

Sub: Proposal for diversion of 72.00 ha. of Forest Land for construction of Patpadi Tank Project in favour of Water Resources Department, Dewas District Madhya Pradesh State -regarding.

Part A

1. The Addl. Principal Chief Conservator of Forests (Land Management) and Nodal Officer, Forest (Conservation) Act, 1980, Government of Madhya Pradesh vide their letter No. F-3/86/2018/10-11/16/2126 Bhopal dated 08th July, 2020 submitted a proposal to obtain prior approval of the Central Government, as per the provisions contained in Section-2 of the Forest (Conservation) Act, 1980 for diversion of 72.00 ha. of Forest Land for construction of Patpadi Tank Project in favour of Water Resources Department, Dewas District Madhya Pradesh State . Details of proposal may be accessed on PARIVESH portal and the online no. of the proposal is FP/MP/IRRIG/20556/2016.
2. Details indicated in the proposal submitted by the Government of Madhya Pradesh dated 08.07.2020 are as below:

FACT SHEET

1.	Name of the Proposal	Proposal for diversion of 72.00 ha. of Forest Land for construction of Patpadi Tank Project in favour of Water Resources Department, Dewas District Madhya Pradesh State.
2.	Location:	
(i)	State	Madhya Pradesh.
(ii)	District	Dewas.
(iii)	Category	Irrigation.
(iv)	Total period for which the forest land is proposed to be diverted (in year).	200 The said details about the lease period has been mentioned by the user agency in his part-I.
3.	Detail of user agency	
(i)	Name of the user agency	Water Resources Department, Government of Madhya Pradesh
(ii)	Nature of user agency	State Government.
4.	Particular of Forests	
(i)	Name of Forest Division	Dewas Territorial Division
(ii)	Area of Forest land proposed for Diversion	72.00 Ha.
(iii)	Legal Status of Forest land	Reserved Forest = 72.00 Ha.
(iv)	Density of Vegetation	Area = 72.00 Ha. Density = 0.7 (Very Dense Forest) Eco class = 3
5.	Maps	
	i. Differential GPS map of the area proposed for diversion	Provided with the proposal.
	ii. Differential GPS map of the area identified for raising CA	Provided with the proposal.
	iii. Survey of India toposheet on 1:50,000 scale showing the area proposed for diversion	Provided with the proposal.

	iv. Survey of India toposheet on 1:50,000 scale showing the area identified for CA	Provided with the proposal.
	v. Land use plan	Not given.
	vi. Forest Cover map	Not given.
6.	Vegetation	
	i. Species-wise and diameter class wise enumeration of trees.	Details of Species – wise and diameter class wise enumeration of trees are available with the proposal.
	ii. Density	0.7
	iii. Number of trees to be felled	8,176 as per enumeration list submitted in part II of the proposal.
	iv. Working plan prescription for the forest land proposed for diversion.	Not provided with the proposal.
7.	Vulnerability of area to soil erosion	The area is not Vulnerable to erosion as per part II of the proposal.
8.	Details of wildlife present in and around the forest land proposed for diversion;	As per the wildlife census 2018, the following wildlife was found in the proposed forest area for diversion- Hyena, Jackal, Langoor, Fox, Hare, Blue bull, Chinkara, Monkey etc.
9.	Approximate distance of proposed site for diversion from boundary of forest.	0 As reported by the DFO in his part-II.
10.	Whether forms part of National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor etc. (if so, the details of the area the comments of the Chief Wildlife Warden to be annexed)	No
11.	Whether any rare/ endangered/ unique species of flora and fauna found in the area if so, details thereof.	No
12.	Whether any protected archaeological/ heritage site/ defence establishment or any other important monument is located in the area. If so, the details thereof with NOC from competent authority, if required.	No
13.	Whether the requirement of forest land as proposed by the User Agency in col.2 of Part-I is unavoidable and bare minimum for the project. If no, recommended area item-wise with details of alternatives examined.	Yes, As per the details mentioned on part II of the proposal.
14.	Whether any work in violation of the Act has been carried out (Yes/ No). If yes, details of the same including period of work done, action taken on erring officials. Whether work in violation is still under progress.	No As per the details mentioned on part II of the proposal.
15.	Details of Compensatory Afforestation Scheme:	

	i. Details of non-forest area/ degraded forest area identified for compensatory Afforestation, its distance from adjoining forest, number of patches, size of each patch.	The Compensatory Afforestation has been proposed on equivalent non – forest land having extent 72.00 ha. of non-forest land in Dewas district of Madhya Pradesh. The following details is given as under:																								
	ii. Map showing non-forest/ degraded forest area identified for compensatory Afforestation and adjoining forest boundaries.	<table border="1"> <thead> <tr> <th>S. No.</th> <th>Compartment no.</th> <th>Village</th> <th>Area (Ha.)</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>66 Min/1</td> <td>Jamgod</td> <td>27.560</td> </tr> <tr> <td>2.</td> <td>806</td> <td>Anandpur Dungriya</td> <td>11.760</td> </tr> <tr> <td>3.</td> <td>836/1</td> <td></td> <td>14.290</td> </tr> <tr> <td>4.</td> <td>197/2</td> <td>Khatambba</td> <td>18.390</td> </tr> <tr> <td colspan="3">Total</td> <td>72.00</td> </tr> </tbody> </table>	S. No.	Compartment no.	Village	Area (Ha.)	1.	66 Min/1	Jamgod	27.560	2.	806	Anandpur Dungriya	11.760	3.	836/1		14.290	4.	197/2	Khatambba	18.390	Total			72.00
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	iii. Detailed compensatory Afforestation scheme including species to be planted, implementing Agency, time schedule, cost structure etc.	The details of CA scheme with the provisions of maintenance for 11 years has been submitted.																								
	iv. Total financial outlay for compensatory Afforestation scheme.	Rs.3,24,96,175 /- (Rupees three crores twenty four lakhs ninety six thousand one hundred seventy five only.)																								
	v. Certificate from competent authority regarding suitability of area identified for compensatory Afforestation and from management point of view. To be signed by the concerned Deputy Conservatory of Forests.	The Certificate issued by the DFO, Dewas, Government of Madhya Pradesh regarding suitability of area identified for Compensatory Afforestation.																								
16.	Documentary evidence in support of settlement of rights in accordance with the provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 on the forest land proposed to be diverted enclosed.	<p>The District Collector, Khandwa, Government of Madhya Pradesh has issued a FRA certificate vide his letter No.2243 dated 18.05.2017 certifying the information in respect of all clauses of the MoEF's advisory dated 05.07.2013 i.e. diversion of 72.00 ha. forest land for facilities managed by the Government and safeguarding the rights of Primitive Tribal Group and Pre-Agricultural Communities as required under the Scheduled Tribe and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, discussion on the proposal in meeting of concerned Gram Sabha (s) maintaining the prescribed quorum, etc. The concerned Gram Sabha (s) of Gram panchayat Patpadi in Dewas Tehsil.</p> <p>Documentary evidences in support of settlements of rights under the Scheduled Tribe and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 has not been given.</p>																								
17.	Site Inspection Report of the Divisional Forest Officer in compliance to the conditions stipulated in the col. 7 (xi, xii) 8 and 9 previous approval.	<p>The Site Inspection Report carried out by the Divisional Forest Officer, Dewas, Madhya Pradesh, is enclosed with the proposal.</p> <p>Specific recommendation of the DFO: To provide irrigation about 1848 ha. of Uday Nagar Tehsil, District Dewas. It is recommended to divert 72.00 ha of forest land to user agency Executive Engineer, Water Resources Division, Dewas District. As per condition of FCA provision.</p>																								

		<p>a. Green belt/fuel and fodder with irrigation will be developed on the user agency.</p> <p>b. For wild life, undisturbed movement, suitable under passes and water should be made & provide water for Wildlife management.</p>
18.	Whether the project requires environment clearance.	As reported by the State Government no Environment Clearance is required for this project .
19.	Status of Wildlife clearance.	Not applicable.
	Catchment Area Treatment Plan.	Not applicable.
21.	Total command area of the project	It is reported by the State Government of Madhya Pradesh the Command area of 1,848 Ha < 2,000 ha. The irrigation project falls in Minor Irrigation Project.
22.	Rehabilitation of Oustees	-No-
	Number of SC Families	
	Number of ST families	
	Number of Backward Families	
	Copies of R&R Plan	
23.	Cost Benefit Analysis	<p>The details are enclosed with the proposal. The cost benefit ratio as per detailed analysis is @10% interest on capital: 1.49 @5% interest on capital: 2.25</p> <p>Total benefit due to project is Rs.860.66 lakhs as per proposal.</p>
24.	Total Cost of the project	Rs.4834.97 /- Lakhs it is reported by the State Government
25.	Employment Potential	Regular Employment = 50 persons Temporary Employment = 1020 (Number of person day).
26.	Undertakings to bear the cost of CA and NPV	The User Agency has given the under taking to bear the cost of NPV / CA.
27.	Profile of the District / Department / Dewas Division.	
	Geographical Area of the Dist.	702000 Ha.
	Total Forest Area	191637 Ha.
	Total area diverted since 1980	Area 6189.431 ha. Number of case - 47
	Forest land including penal CA (in ha.)	0
	Progress of compensatory afforestation as on (date) 26.12.2019	
	a. Forest land (in ha.)	18258.217
	b. Non-forest land (in ha.)	1548.460
28.	Recommendation with Specific conditions, (if any)	
	DFO	Specific recommendation of DFO: To provide irrigation about 1848 ha. of Uday Nagar Tehsil, District Dewas. It is recommended to divert 72.00 ha of forest land to user agency Executive Engineer, Water Resources Division, Dewas District. As per condition of FCA provision.

	<p>a. Green belt/fuel and fodder with irrigation will be developed on the user agency.</p> <p>b. For wild life, undisturbed movement, suitable under passes and water should be made & provide water for Wildlife management.</p>
	Recommended.
CCF	Recommended.
APCCF/ Nodal Officer (FCA)	Recommended.
State Govt.	Recommended.

3. The Addl. Principal Chief Conservator of Forests (Land Management) and Nodal Officer, Forest (Conservation) Act, 1980, State Government of Madhya Pradesh vide its letter dated 08.07.2020 submitted following additional information pertaining to the proposal:

- i. Purpose wise breakup of forest land proposed for diversion has been given by the State Government / project proponent.
- ii. The State Government has been recommended the proposal without any specific condition.
- iii. The command area is 1848 ha. which is a minor irrigation project, therefore, CAT plan is not applicable.

4. The KML of proposed diversion area and CA area has been examined by the DSS cell of FC Division and following is observed:

a. Proposed diversion:

- i. Proposed forest area for diversion falls under Dewas district of Madhya Pradesh State and its calculated area is found 71.8265 ha.

Sl. No.	Component Name	Given Area (in ha)	Calculated Area (in ha)
1	Canal Patch 2	2.4506	2.4781
2	Canal Patch 1	0.0350	0.0349
3	Waste Weir	2.9130	2.9046
4	Forest Submergence Area	66.6015	66.4089
Total		72.0001	71.8265

- ii. No Protected Area/ Tiger Reserve/ Tiger Corridor falls within 10 km from the proposed forest area.
- iii. Proposed area for diversion classified as **High Conservation Value (HCV) Zone** based on Decision Rule 1 (due to hydrological rule) and **Not in High Conservation Value(HCV) Zone or Not-Inviolate** based on Decision Rule 2.
- iv. Out of total forest area for diversion, 42 ha. of land classified as moderately dense forest, 12 ha. area of land as open forest and 18 ha. of land as Non Forest in terms of forest classes (as per the ISFR 2019) based on the interpretation of satellite data period 2017-2018.
- v. Agriculture land is visible in the proposed forest land and the same can be verified through High resolution Google Earth Imageries.

b. Proposed CA:

- i. CA has been proposed in 4 patches which are located in Dewas district of Madhya Pradesh State.

- ii. The calculated area of total land proposed for CA is found 71.80 ha. All four CA patches are proposed over non forest land.
- iii. In terms of standards followed in ISFR 2019 (interpretation of satellite data period 2017-2018) regarding density classes:

S. No	CA Name	Given Area (in ha)	Calculated Area (in ha)	VDF	MDF	OF	NF
1	Khatamba Survey 197/2	18.39	18.34	0	0	0	18
2	Jamgod Survey No. 66/Min-1	27.56	27.48	0	0	10	17
3	Anandpur Survey 806	11.76	11.73	0	0	1	11
4	Anandpur Survey 836/1	14.29	14.25	0	0	3	12
Total		72.00	71.80	0	0	14	58

In addition to above detail examination it is imperative to mention that the analysis based on Decision Support System (DSS) and GIS tools is as under:

Forest area applied for Diversion:

1. Proposed forest area for diversion falls under Dewas district of Madhya Pradesh State and its calculated area is found 71.8265 ha.

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Total		72.0001	71.8265

2. No Protected Area/ Tiger Reserve/ Tiger Corridor falls within 10 km from the proposed forest area.
3. Proposed area for diversion classified as **High Conservation Value(HCV) Zone** based on Decision Rule 1 (due to hydrological rule) and **Not in High Conservation Value(HCV) Zone or Not-Inviolate** based on Decision Rule 2.
4. Out of total forest area for diversion, 42 ha. of land classified as moderately dense forest, 12 ha. area of land as open forest and 18 ha. of land as Non Forest in terms of forest classes (as per the ISFR 2019) based on the interpretation of satellite data period 2017-2018.
5. Agriculture land is visible in the proposed forest land. and the same can be verified through High resolution Google Earth Imageries.

Sites proposed for Compensatory Afforestation:

1. CA has been proposed in 4 patches which are located in Dewas district of Madhya Pradesh State.
2. The calculated area of total land proposed for CA is found 71.80 ha. All four CA patches are proposed over non forest land.
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S. No	CA Name	Given Area (in ha)	Calculated Area (in ha)	VDF	MDF	OF	NF
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4	Anandpur Survey 836/1	14.29	14.25	0	0	3	12
Total		72.00	71.80	0	0	14	58

4. Few constructions are visible in the proposed CA sites and same can be verified with the help of High resolution Google Earth imageries.

Part-B

5. The above proposal was considered in the FAC meeting on dated **18th August, 2020**. During the deliberations, FAC observed that:

- a. The Govt. of Madhya Pradesh had submitted the proposal on 08.07.2020.
- b. A total of 8,176 trees are marked to be felled and majority are in 30-60 cm diameter class as per enumeration list submitted in part II of the proposal.
- c. The Nodal Officer (FCA) of the state has reported that the command area is 1848 ha and the proposal comes under minor irrigation project.
- d. The Cost Benefit ratio as submitted by State Government, is adverse. The total Cost of the project is Rs.4834.97 lakhs whereas the total benefit due to project is reported only as Rs. 860.66 lakhs.
- e. As per the DSS analysis out of total forest area for diversion, 42 ha. of land classified as moderately dense forest, 12 ha. area of land as open forest and 18 ha. of land as Non-Forest in terms of forest classes (as per the ISFR 2019) based on the interpretation of satellite data of the period 2017-2018.
- f. As per the DSS analysis, Compensatory Afforestation has been proposed in four patches. However, few permanent constructions are visible in the proposed CA sites.

6. During deliberations, it was mentioned that there is a need to recheck actual command area of the canal viewing its adverse benefit-cost ratio. As per DFO's recommendation, if State Government finds it appropriate, they may submit a wildlife enrichment plan. FAC members observed that fringes of proposed Compensatory Afforestation site may be earmarked for demonstration of agroforestry models and bamboo plantations for benefit of local farmers to ingrain importance of tree growing in local population.

7. **Decision of FAC:** After detailed examination and deliberations on the proposal, the Committee deferred the proposal and sought following additional information from the State Government for further consideration of the proposal:

- i. The revised Cost Benefit details shall be submitted as per the Ministry guideline dated 01.08.2017.
 - ii. User agency shall recheck the actual culturable command area of the proposed irrigation project.
 - iii. Compensatory Afforestation sites proposed shall be revisited and the State Government shall ensure CA sites are free from all encumbrances.
 - iv. The State Government shall convey its views on the recommendation of the DFO that a Wildlife Management Plan may be made for implementation by the user agency.
8. The above Observations of FAC were communicated to the State Government of Madhya Pradesh vide this Ministry's letter dated 12.09.2020.

Part C

8. The Addl. Principal Chief Conservator of Forests (Land Management) and Nodal Officer, Forest (Conservation) Act, 1980, Government of Madhya Pradesh vide their letter No. F-3/86/2018/10-11/16/33 dated 04th January, 2021 forwarding the additional information asked by the FAC on dated 12.09.2020. The point wise reply has given as under:

S. No.	Observations raised by the FAC on 12.09.2020	Reply submitted by the State Govt. on 04.01.2021
(i)	Revised Cost Benefit analysis shall be submitted as per the Ministry's guideline dated 01.08.2017	<p>In this regard the State Govt. informed that</p> <p>आवेदक संस्था द्वारा यह प्रस्ताव के भाग-1 में बिंदु G पर अपलोड किया गया है।</p> <p>The same is provided by the State Govt.</p>
(ii)	User agency shall recheck the actual culturable command area of the proposed irrigation project.	<p>In this regard the State Govt. informed that</p> <p>आवेदक संस्था द्वारा अवगत कराया गया है की इस बांध से कुल 1848 हेक्टेयर कृषि भूमि की सिंचाई होगी।</p> <p>आवेदक संस्था ये यह भी जानकारी उपलब्ध कराई है कि इस बांध के निर्माण से प्रतिवर्ष रु.856.22 लाख रुपये का अतिरिक्त कृषि उत्पादन संभव हो सकेगा।</p> <p>आवेदक संस्था ने यह भी अवगत कराया है कि IRR 5% लेने पर Cost-Benefit ratio 2.53 तथा IRR 10% लेने पर Cost-Benefit ratio 1.48 होगा।</p> <p>आवेदक संस्था ने प्रतिवर्ष होने वाले लाभ रु.856.22 लाख तथा परियोजना कि लागत रु.4803.17 लाख कि गणना कर IRR 14.13% अवगत कराया है।</p> <p>आवेदक संस्था द्वारा कि गई गणना का पत्रक संलग्न है।</p>
(iii)	Compensatory Afforestation sites proposed shall be revisited and the State Government shall ensure CA sites are free from all encumbrances.	<p>In this regard the State Govt. informed that</p> <p>क्षतिपूर्ति वनीकरण के लिए आवेदक संस्था द्वारा उपलब्ध कराई गई गैर वन भूमि का निरीक्षण वनमंडलाधिकारी, देवास द्वारा स्वयं किया गया है।</p> <p>वनमंडलाधिकारी, देवास द्वारा अवगत कराया गया है कि यह गैर वन भूमि पूर्णतः अतिक्रमण मुक्त है। वनमंडलाधिकारी, देवास द्वारा यह भी अवगत कराया गया है कि क्षतिपूर्ति वनीकरण हेतु उपलब्ध कराई गई गैर वनभूमि ऊर्जा विकास विभाग को विंड एनर्जी के लिए आवंटित थी। इस भूमि पर उनके द्वारा एक भवन निर्मित किया गया था। एक भवन का उपयोग वन विभाग द्वारा आवश्यकता अनुसार किया जायेगा।</p>
(iv)	The State Government shall convey its views on the recommendation of the concerned DFO that a Wildlife Management Plan may be made for implementation by the user agency.	<p>In this regard the State Govt. informed that</p> <p>वनमंडलाधिकारी, देवास द्वारा स्थल निरीक्षण में अपनी अनुशंसा में Wildlife Management Plan तैयार करने का उल्लेख किया है।</p>

	<p>इस क्षेत्र में कोई विशिष्ट वन्यप्राणी नहीं पाया जाता है। अतः प्रस्ताव में Wildlife Management Plan तैयार करने की आवश्यकता नहीं है।</p> <p>सिंचाई हेतु पाईप लाईन जमीन के नीचे डाली जानी है, अतः अंडर पास बनाने की आवश्यकता भी नहीं है।</p>
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9. Now, the Addl. Principal Chief Conservator of Forests (Land Management) and Nodal Officer, Forest (Conservation) Act, 1980, Government of Madhya Pradesh vide their letter No.F-3/86/2018/10-11/16/364 Bhopal dated 21.01.2021 has again submitted the revised cost benefit analysis report in accordance with the Ministry's guideline dated 01.08.2017.

In view of the above facts related to the proposal, it is proposed that proposal may be submitted to the Forest Advisory Committee (FAC), in its meeting scheduled to be held on **27.01.2021**.
