तरतुदीचा अवलंब करून प्रकल्प संचालक भारतीय राष्ट्रीय राजमार्ग प्राधिकरण सुबोध हाऊस मुंबई/नाशिक यांनी करावी.
- सदर परवानगी ही झाडतोडीबाबत असून झाडाच्या मालकी हक्काबाबत वाद उद्भवल्यास त्याची सर्वस्वी जबाबदारी प्रकल्प संचालक भारतीय राष्ट्रीय राजमार्ग प्राधिकरण सुबोध हाऊस मुंबई/नाशिक यांची राहिल.
- उक्त झाडांच्या व्यतिरिक्त झाडे तोडल्याचे निदर्शनास आल्यास त्यास प्रकल्प संचालक भारतीय राष्ट्रीय राजमार्ग प्राधिकरण सुबोध हाऊस मुंबई/नाशिक यांना दंडास पात्र धरणेत येईल.

उपनिर्देशाधिकारी  
संगमनेर भाग संगमनेर

प्रंत : १. प्रकल्प संचालक भारतीय राष्ट्रीय राजमार्ग प्राधिकरण सुबोध हाऊस मुंबई/नाशिक  
प्रतिलिपी :- तहसिलदार संगमनेर यांचेकडेस माहितीसाठी व पुढील कार्यवाहीसाठी रवाना.

२/ उपरोक्त अट क्र. ४ ची पूर्तता करून घ्यावी व तसा इकडेस अहवाल सादर करावा.

प्रतिलिपी :- मंडळाधिकारी संगमनेर, धारगाव, डोळासणे, पिंपरणे यांचेकडेस माहितीसाठी

प्रतिलिपी :- वनपरिक्षेत्र अधिकारी संगमनेर भाग १ ता. संगमनेर यांचेकडेस माहितीसाठी

प्रतिलिपी :- वनपरिक्षेत्र अधिकारी संगमनेर भाग २ ता. संगमनेर यांचेकडेस माहितीसाठी

N. H. A. I. (PIU) NASHIK

17/05/16 No. 1162  
29-05-2016

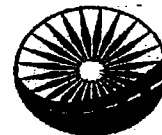


उपनिर्देशाधिकारी  
संगमनेर भाग संगमनेर

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**भारतीय राष्ट्रीय राजमार्ग प्राधिकरण**  
( सड़क परिवहन और राजमार्ग मंत्रालय )  
**National Highways Authority of India**  
(Ministry of Road Transport & Highways)  
Project Implementation Unit, Nashik.  
1st Floor, 'Kenstar' Apartment, B-Wing, S. No. 318/1/10,  
Plot No. 1, Pathard Phata, Nashik - 422 009 (MAHARASHTRA)  
Telefax : 0253 - 2388810 e-mail : nashik@nhal.org



**भारतमाला**  
 **BHARATMALA**  
प्रगति के पथ पर अग्रसर  
ROAD TO PROSPERITY

No: NHA/PIU/NSK/KS/2019/ 1588,

16<sup>th</sup> July, 2019

To,

**Sub Divisional Officer,**  
Taluka - Sangamner.  
District - Ahmednagar.

**Sub:** NHA/PIU-NSK - Widening of existing 2 lane carriageway to 4/6 lane divided carriageway configuration Khed - Sinnar (Km 42/000 - Km 177/000) stretch of Pune Nashik section of NH-50 in the State of Maharashtra - **Urgent Information regarding plantation done along the stretch of NH-50 - Submission of Compliance - Reg.**

- Ref:** 1. Your Letter No. Desk/59/2019, Dtd. 27.06.2019 - received on 04.07.2019.  
2. Your Letter No. Desk/58/2019, Dtd. 27.06.2019 - received on 04.07.2019.  
3. T/o Lr. No. NHA/PIU/NSK/KS/2975, Dtd. 22.10.2013. - Proposal for tree cutting.  
4. Your Letter No. 8/11/2014, Dtd. 08.01.2014 - Tree cutting permission.  
5. T/o Lr. No. NHA/PIU/NSK/RTI/2019/1272, Dtd. 07.06.2019.

Sir,

This has reference to your letter cited under ref. 1 & 2 above, wherein based on the application of Mr. Ganesh Borade received to your office on 14.06.2019, you have sought details of plantation done along / adjacent to the subjected stretch of NH - 50.

2. In this regard, it is pertinent to mention here that, captioned project is a DBFOT project (Design Built Finance Operate & Transfer) wherein Concessionaire Designs, Built, Finance, Operate & Transfers project back to Government of India after its Concession period is over. Concessionaire for this project is M/s Khed Sinnar Expressway Ltd. (KSEL), Independent Engineer is M/s SA Infrastructure Consultants Pvt. Ltd. Concession period is 20 years that will end in 12<sup>th</sup> Feb 2034. Appointed Date was 12.02.2014. Work

Contd..... 2.....

(2)

was started in Feb 2014 & PCOD for 104.636 Km. length is issued to Concessionaire on 31.01.2017. Concessionaire has abandoned the work since November, 2017 due to delay in handing over land in Pune district, monetary dispute created due to forceful toll closure at Chalakwadi Toll plaza & its internal issues. NHAI is carrying out balance (left out) works on 'Standalone' EPC basis by calling bids, separately.

3. Regarding instant tree cutting permission wherein SDO, Sangamner has conveyed to start plantation in 2014 monsoon, it may be noted that, in year 2014, construction work was just started. Plantation activity is always taken after construction of project for following reasons:

- i. Accommodating service roads, utilities & overall fluidity of design of project itself which attains solidity of final end of execution phase.
- ii. Continuous movement of construction machinery & its related ill effects causing huge plant mortality, thus, plantation is always taken up at final end of execution phase.
- iii. In this project, the work of 4-Laning in Nashik and Ahmednagar District completed in the year 2016-17. Accordingly, Concessionaire taken up Avenue (by the side of road) and Median (in the central median) plantation in Monsoon of year 2016 and 2017. Further, it is to inform that, plantation and its maintenance is a continuous activity and to be taken up in every Monsoon. However, in this case, the Concessionaire due to aforementioned reasons vide para 2 couldn't complete project & virtually abandoned the project, therefore, the casualties / deficiency in plantation could not be replenished.

4. Concession Agreement lays down scope of plantation conforming to Codal provisions. IRC SP 21:2009 stipulates trees spacing at 10m -15m for Avenue plantation.

5. This project has received Environmental Clearance from Ministry of Env. & Forest vide F. No. 10-58/2011-LA-III, Dtd. 21.03.2013 wherein Ministry directed plantation of 3 trees for every tree cut. Thus, very condition of plantation of 10 trees for every tree cut was taxing & onerous vis'-a-vis' 3 trees laid by MOEF and guidelines of CA provisions of IRC SP 21:2009.



Contd ..... 3 .....

(142) [6.07.2019 - KS - plantation information sought by SDO Sangamner -SDO Sangamner.

(3)

6. For SDO, Sangamner permission for 2373 trees, Concessionaire has reported 5,804 Nos. of shade trees & 14,184 Nos. of Ornament trees, totaling 19,988 trees as Avenue plantation (*Annexure - I & II*). Apart from Avenue plantation, Concessionaire has also planted 5,695 Nos. of special plants near Hivargaon Pavsia Toll plaza location (*Annexure - III*) that falls under SDO, Sangamner. Additionally, it has done median plantation of 79,194 Nos. of plants (in central median / divider).

7. It is not out of context to mention that, many of the planted plants along the ROW have been stolen by the delinquent and the same have been reported at several occasions. Even FIR has been lodged on this matter. Adjoining field farmers have also damaged the planted plantation for their ulterior motives. The encroachments of the locals along ROW edge which require administration and police support have also affected plantation activity and the same is also the reason for reduced survival rate of plants. ROW Land issues have also affected the plantation activity. Natural death of plants also needs to be considered due to arid climatic conditions. Copy of the Concessionaire complaints & FIR is enclosed herewith, wherein it had consistently brought to anvil issue of thefts & damages to plants.

8. As regard to Gat wise information, it is to inform that, while planting trees the focus is given on the length of National Highway and not on Gat numbers of every village. Once the land from particular Gat number of village is acquired for widening of NH, that land becomes NHA land for the project highway. NHA maintains Km wise information of trees and not Gat Number wise information. As such, proforma given in para 2 of SDO's letter cannot be complied in absence of gat wise information. Further, it is pertinent to mention that, this office vide Lr. No. 2975, Dtd. 22.10.2013 have submitted proposal to Tehsildar, Sangamner seeking tree cutting permission for 2,438 Nos. of trees and it was also mentioned that, New trees would be planted along road side in lieu of cut down trees. Moreover, based on said proposal, Tree cutting permission for 2,373 Nos. of trees was granted by SDO, Sangamner vide Lr. No. 8/11/2014, Dtd. 08.01.2014, copy enclosed.



Contd . . . . 4 . . . .

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(4)

9. Thus, it can be summarized that,
- i. Plantation is always carried out at end of Construction phase which Concessionaire failed to achieve due to various reasons.
  - ii. Though Project is virtually abandoned by Concessionaire, efforts are being made to execute residual work through EPC Contractor, including plantation.
  - iii. Condition stipulated by SDO, Sangamner for new 10 trees for every tree cut was onerous vis'-a-vis' MoEF condition of 3 trees and CA provisions of IRC SP 21:2009.
  - iv. Mortality rate of avenue plantations is very high due to thefts, ROW constraints, mischief from delinquents who don't want their property frontages obstructed by trees.
  - v. Details of plantation done are enclosed as '*Annexure - I, II & III*'. Concessionaire has planted 19,988 trees as Avenue plantation.
  - vi. NHAJ is aware of its Environmental obligations & in course of time, residual tree plantation will be carried out once projects geometrical design attains finality.
  - vii. Photographs of avenue & median plantation are enclosed herewith.
10. It is also pertinent to mention that, based on the applicant previous application under RTI act, 2005, this office vide ref. 5 above have already submitted point wise compliance, copy of the compliance letter is enclosed.

This is for your information please.

Thanking you,

Yours faithfully,

- Encl: 1. *Annexure - I, II & III* with Abstract.  
2. Concessionaire complaints & photographs of plantation.  
3. Ref. 3 to 5 above.  
4. Environmental clearance Dtd. 21.03.2013



(P. G. Khodaskar)  
GM (T), Project Director,  
PIU, Nashik

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## Abstract of trees / plants planted in Sangamner taluka of Ahmednagar district

Sr. No.	Type of plantation	Planted No's
1	Shade trees - Annexure - I	5804
2	Ornamental trees - Annexure - II	14184
3	Special plants near Hivargaon Toll Plaza Location - Annexure - III	2847
4	Total Median Plantation	79,194

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Details of trees planted in Sangamner taluka of Ahmednagar district as Avenue plantation.

Annexure - I

Sr. No.	Chainage		Length	Category	Plant Variety	Executed Quantity
	2	3				
1	99+000	100+000	1000	Shade		3
2	99+627	99+812	185	Shade	Mango	31
3	99+824	100+074	250	Shade	Neem	42
4	100+000	101+000	1000	Shade		11
5	100+086	100+336	250	Shade	Jamun	42
6	100+348	100+598	250	Shade	Peepal	42
7	100+610	100+860	250	Shade	Mango	42
8	100+872	101+122	250	Shade	Neem	42
9	101+000	102+000	1000	Shade		29
10	101+134	101+384	250	Shade	Jamun	42
11	101+396	101+646	250	Shade	Peepal	42
12	101+658	101+908	250	Shade	Mango	42
13	101+920	102+170	250	Shade	Neem	42
14	102+182	102+432	250	Shade	Jamun	42
15	102+444	102+694	250	Shade	Peepal	42
16	102+706	102+956	250	Shade	Mango	42
17	102+968	103+218	250	Shade	Neem	42
18	103+230	103+480	250	Shade	Jamun	42
19	103+492	103+742	250	Shade	Peepal	42
20	103+754	104+004	250	Shade	Mango	42
21	104+000	105+000	1000	Shade		54
22	104+016	104+266	250	Shade	Neem	42
23	104+278	104+528	250	Shade	Jamun	42
24	104+540	104+790	250	Shade	Peepal	42
25	104+802	105+052	250	Shade	Mango	42
26	105+000	106+000	1000	Shade		111
27	105+064	105+314	250	Shade	Neem	42
28	105+326	105+576	250	Shade	Jamun	42
29	105+588	105+838	250	Shade	Peepal	42
30	105+850	106+100	250	Shade	Mango	42
31	106+000	107+000	1000	Shade		44
32	106+112	106+362	250	Shade	Neem	42
33	106+374	106+624	250	Shade	Jamun	42
34	106+636	106+886	250	Shade	Peepal	42
35	106+898	107+148	250	Shade	Mango	42
36	107+160	107+410	250	Shade	Neem	42
37	107+422	107+672	250	Shade	Jamun	42
38	107+684	107+934	250	Shade	Peepal	42
39	107+946	108+196	250	Shade	Mango	42
40	108+208	108+458	250	Shade	Neem	42
41	108+470	108+720	250	Shade	Jamun	42
42	108+732	108+982	250	Shade	Peepal	42
43	108+994	109+244	250	Shade	Mango	42
44	109+256	109+506	250	Shade	Neem	42

45	109+518	109+768	250	Shade	Jamun	42
46	109+780	110+030	250	Shade	Peepal	42
47	110+042	110+292	250	Shade	Mango	42
48	110+304	110+554	250	Shade	Neem	42
49	110+566	110+816	250	Shade	Jamun	42
50	110+828	111+078	250	Shade	Peepal	42
51	111+090	111+340	250	Shade	Mango	42
52	111+352	111+602	250	Shade	Neem	42
53	111+614	111+864	250	Shade	Jamun	42
54	111+876	112+126	250	Shade	Peepal	42
55	112+138	112+388	250	Shade	Mango	42
56	112+400	112+650	250	Shade	Neem	42
57	112+662	112+912	250	Shade	Jamun	42
58	112+924	113+174	250	Shade	Peepal	42
59	113+186	113+436	250	Shade	Mango	42
60	113+448	113+698	250	Shade	Neem	42
61	113+710	113+960	250	Shade	Jamun	42
62	113+972	114+222	250	Shade	Peepal	42
63	114+234	114+484	250	Shade	Mango	42
64	114+496	114+746	250	Shade	Neem	42
65	114+758	115+008	250	Shade	Jamun	42
66	115+020	115+270	250	Shade		42
67	115+276	115+526	250	Shade		42
68	115+532	115+782	250	Shade		42
69	115+788	116+038	250	Shade	Jamun	42
70	116+811	116+888	77	Shade	Peepal	12
71	116+900	117+150	250	Shade	Mango	42
72	117+162	117+412	250	Shade	Neem	42
73	119+697	119+724	27	Shade	Jamun	4
74	119+736	119+947	211	Shade	Peepal	35
75	119+959	120+209	250	Shade	Mango	42
76	120+221	120+471	250	Shade	Neem	42
77	120+483	120+733	250	Shade	Jamun	42
78	120+745	120+995	250	Shade	Peepal	42
79	121+007	121+257	250	Shade	Mango	42
80	121+269	121+519	250	Shade	Neem	42
81	121+531	121+781	250	Shade	Jamun	42
82	121+793	122+043	250	Shade	Peepal	42
83	123+480	123+690	210	Shade	Mango	35
84	124+960	125+045	85	Shade	Neem	14
85	125+057	125+307	250	Shade	Jamun	42
86	128+783	128+859	76	Shade	Peepal	13
87	128+871	129+121	250	Shade	Mango	42
88	129+133	129+383	250	Shade	Neem	42
89	132+470	132+695	225	Shade	Jamun	38
90	132+707	132+957	250	Shade	Peepal	42
91	132+969	133+219	250	Shade	Mango	42
92	133+231	133+481	250	Shade	Neem	42
93	133+493	133+743	250	Shade	Jamun	42
94	133+755	134+005	250	Shade	Peepal	42



Details of Ornamental trees planted in Sangamner taluka of Ahmednagar district.  
Annexure - II

Sr. No.	Chalnage		Length	Category	Plant Variety	Executed Quantity
	2	3				
1	99+000	100+000	1000	Ornamental		7
2	100+000	101+000	1000	Ornamental		58
3	101+000	102+000	1000	Ornamental		45
4	104+000	105+000	1000	Ornamental		112
5	105+000	106+000	1000	Ornamental		113
6	106+000	107+000	1000	Ornamental		108
7	107+346	107+846	500	Ornamental	Kachnar	166
8	107+852	108+352	500	Ornamental	Jacaranda	166
9	108+358	108+858	500	Ornamental	Amaltas	166
10	108+864	109+364	500	Ornamental	Kachnar	166
11	109+370	109+870	500	Ornamental	Jacaranda	166
12	109+876	110+376	500	Ornamental	Amaltas	166
13	110+382	110+882	500	Ornamental	Kachnar	166
14	110+888	111+388	500	Ornamental	Jacaranda	166
15	111+394	111+894	500	Ornamental	Amaltas	166
16	111+900	112+400	500	Ornamental	Kachnar	166
17	112+406	112+906	500	Ornamental	Jacaranda	166
18	112+912	113+412	500	Ornamental	Amaltas	166
19	113+418	113+918	500	Ornamental	Kachnar	166
20	113+924	114+424	500	Ornamental	Jacaranda	166
21	114+430	114+930	500	Ornamental	Amaltas	166
22	114+936	115+436	500	Ornamental	Kachnar	166
23	115+442	115+942	500	Ornamental	Jacaranda	166
24	115+948	116+448	500	Ornamental	Amaltas	143
25	116+454	116+954	500	Ornamental	Kachnar	166
26	116+960	117+460	500	Ornamental	Jacaranda	166
27	117+466	117+966	500	Ornamental	Amaltas	166
28	117+972	118+472	500	Ornamental	Kachnar	166
29	118+478	118+978	500	Ornamental	Jacaranda	166
30	118+984	119+484	500	Ornamental	Amaltas	166
31	119+490	119+890	400	Ornamental	Amaltas	113
32	119+896	120+396	500	Ornamental	Kachnar	166
33	120+402	120+902	500	Ornamental	Jacaranda	166
34	120+908	121+408	500	Ornamental	Amaltas	166
35	121+414	121+914	500	Ornamental	Kachnar	166
36	121+920	122+420	500	Ornamental	Jacaranda	166
37	122+426	122+926	500	Ornamental	Amaltas	166
38	122+932	123+432	500	Ornamental	Kachnar	166
39	123+438	123+938	500	Ornamental	Jacaranda	166
40	123+944	124+444	500	Ornamental	Amaltas	166
41	124+450	124+950	500	Ornamental	Kachnar	166
42	124+956	125+456	500	Ornamental	Jacaranda	166
43	125+462	125+962	500	Ornamental	Amaltas	166
44	125+968	126+468	500	Ornamental	Kachnar	166

57

45	126+474	126+974	500	Ornamental	Jacaranda	166
46	126+980	127+480	500	Ornamental	Amaltas	166
47	127+486	127+986	500	Ornamental	Kachnar	166
48	127+992	128+492	500	Ornamental	Jacaranda	166
49	128+498	128+998	500	Ornamental	Amaltas	166
50	129+004	129+504	500	Ornamental	Kachnar	166
51	<del>129+510</del>	<del>130+010</del>	<del>500</del>	<del>Ornamental</del>	<del>Jacaranda</del>	<del>166</del>
52	130+016	130+516	500	Ornamental	Amaltas	143
53	130+522	131+022	500	Ornamental	Kachnar	166
54	131+028	131+528	500	Ornamental	Jacaranda	166
55	131+534	132+034	500	Ornamental	Amaltas	166
56	132+040	132+540	500	Ornamental	Kachnar	166
57	132+546	133+046	500	Ornamental	Jacaranda	166
58	133+052	133+552	500	Ornamental	Amaltas	166
59	133+558	134+058	500	Ornamental	Amaltas	166
60	134+064	134+564	500	Ornamental	Gulmohar	166
61	134+570	135+070	500	Ornamental	Jacaranda	166
62	135+076	135+576	500	Ornamental	Amaltas	166
63	135+582	136+082	500	Ornamental	Gulmohar	166
64	136+088	136+588	500	Ornamental	Jacaranda	166
65	136+594	137+094	500	Ornamental	Amaltas	166
66	137+100	137+600	500	Ornamental	Gulmohar	166
67	137+606	138+106	500	Ornamental	Jacaranda	166
68	138+112	138+445	333	Ornamental	Amaltas	112
69	139+075	139+242	167	Ornamental	Amaltas	55
70	139+248	139+642	394	Ornamental	Gulmohar	131
71	139+648	140+148	500	Ornamental	Gulmohar	35
72	140+154	140+319	165	Ornamental	Jacaranda	55
73	141+329	141+634	305	Ornamental	Jacaranda	102
74	141+640	142+140	500	Ornamental	Amaltas	166
75	142+146	142+306	160	Ornamental	Gulmohar	53
76	143+423	143+660	237	Ornamental	Gulmohar	79
77	145+124	145+227	103	Ornamental	Gulmohar	35
78	145+233	145+579	346	Ornamental	Jacaranda	115
79	149+687	149+841	154	Ornamental	Jacaranda	52
80	149+847	150+347	500	Ornamental	Amaltas	166
81	150+353	150+640	287	Ornamental	Gulmohar	95
82	151+960	152+173	213	Ornamental	Gulmohar	71
83	152+000	153+000	1000	Ornamental		67
84	152+179	152+679	500	Ornamental	Jacaranda	166
85	152+685	153+185	500	Ornamental	Amaltas	166
86	153+000	154+000	1000	Ornamental		54
87	153+191	153+691	500	Ornamental	Gulmohar	166
88	153+697	154+197	500	Ornamental	Jacaranda	166
89	154+000	155+000	1000	Ornamental		76
90	154+203	154+703	500	Ornamental	Amaltas	166
91	154+709	155+179	470	Ornamental	Gulmohar	157
92	155+000	156+000	1000	Ornamental		109
93	156+000	157+000	1000	Ornamental		6
94	157+370	157+400	30	Ornamental	Gulmohar	6

58

95	157+406	157+906	500	Ornamental	Jacaranda	166
96	157+912	158+412	500	Ornamental	Amaltas	166
97	158+000	159+000	1000	Ornamental		59
98	158+418	158+918	500	Ornamental	Gulmohar	166
99	158+924	159+424	500	Ornamental	Jacaranda	166
100	159+000	160+000	1000	Ornamental		191
101	159+430	159+930	500	Ornamental	Amaltas	166
<b>Total ornamental trees planted:</b>						<b>14184</b>

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Details of special plants planted in Sangamner taluka of Ahmednagar district  
Annexure - III.

Sr. No.	Chalnage	Category	Plant Variety	Executed Quantity
1	2	3	4	5
1	Hivargaon Toll Plaza Location	Special Plantation	Palm tree	272
2	Hivargaon Toll Plaza Location	Special Plantation	Nikodia Hedge	2250
3	Hivargaon Toll Plaza Location	Special Plantation	Creeper	325
<b>Total:</b>				<b>2847</b>

Annexure-6

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GOVERNMENT OF INDIA  
MINISTRY OF ROAD TRANSPORT AND HIGHWAYS  
NATIONAL HIGHWAY AUTHORITY OF INDIA

Regional Office  
National Highway Authority of India  
Sector 10, Connaught Place, New Delhi-110028

No. NHAI/2014/100/2014

दि: 19/11/2014

To: The Regional Secretary (Roads)  
National Highway Authority of India  
Sector 10, Connaught Place, New Delhi-110028

Sub: Direction of 18.9749 ha Reserved, Unreserved & Revenue Forest land for rehabilitation and upgrading as a linking of NH-50 from Km 42/00 to 57/100 in favour of Project Bharat National Highway Authority of India, Project Implementation Unit in Pund District of Himachal Pradesh.

Ref: Memo of 18.9749 ha Reserved, Unreserved & Revenue Forest land for rehabilitation and upgrading as a linking of NH-50 from Km 42/00 to 57/100 in favour of Project Bharat National Highway Authority of India, Project Implementation Unit in Pund District of Himachal Pradesh dated 23/01/2014 and Addl. Secy to Model Office, National Highway Authority of India, Project Implementation Unit, Pund District, Himachal Pradesh dated 15/01/2014.

After due consideration of the proposal of the State Government, the undersigned, on behalf of the Central Government, is directed to hereby in principle approved for diversion of 18.9749 ha Reserved, Unreserved & Revenue Forest land for rehabilitation and upgrading as a linking of NH-50 from Km 42/00 to 57/100 in favour of Project Bharat National Highway Authority of India, Project Implementation Unit in Pund District, Himachal Pradesh to the following terms and conditions:-

1. Land status of the forest land shall remain unchanged.
2. Forest land shall be handed over to the User Agency only after the User Agency has got possession of non-forest land, if any, required for the project.
- 3 (a) Compensatory afforestation shall be taken up by the Forest Department over 18.00 ha degraded forest land (Paragraph 23 ha & Paragraph 15 ha Forest Division Jammu) at the cost of the User Agency. As far as practicable & feasible local indigenous species will be planted and monoculture of a species has to be avoided.
- (b) The land identified for the purpose of CA shall be clearly depicted on a Survey of India Toposheet of 1:50,000. The bearing of each corner point and distances between successive points shall be recorded alongwith GPS reading of Geo-Coordinates (Latitudes & Longitudes).

*[Signature]*  
G.M.H.A.


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4. The cost of compensation which shall be deposited in advance at the prevailing rate of interest in the Government of India and the cost of survey, delineation and demarcation of the land shall be deposited in advance with the Forest Department, Government of India. The cost will be reimbursed by the Government of India after the completion of the project for which sanctioned for subsequent years.
5. (a) The User Agency shall deposit the Net Present Value (NPV) for the 185749 ha forest area of the project with the Government of India Agency as per the orders of the Hon'ble Minister, Forest of India dated 11.10.2002, 11.03.2003, 28.02.2004, 24.04.2004 and 09.05.2008. (b) The User Agency shall deposit the NPV as per the guidelines issued by the Ministry of Forests, Government of India dated 11.10.2002, as well as letter No. 1-2/2005-FD dated 11.10.2002 and 11.10.2002 in this regard.
6. The NPV of the NPV of the project shall be paid if any happening after finalization of the project by the Hon'ble Minister, Forest of India on receipt of the report from the Forest Department, Government of India. The User Agency, The User Agency shall deposit an undertaking in this effect.
7. All the funds received from the user agency under the project shall be transferred to the Ad-500 Government Extension Fund Management & Planning Agency (GEMPA) in Saving Bank A/c No. 4150164914 of Corporation Bank, Lotus Complex, New Delhi - 110014.
8. The User Agency will plant the total of 5583 trees that fall in the area proposed for diversion. All the trees on the area being diverted shall be retained to the best maximum and the trees shall be kept under strict supervision of the State Forest Department.
9. The period of diversion under this agreement shall be determined with the period of lease to be granted to the user of the land agency or the project life, whichever is less.
10. All the conditions specified in various notifications issued by the Central Government under the provisions of the Environment Protection Act, 1986 and Environment (Protection) Rules, 1986 shall be strictly followed and complied from time to time regarding use of the land shall be fully complied with.
11. User agency shall take road side plantation and plantation on Central Verge as per IRC norms in this regard.
12. User agency shall obtain the Environmental Clearance as per the provisions of the Environment (Protection) Act, 1986, if required.
13. No toll tax shall be realized from the vehicles of State Forest Department.
14. The terms and conditions of the proposal shall not be changed without prior approval of the Central Government.

  
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14. The user agency shall ensure that the forest, under process and to be process, the movement of wild animals and birds shall be monitored by the Forest Department.
15. Any removal, if required, shall be taken up as per the scheme approved by the Forest Department.
16. All conservation measures, if required, shall be taken up by the user agency.
17. No forest land shall be established on the forest land.
18. It will be the responsibility of the User Agency to ensure that the labourers and staff engaged in implementation activities do not damage nearby forest flora and fauna.
19. User Agency shall provide fuel preferably alternate fuel to the labourers to avoid damage to forest.
20. Damaged forest areas outside the forest area, are to be dismantled and removed. The labourers shall be sent back immediately after the completion of the work.
21. No additional or new path will be constructed inside the forest area for transportation of construction materials for completion of the project work.
22. The boundary of the cleared forest land shall be demarcated on ground at the project cost by concrete posts and iron rods/wooden posts/stone pillars, each inscribed with its serial number, height and back bearing, and distance from pillar to pillar.
23. The User Agency shall ensure that because of this project, no damage is caused to the wildlife.
24. a) The forest land shall not be used for any purpose other than that specified in the project proposal.  
b) The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of Central Government.
25. Any other condition that the Ministry of Environment & Forests may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.
26. a) The User Agency shall submit six monthly compliance report as on 1<sup>st</sup> January and 1<sup>st</sup> July of every year to this office as well as to the Nodal Officer of the State.  
b) The State Government shall monitor compliance of conditions of Forest Clearance and shall submit in this regard yearly report as on 31<sup>st</sup> December of every year.
27. The User Agency and the State Government shall ensure compliance of provisions of all Acts, rules, regulations and guidelines for the time being in force as applicable to the project.

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... NO. (1-3062014-PT) dated 10/05/2014. The ... the working permission, the commencement of work ... from the User Agency of ...

... the conditions Nos. 4, 5, 6 and 7 from the ... for final approval under Section - 2 of the Forest ...

... shall not be issued by the State Government ... of forest land is issued by this office.

Yours faithfully,

(S.E. Bhander) Chief Conservator of Forests (Central)

Copies:

- 1. Director, Forests, State of India, Ministry of Environment and Forests and Climate Change
- 2. The Joint Forest Officer, Conservator of Forests and Nodal Officer Govt. of Maharashtra, Civil
- 3. The Joint Forest Officer, Conservator of Forests and Nodal Officer Govt. of Maharashtra, Forest
- 4. The Joint Forest Officer, Conservator of Forests and Nodal Officer Govt. of Maharashtra, Forest
- 5. Chief Officer

(S.E. Bhander) Chief Conservator of Forests (Central)



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

क्षेत्रीय कार्यालय, पश्चिम क्षेत्र,  
Regional Office, Western Region,  
"केंद्रीय पर्यावरण भवन"  
"Kendriya Parivaran Bhavan"  
लिनक रोड नं०-३, Link Road No. 3  
E-5, रविवंकर नगर/Ravi Shankar Nagar  
भोपाल (4000)/Bhopal-462016 (M.P.)  
फोन नं./Phone No. 0755-2426613, 2463102, 2486525  
फैक्स नं./Fax No. 0755-2463102  
इमेल/ E-mail: rowz.bpl-mef@nic.in

17/12/2014

No.6-MHC 029/2014-BHO/218

To,

The Principal Secretary (Forests),  
Govt. of Maharashtra,  
Revenue & Forest Department,  
Mantralaya, Mumbai- 400 032  
(Maharashtra)

Sub: Diversion of 33.9585 ha Reserved Forest land for Rehabilitation and upgrading to 4 laning of NH-50 from Khed to Sinnar from Km 97/000 to 157/000 (Ahmednagar district portion) in favour of Project Director, National Highways Authority of India in Ahmednagar District of Maharashtra

Sir,

I am directed to invite a reference to your letter No. FLD-1814/CR-92/F-10 dated 03/07/2014 & APCCF & Nodal Officer, Maharashtra State Nagpur letter No. Desk-17/NC/2/ID 12323/(13)/14-15 dated 19/08/2014 on the above mentioned subject seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980.

After due consideration of the proposal of the State Government, the undersigned, on behalf of the Central Government, is directed to convey in-principle approval for diversion of 33.9585 ha Reserved Forest land for Rehabilitation and upgrading to 4 laning of NH-50 from Khed to Sinnar from Km 97/000 to 157/000 (Ahmednagar district portion) in favour of Project Director, National Highways Authority of India in Ahmednagar district subject to the following terms and conditions:-

1. Legal status of the forest land shall remain unchanged.
2. Forest land shall be handed over to the User Agency only after the User Agency has got possession of non-forest land, if any, required for the project.
- 3 (a) Compensatory afforestation shall be taken up by the Forest Department over 67.917 ha degraded Forest land (Gut No. 232, 233, 235, 236, 237 Village- Pokhari Baleshwar, Gut No. 100, Village- Nimaj and Gut No. 172, Village- Gabanwadi, Tal- Sangamner, District- Ahmednagar) at the cost of the User Agency. As far as practicable a mixture of local indigenous species will be planted and monoculture of a species has to be avoided.
- (b) The land identified for the purpose of CA shall be clearly depicted on a Survey of India Toposheet of 1:50, 000. The bearing of each corner point and distances between successive points will be recorded alongwith GPS reading of Geo-Coordinates (Latitudes & Longitudes).

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*[Handwritten Signature]*  
16/12/14

4. The cost of compensatory afforestation shall be deposited in advance 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 in advance with the Forest Department by the project authority. The CA will be maintained for 7 to 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.
5. (a) The State Government shall charge the Net Present Value (NPV) for the 33.9585 ha forest area 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 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 by the State Government 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 to the Ad-hoc Compensatory Afforestation Fund Management & Planning Agency (CAMPA) in Saving Bank A/c No. SB01025218 of Corporation Bank, Lodhi Complex, New Delhi- 110003.
7. User agency shall obtain the Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.
8. The User Agency will defray the cost of removal of trees that fall in the area proposed for diversion. Felling of trees on the forest land being diverted shall be reduced to the bare minimum and the trees shall be felled under strict supervision of the State Forest Department.
9. 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.
10. Relevant directions contained in various notifications issued by the Central Government under the provisions of the Environment (Protection) Act, 1986 and Environment (Protection) Rules, 1986 made there under and amended from time to time regarding use of fly ash shall be fully complied with.
11. User agency shall take road side plantation and plantation on Central Verge as per IRC norms in this regard.
12. No toll tax shall be realized from the vehicles of State Forest Department.
13. The layout plan of the proposal shall not be changed without prior approval of the Central Government.

  
16/12/14

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14. The State Government shall complete settlement of rights, in terms of the Scheduled Tribes and Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any on the forest land to be diverted and submit the documentary evidence as prescribed by this Ministry in its letter No. 11-9/1998-FC (pt) dated 03/08/2009, read with letter No. 11-9/98-FC (pt.) dated 5/2/2013, in support thereof.
15. The user agency shall construct, if required, under passes and over passes for movement of wild animals etc in consultation with the State Forest Department.
16. Muck disposal, if required, shall be taken up as per the scheme approved by the Forest Department.
17. Soil conservation measures, if required, shall be taken up by the user agency.
18. No labour camp shall be established on the forest land.
19. It will be the responsibility of the User Agency to ensure that the labourers and staff engaged in construction activity do not damage nearby forest flora and fauna.
20. Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourers after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.
21. Proposed labour camps outside the forest area, are to be dismantled and removed. The labourers shall be sent back immediately after the completion of the work.
22. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
23. The boundary of the diverted forest land shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, forward and back bearing and distance from pillar to pillar.
24. The User Agency shall ensure that because of this project, no damage is caused to the Wildlife.
- 25 a) The forest land shall not be used for any purpose other than that specified in the project proposal.
- b) The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Central Government.
26. 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.
- 27 a) The User Agency shall submit six monthly compliance report as on 1<sup>st</sup> January and 1<sup>st</sup> July of every year to this office as well as to the Nodal Officer of the State.
- b) The State Government shall monitor compliance of conditions of Forest Clearance and shall submit in this regard yearly report as on 31<sup>st</sup> December of every year.
28. The User Agency and the State Government shall ensure compliance of provisions of all Acts, rules, regulations and guidelines for the time being in force as applicable to the project.

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16/12/11

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29. In view of the Government of India guideline letter NO. 11-306/2014-FC dated 08/08/2014 this in-principle approval may be deemed as the working permission for commencement of work subject to the condition that funds towards CA, NPV etc are realised from the User Agency by the State Forest Department and deposited in CAMPA account and provisions of FRA, 2006 are complied with.

After receipt of compliance report on fulfilment of the condition Nos 4, 5, 6, 8 and 14 from the State Government, proposal will be considered for final approval under Section - 2 of the Forest (Conservation) Act, 1980 by this office.

The order for transfer of forest land to user agency shall not be issued by the State Government till formal approval order for diversion of forest land is issued by this office.

Yours faithfully,

(S.K. Bhandari)  
Chief Conservator of Forests (Central)

Copy to :-

1. Director (ROHQ), Govt. of India, Ministry of Environment and Forests and Climate Change, Agri, C-wing, 3<sup>rd</sup> Floor, Indira Paryavaran Bhawan, Jor Bagh Road, Aligarj, New Delhi - 110003.
2. The Addl. Principal Chief Conservator of Forests and Nodal Officer Govt. of Maharashtra, Civil Lines, Nagpur.
3. The Sub Divisional Officer, Forest Division Sangamner, District-Ahmednagar, Maharashtra.
4. The Project Director, National Highways Authority of India, Project Implementation Unit, Toyota Showroom Road Nashik, District-Nashik, Maharashtra.
5. Order file

  
(S.K. Bhandari)  
Chief Conservator of Forests (Central)

16/11/14



भारत सरकार  
GOVERNMENT OF INDIA  
पर्यावरण एवं वन मंत्रालय  
MINISTRY OF ENVIRONMENT & FORESTS

देशीय कार्यालय, पश्चिम क्षेत्र  
Regional Office, Western Region,  
"केन्द्रीय पर्यावरण भवन"  
"Kendriya Parivaran Bhavan"  
लिंक रोड नो-३, लिंक रोड नो. ३  
E-3, लिंक रोड नगर/Ravi Shankar Nagar,  
पोस्टाफिस/Bhopal-462016 (M.P.)  
टेलीफोन/Teletax-2426615, 2455496, 2469102  
इमेल/Email: apccfbhopal@gmail.com  
दिनांक /Date: 07/07/2014.

No. 6-MHB-20/2014-BHO/1227

To,  
The Principal Secretary,  
Govt. of Maharashtra,  
Revenue & Forest Department,  
Mantralaya, Mumbai-400032

Sub: Diversion of 1.1144 ha Reserved forest land for rehabilitation and upgrading to 4 laning of NH-50 from Khed to Sinnar from Km 157/100 to 177/000 in favour of Project Director, National Highways Authority of India in district Nashik of Maharashtra.

Sir,

I am directed to refer to Addl. PCCF & Nodal Officer letter No. Desk-17/NC/II/AD/12319/(13)/59/14-15 dated 07/04/2014 on the above mentioned subject seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980.

After due consideration of the above proposal of the State Government, the undersigned, on behalf of the Central Government, is hereby directed to convey in-principle approval for diversion of 1.1144 ha Reserved forest land for rehabilitation and upgrading to 4 laning of NH-50 from Khed to Sinnar from Km 157/100 to 177/000 in favour of Project Director, National Highways Authority of India in district Nashik of Maharashtra subject to the following conditions:-

1. Legal status of the forest land shall remain unchanged.
2. Compensatory Afforestation shall be taken up by the Forest Department over 3.00 ha of degraded forest land (Compartment No.-262, Out No.-430, Village-Nandur Shingote, Tal.-Sinnar, Dist.-Nashik) at the cost of the User Agency. Compensatory afforestation will be of a mix of local indigenous species and monoculture of species will be avoided. The CA will be maintained for 07 to 10 years. CA scheme along with the map & suitability certificate will be submitted.
3. a) The cost of compensatory afforestation, survey, demarcation and erection of pillars shall be deposited in advance at prevailing wage rates with the Forest Department by the User Agency. The CA will be maintained for 07 to 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.  
b) Land identified for CA shall be clearly depicted on a Survey of India Toposheet of 1:50,000. The bearing of each corner point and distances between two successive points will be recorded alongwith the GPS readings of Geo coordinates (Latitudes & Longitudes).
4. a) The State Government shall charge the "Net Present Value" (NPV) for the 1.1144 ha of forest land to be diverted under the 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 and 09/05/2008 in IA No. 566 in WP (Civil) No. 202/1995 and as per the guidelines issued by the Ministry vide letters No. 5-1/1998-FC(Pl. 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 in this regards.

*[Signature]*  
04/07/14

-2-

- b) Additional amount of the NPV of 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 by the State Government from the User Agency, which shall furnish an undertaking to this effect.
5. All the funds received from the User Agency under the project shall be transferred to the Ad-hoc Compensatory Afforestation Fund Management & Planning Agency (CAMPA) in Savings Bank A/c No. (CAF Maharashtra) SB 01025218 Corporation Bank, Lodhi Complex, New Delhi-110003.
  6. The User Agency will defray the cost of removal of 15 trees in the forest land proposed for diversion. However, only the required and minimum number of trees will be felled.
  7. Relevant directions contained in various notifications issued by the Central Government under the provisions of the Environment (Protection) Act, 1986 and Environment (Protection) Rules, 1986 made there under and as amended from time to time regarding use of fly ash shall be fully complied with.
  8. Muck disposal, if required, should be taken up as per the scheme approved by the Forest Department.
  9. Soil conservation measures, if required, should be taken up by the User Agency for which fund should be provided as per the current rates of works.
  10. The boundary of the diverted forest land shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, forward and back bearing and distance from pillar to pillar.
  11. Road side avenue plantation shall be raised as per IRC norms by the User Agency under the supervision of State Forest Department.
  12. Environment safeguards as stipulated by the Ministry of Environment & Forests in its order of environmental clearance shall be strictly adhered to.
  13. No taxes/toll will be levied on the vehicles of Forest Department plying on the road.
  14. No labour camps shall be established on forest land.
  15. The User Agency shall provide fuel-wood preferably alternative fuel to the labourers working at the site to avoid damage / felling of trees.
  16. a) The forest land shall not be used for any purpose other than that specified in the project proposal.  
b) The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Central Government.
  17. All statutory provisions under various Acts, rules thereunder and guidelines applicable to this project shall be strictly adhered to.
  18. Any other condition, which the Central Government may stipulate.
- After receipt of compliance report on fulfilment of the condition Nos.3,4,5 and 6 from the State Government, proposal will be considered for final approval under Section-2 of the Forest (Conservation) Act, 1980.

Contd.....3

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-3-

The order for transfer of forest land to user agency shall not be issued by the State Government till final approval order for diversion of forest land is issued by this office.

Yours faithfully,

(S.K. Bhandari)  
Chief Conservator of Forests(C)

Copy to:-

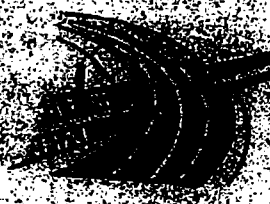
- 1. The Dy. Secretary (RO HQ), Ministry of Environment, Forests and Climate Change, AGNI, C-Wing, 3rd Floor, Indira Paryavaran Bhawan, Jor Bagh Road, Aligarj, New Delhi-110003.
- 2. The Addl. Principal Chief Conservator of Forests and Nodal Officer Maharashtra, Forest Department Maharashtra, Civil Lines, Nagpur-440 001 (Maharashtra).
- 3. The Dy. Conservator of Forests, West Nashik Forestry Division, District-Nashik (Maharashtra).
- 4. Project Director, National Highway Authority of India, Project Implementation Unit, Toyota Showroom Road, Nashik (Maharashtra).
- 5. Order file.

<b>N. H. A. I. (PHD) NASHIK</b>	
Inward No.	0120
Date	05.07.2014
Filed in	

*(Signature)*  
(S.K. Bhandari)  
Chief Conservator of Forests(C)  
04/07/14

May-11

Annexure - 7



भारतीय राष्ट्रीय राजमार्ग प्राधिकरण  
 National Highways Authority of India  
 (MCA 21)  
 Plot No. 4, Behind Toyota Showroom  
 G.T. Road, Mumbai - Nashik Highway, Nashik - 422009 (MAHARASHTRA)

Telex - 0253 - 2172070  
 e-mail - nashik@nhai.org

No. NHA/PR/NSK/RS/2014/3138

28<sup>th</sup> December, 2014

To  
 Sub-Divisional Forest Officer,  
 Sangli  
 Dist. Ahmednagar

Subj: Widening of existing 2 lane carriageway to 4/6 lane divided carriageway configuration  
 Khed - Sinnar (Km 42/000 - Km 177/000) stretch of Pune Nashik section of NH-60  
 in the State of Maharashtra - Forest Proposal - Diversion of 33.9585 Ha. forest  
 land in Ahmednagar District - Deposition of Charges towards Compensatory  
 Afforestation, Delineation, NPV, Tree cutting and Soil Conservation work  
 with Forest Department - Reg.

- Ref: 1. Chief Conservator of Forest Lr. No. 8-MHG028/2014-BHQ/2118, Dtd. 17.12.2014.  
 2. T/O Lr. No. NHA/PR/NSK/RS/2014/3077, Dtd. 19.12.2014.  
 3. Your Lr. No. B/Sunpy/1510/14-15, Dtd. 18.12.2014.  
 4. Your Lr. No. B/Sunpy/1528/14-15, Dtd. 18.12.2014.  
 5. Conc. M/s KSEL Lr. No. KSEL/PR/WTEC/DLO-579/825, Dtd. 23.12.2014.

Sr.  
 This has reference to Chief Conservator of Forest letter cited at ref. 1 above,  
 conveying therewith 'In Principle' approval for diversion of 33.9585 Ha. reserved Forest  
 Land in Ahmednagar District for Rehabilitation & Upgrading to 4 laning of NH-60 from Khed  
 to Sinnar from Km. 97.000 to 157.100 in favour of Project Director, National Highways  
 Authority of India, F/U-Nashik subject to fulfilment of 29 conditions.

2. As per your Demand Note vide letter cited at ref 3 above, total amount of Rs.  
 14,25,07,587/- is to be deposited by User Agency i.e. NHAI towards compensatory  
 afforestation, NPV, survey and demarcation, tree cutting and disposal charges etc. with  
 details as under:-

Comd

1307 28 12 2014  
 Regional Office, Division of 17, 2587 Ha. - SDPO, Sangli

CC - 10, D. V. Road, New Delhi - 110022

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No.	Particulars	Amount/ Rs.
1.	Capitalization/Amortization Rs. 122.017 Ha Non Forest	4,89,47,648.00
2.	Reimbursement charges	48,58,000.00
3.	Net Present Value (NPV)	8,63,71,201.00
4.	Tree planting and its disposal	9,35,140.00
5.	Removal and disposal of debris on Forest land (Muck disposal)	10,00,000.00
6.	Soil Conservation and Nala building work	11,68,000.00
	<b>TOTAL</b>	<b>14,25,07,287.00</b>

Also, consent letter is to be submitted for accepting all the Terms and Conditions referred in CCF letter dated at Sr. No. 1 above.

3. As regards, your demand of Rs. 10.00 Lacs towards Muck disposal in Forest area as per CCF letter conveying therewith "In Principle" approval, Condition 15 : "Muck disposal, if required, shall be taken up as per the Scheme approved by the Forest Department". In this regard, it is to inform that, as per the Concession Agreement, it is the obligation of the Concessionaire, not to dispose off any debris / unwanted material on the forest land or remove such material, if any, deposited at his own cost from the forest area. We hereby Undertake that, we shall not dispose any debris / unwanted material on the forest land during the execution. The debris / unwanted material, if any, disposed on the forest land shall be removed as per the Scheme approved by the Forest Department by the Concessionaire at his own cost. An Undertaking in this regard from the Concessionaire, M/s Khad Singer Expressway Limited is enclosed herewith.

4. In view of the above, the amount claimed towards muck disposal amounting to Rs. 10,00,000/- is not being deposited at present.

5. Accordingly, please find enclosed herewith DD No. 481728 to 481730 dated 24.12.2014 for amounting to Rs. 14,15,07,287/- in favour of Sub Divisional Forest Officer, Selambari Road, Syndicate Bank, Nashik, as desired vide your Demand Note dated 18-12-2014 for the following charges:



Confidential

Sub Divisional Forest Officer (D-225) / S. ODER, Sangamli





THE GOVERNMENT OF INDIA

(Part II - Sec. 3(1))

MINISTRY OF ENVIRONMENT AND FORESTS

New Delhi, the 1st January, 1987

S.O. 1103 (E) - In exercise of the powers conferred by sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) (hereinafter referred to as the said Act) the Central Government hereby constitutes the Central Ground Water Board as an Authority for the purpose of regulation and control of Ground Water Management and Development for a period of one year from the date of publication of this notification in the official gazette, namely:-

- (1) Chairman, Central Ground Water Board - Chairman
- (2) Member (Exploratory Drilling and Materials Management), Central Ground Water Board - Member
- (3) Member (Sustainable Management and Liaison), Central Ground Water Board - Member
- (4) Member (Survey, Assessment and Monitoring), Central Ground Water Board - Member

(All officers not below the rank of the Joint Secretary to the Government of India to be appointed by the Central Government)

- The Authority shall exercise the following powers and perform the following functions, namely:-
- (i) exercise of powers under section 3 of the Environment (Protection) Act, 1986 for issuing directions and taking such measures in respect of all the matters referred to in sub-section (2) of section 3 of the said Act;
  - (ii) to issue to the panel provided in sections 13 to 15 of the said Act;
  - (iii) to regulate and discriminate boring and withdrawal of ground water in the country and to issue necessary regulatory directions with a view to preserve and protect the ground water.

The jurisdiction of the Authority shall be whole of India.

The Authority shall function under the administrative control of the Government of India in the Ministry of Water Resources with its Headquarters at Delhi.

(F. No. L-1101/2094-IA, III)  
R.H. KHAWAJA, J. Secy.

# भारत का राजपत्र The Gazette of India

EXTRAORDINARY

PART II - SECTION 3 - SUBSECTION (II)

MINISTRY OF ENVIRONMENT AND FORESTS  
PUBLISHED BY AUTHORITY

No. 26]

NEW DELHI, TUESDAY, JANUARY 14, 1997 (INDIA CALENDAR 22, 1919)

का.सं. 44 (नं. 26) - पर्यावरण संरक्षण अधिनियम, 1986 (1986 का 29) की धारा 3 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के पर्यावरण और वन विभाग की अधिसूचना सं. 1101/29/96-आ.सं. 111 (नं. 26) तारीख 14 जनवरी, 1997 में निम्नलिखित प्रस्ताव का प्रावधान के तहत 3 में 'दस वर्षों' शब्दों के स्थान पर 'दस साल' शब्द रखे जाते हैं।

संदर्भ विषय : - पर्यावरण संरक्षण अधिनियम, 1986 (1986 का 29) की धारा 3 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के पर्यावरण और वन विभाग, संयुक्त सचिव, संख्या 11, तारीख 3.1.97

## MINISTRY OF ENVIRONMENT AND FORESTS NOTIFICATION

New Delhi, the 13th January, 1997

S.O. 1101/29/96 - In exercise of powers conferred by sub-section (3) of section 3 of the Environment (Protection) Act, 1986 (19 of 1986), the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Environment and Forests No. 111 (1) dated the 14th January, 1997, namely :-

In the said notification, in paragraph 3, for the words "ten years", the words "ten years" shall be substituted.

[No. L-1101/29/96-IA.III]  
R.H. KHAWAJA, Jr. Secy.

Foot Note : The principal notification was published vide No. S.O. 111 (1) dated the 14th January, 1997 in Part II, Section 3.

Printed by the Director, Govt. of India Press, New Delhi. New Delhi-110001  
and Published by the Controller, Govt. of India Press, New Delhi-110001



78

Minister of Health  
Central Government  
New Delhi

Member Secretary

For Note: The Government of India, Ministry of Health, New Delhi, vide its letter No. S. O. 40 (E) dated the 14th January, 1977, Part II, Section 3(2) of the Emblems and Symbols (Regulation) Act, 1952 and amended vide Notification No. S. O. 40 (E) dated the 14th January, 1977.

No. D-11010926-1  
Y. RAJAGOPALAN, J.

# भारत का राजपत्र The Gazette of India

अधिसूचना  
EXTRAORDINARY

भाग II—खण्ड 3—सूची (I)  
PART II—Section 3—Sub-section (I)

प्रकाशित द्वारा  
PUBLISHED BY AUTHORITY

सं. 7451  
Nk. 7451  
शुक्रवार, नवंबर 15, 1922  
NEW DELHI THURSDAY, NOVEMBER 15, 1922

संघीय संसदीय

संघीय

शुक्रवार, नवंबर 15, 1922

सं. 1922 (22) - संघीय संसदीय संसदीय (संघीय) अधिसूचना 1922 (1922 सं. 22) को धारा 3 की उपधारा (2) द्वारा  
उपरोक्त अधिसूचना के अंतर्गत आने वाले प्रत्येक और एक निकाय को अधिसूचना द्वारा सं. 22 (2) धारा 3 के अंतर्गत, 1922  
में विस्तारित करने के लिए, संघीय -

उपरोक्त अधिसूचना में -

- (1) धारा 3 के अंतर्गत आने वाले प्रत्येक निकाय को अधिसूचना द्वारा सं. 22 (2) धारा 3 के अंतर्गत, 1922 में विस्तारित करने के लिए, संघीय -
  - (2) अधिसूचना के अंतर्गत आने वाले प्रत्येक निकाय को अधिसूचना द्वारा सं. 22 (2) धारा 3 के अंतर्गत, 1922 में विस्तारित करने के लिए, संघीय -
- |                                |       |
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| 8. संघीय (संघीय संसदीय संसदीय) | संघीय |



Joint Secretary (Administration), Ministry of Water Resources	Member
Joint Secretary and Financial Adviser, Ministry of Water Resources	Member
Joint Secretary, Ministry of Environment and Forests	Member
Chief Engineer, Irrigation Management Organisation (Water Planning and Projects), Central Water Commission	Member
1. Director General Manager (Exploration), Oil and Natural Gas Corporation Ltd.	Member

The Authority may invite from time to time the following as special invitees as and when required:

1. Joint Secretary (Soil and Water Conservation), Department of Agriculture and Co-operation.
2. Joint Secretary (Water Supply), Ministry of Urban Development
3. Joint Secretary (Department of Drinking Water Supply), Ministry of Rural Development.
4. Director, National Institute of Hydrology, Roorkee.
5. Director, National Geo-physical Research Institute, Hyderabad.

(iii) In para 2 for clause (iii), the following shall be substituted, namely:-

"(iii) to regulate and control management and development of ground water in the country and to issue necessary regulatory directions for this purpose;

(iv) exercise of powers under Section 4 of the Environment (Protection) Act, 1986, for appointment of officers."

(No. L-1101/2886-IA-III)  
DR. V. RATAGOPALAN, Jt. Secy.

Footnote: The principal notification was published vide No. S.O. 38(E) dated the 14<sup>th</sup> January 1997, in Part-II, section 3, sub-section (ii) of the Gazette of India, Extraordinary and subsequently amended vide Notification No. S.O. 40 (E) dated the 13<sup>th</sup> January 1998 and S.O. 9 (E) dated the 3<sup>rd</sup> January 1999.

Amexure - 9

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**KHED SINNAR EXPRESSWAY LIMITED**  
 Site Office: White House, Plot No. 5, Near ICICI Bank, Indira Nagar, Nashik-422 001  
 Tel: +91-253-2396507, Fax: +91-253-2396506

o/c

KSEL/PRJ/TEC/CLO-579/2657

14<sup>th</sup> March, 2017

To,  
**The Project Director,  
 National Highway Authority of India,  
 P.I.U. NASHIK.**

**Project:** Four Lanning of Khed-Sinnar Section of NH-50 from Km 42+000 to Km 177+000 (Design Length - 137.946 Km) under NHDP Phase IV in the state of Maharashtra on DBFOT Basis.

**Subject:** Reporting of frequent occurrence of thefts of the plants planted for Avenue Plantation - Reg.

Dear Sir,

With reference to the captioned subject, we would like to bring to your kind notice that works of Avenue Plantation is under progress at various stretches along the project stretch.

There were many such instances of thefts of plants at various locations along the project stretch. Some of the incidents were also reported to Police Dept. for taking some suitable measures in this regard. The copies of FIRs are also enclosed for your reference.

This is for your information, records and needful please.

Assuring our best services at all times.

Yours Faithfully,

For Khed Sinnar Expressway Limited

  
**S.P. Singh**  
 Project Director

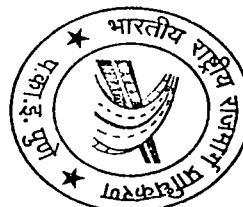
Encl: FIR copies as referred above.

CC: The Team Leader, SAICPL - DCSPL, Manchar. - for information & records.

N. H. A. I. PIU, NASHIK
Date: 16/03/17
RECEIVED
Sign.



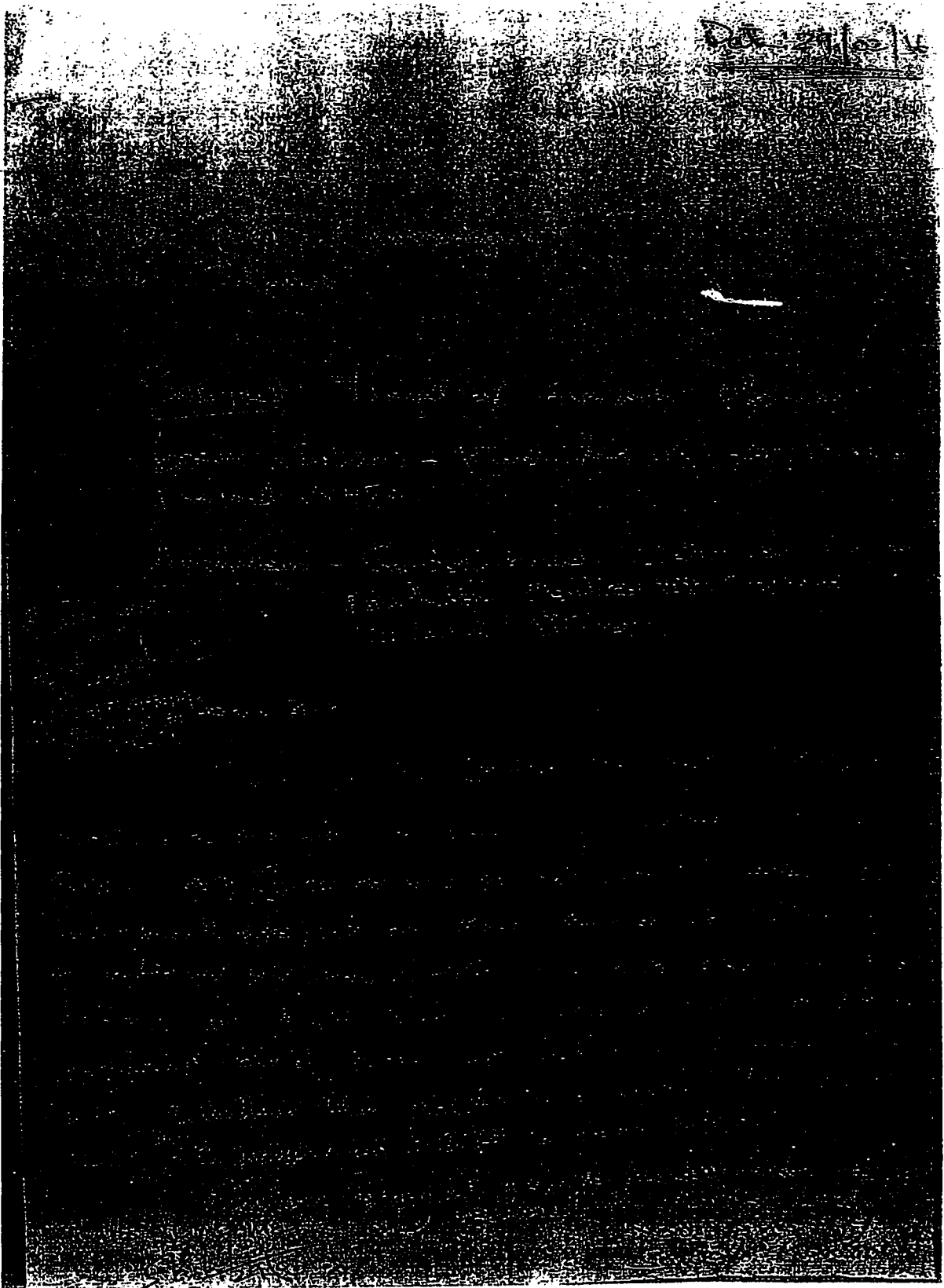
Registered Office: The IL&FS Financial Center, Plot C-22, G Block, Bandra Kurla Complex, Bandra (East), Mumbai-400051  
 Ph: 022-26533333 Fax: 022-26523979  
 CIN: U45209MH2013PLC242133



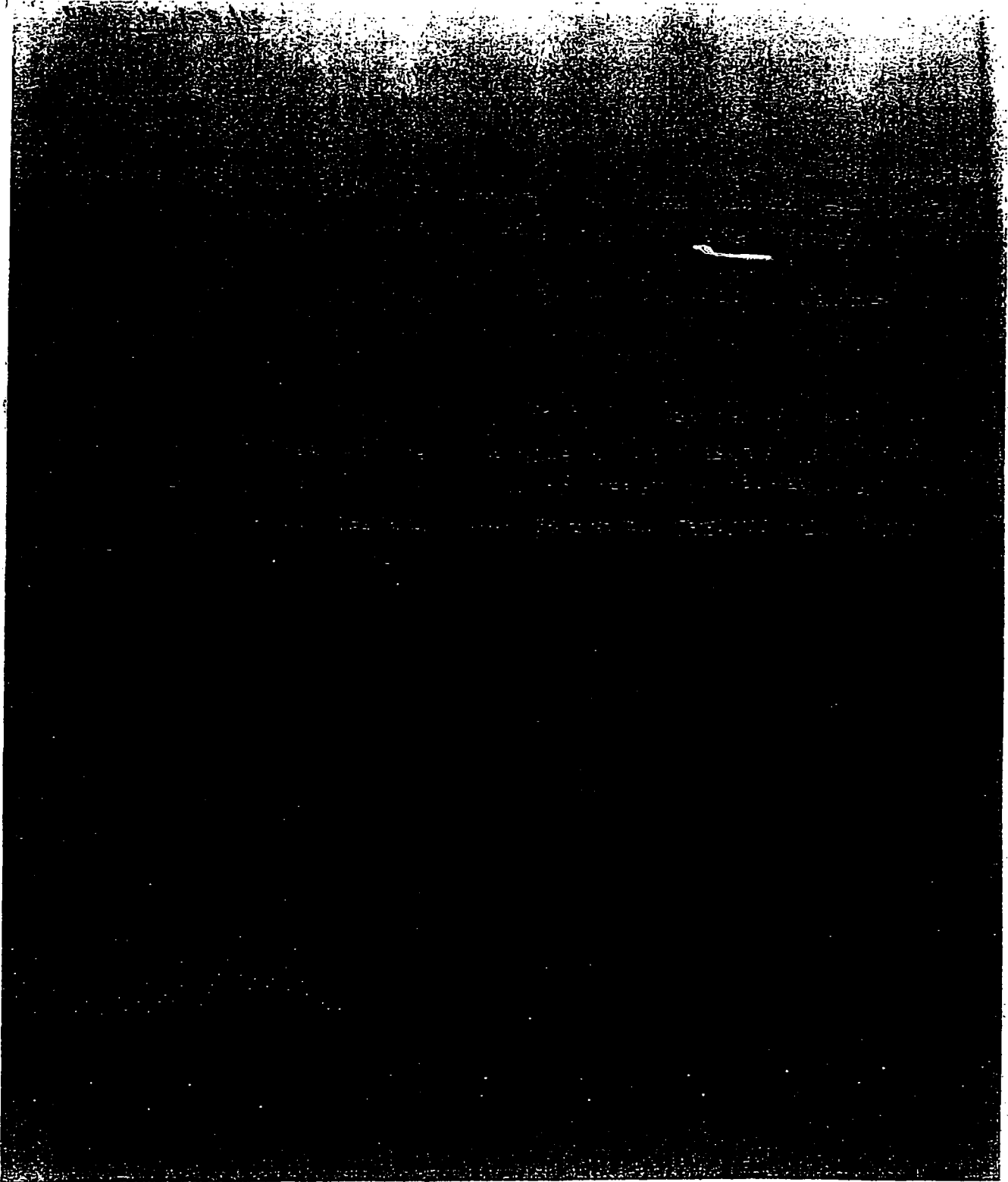


83

DA 21014



84



85.

**KHED SINNAR EXPRESSWAY LIMITED**

Site Office: "White House", Plot No. 5, Near ICICI Bank, Indian Nagar, Nashik-422 009  
 Tel : +91-253-2396567, Fax: +91-253-2396566

DL

KSEL/PRJ/IEC/ICO-581/1922

17<sup>th</sup> March, 2016

To,  
 The Project Director,  
 National Highway Authority of India,  
 P.I.U. NASHIK

**Project:** Four Lanning of Khed-Sinnar Section of NH-50 from Km 42+000 to Km 177+000 (Design Length – 137.946 Km) under NHDP Phase IV in the state of Maharashtra on DBFOT Basis.

**Subject:** Intimation regarding the losses and theft of the plants planted for Avenue Plantation along the project stretch - Reg.

**Ref :** FIR filed at Police Station (Sinnar & Nandurshingote) on dated 29/2/2016 & 15/3/2016.

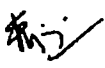
Dear Sir,

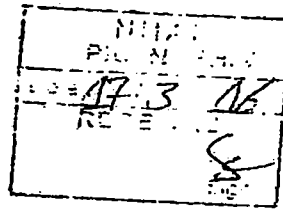
With reference to the captioned subject, please be informed that there was an incident of theft reported at site for the plants planted along the RoW edge of project length for Avenue Plantation. The same was reported at various locations in two separate incidents. The same was also reported at the respective Police Stations at Sinnar & Nandurshingote on dated 29/2/2016 & 15/3/2016. the copies of the same has been enclosed for reference.

We hereby request you to take the note of the same and do the needful communication to the concerned Administrative Dept. & Forest Dept. for taking suitable action in this regard for avoiding any such future losses and thefts all along the project stretch.

Assuring our best services at all times.

Yours Faithfully,  
 For Khed Sinnar Expressway Limited

  
 S.P. Singh  
 Project Director



Encl : Copies of the FIR filed as referred above.  
 CC : The Team Leader, SAICPL - DCSPL, Manchar- for information.



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Date: 15/03/16

to the,  
 Area Inspector,  
 Andur Singate Police Station.

Subject: Removing and damaging the trees planted at NH50  
 NHAI - Khad - Sinwas Highway. Also beating and threatening the  
 workers.

Applicant: Nisha Nurseries, Contractor for Avenue plantation.

Dear Sir,

This is to bring to your notice that some unknown  
 people are creating and obstructing our work at NH50.  
 Khad Sinwas NHAI Highway works between 179.940 km to  
 19.000 km. Unknown people have removed around 20 trees and  
 damaged many - on 15/03/16 Two unknown people have beating  
 the worker and threaten him and stopped the works. Hence  
 with we approached the police station and appeared you.  
 During ~~we~~ visited the site of incident at 179.600 km  
 and shown you the site.

So we request to kindly investigate  
 this matter and help us to continue the plantation  
 works.

Received  
 15/3/16 at Andur  
 157 ni

Yours Sincerely  
 Santosh Chaturvedi  
 (Nisha Nurseries)

Date: 29/02/16

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To:

Police Inspector

M.I.D.C. Police (Missadgaon)

Station - Sinnar

Subject: Theft of Avenue plants  
from - Sinnar - Khed Highway for Lanning  
project. NH50.

Applicant:- Santosh Kumar Chaturvedi, Avenue  
plantation contractor. (Krishi  
Nursery) Sinnar.

FFAT.  
Prachi Rajg  
09/05

*[Signature]*  
Santosh Kumar  
29/02/16

Dear Sir,

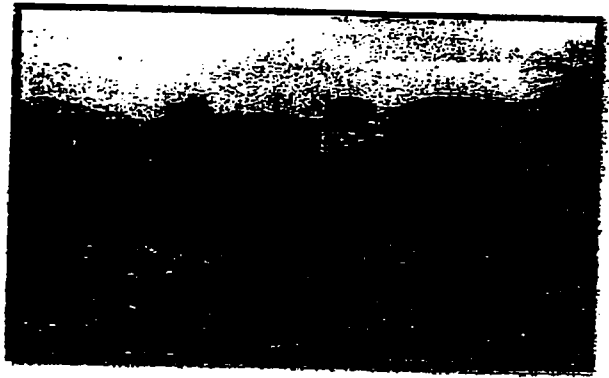
This is to bring to your notice  
that, we are facing thefts of Avenue plants  
such as (Mango and papal plants) from our  
Government project of Khed-Sinnar for Lanning  
of National Highway NH50. We are planting the  
trees on both sides of the above mentioned  
highway and have noticed that unknown people  
have stolen the plants overnight. Till date  
there are 8 number of plants has been stolen.

So, we request you to kindly investigate  
into this matter and restrict the further loss.

*[Signature]*  
29/02/16

Yours sincerely  
Santosh Kumar Chaturvedi

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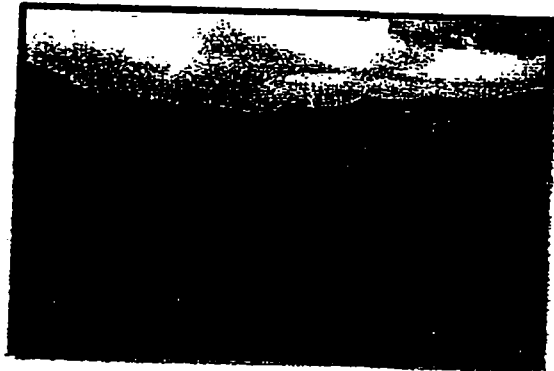
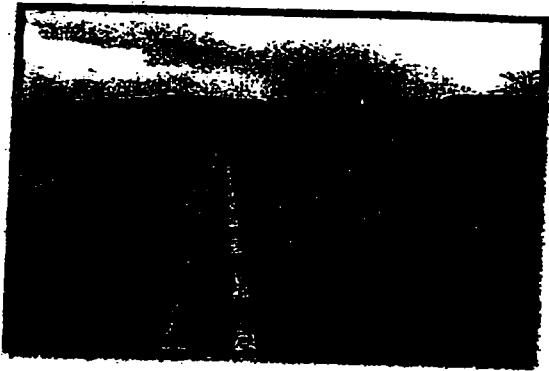
Angels of Madia - Photo 13

90

Annexure - E

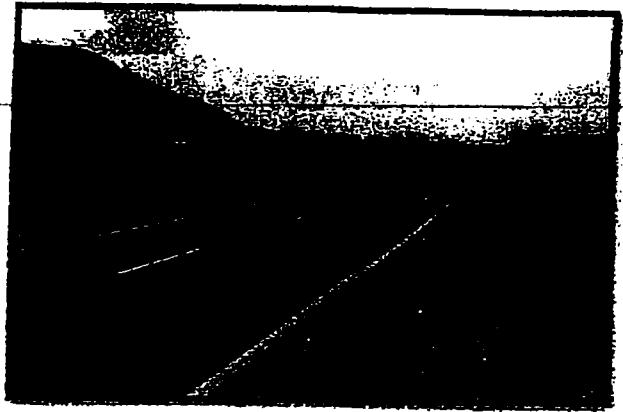
NATIONAL HIGHWAYS AUTHORITY OF INDIA  
KHED-SINNAR EXPRESSWAY LTD. NH-50

MEDIAN PLANTATION



Annexure E, Khed-Sinnar Expressway Ltd.

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**BEFORE NATIONAL GREEN TRIBUNAL**  
**WESTERN ZONE BENCH AT PUNE**  
**ORIGINAL APPLICATION NO. 40 OF 2020**

**1. Ganesh Suresh Borhade**

R/o Zole, Post Chandnapuri,  
Taluka Sangamner,  
Ahmednagar District, Maharashtra

...Applicant

Versus

**1. Union of India**

Ministry of Environment Forest & Climate Change (MoEF&CC)  
Indira Paryavaran Bhawan, Jor Bagh Road,  
New Delhi - 110003

**2. Principal Chief Conservator of Forest**

Forest Department, Maharashtra  
3<sup>rd</sup> Floor Van Bhavan Ramgiri Road,  
Civil Lines, Nagpur- 440001

**3. Department of Environment,**

Through the Secretary,  
Government of Maharashtra,  
Room 217, Mnatralaya Annex, Mumbai- 400032

**4. National Highway Authority of India,**

Ministry of Road Transport and Highways  
Through its Chairperson  
Parivahan Bhawan, Parliament Street,  
New Delhi- 110001

...Respondents



**VAKALATNAMA**

**To,  
The Registrar,  
The National Green Tribunal,  
Bench at Pune**

Dear Sir,

We, the Respondent No. 4, do hereby appoint M.V. Kini, Law Firm, Advocates & Solicitors, Mumbai, to act, appear and plead on our behalf in the aforementioned matter.

**IN WITNESS WHEREOF**, we have unto set and subscribe our hands to this writing.

Dated this 05<sup>th</sup> day of December, 2020.

Accepted



**M/s. M.V. Kini Law Firm,**  
Advocates for the Respondent No.4  
KINI HOUSE,  
Near Citi Bank, Fort,  
Mumbai - 400064

  
**For Respondent No.4**

