

Government of Maharashtra

No.FLD-1521/CR-233/F-10

Revenue and Forest Department,
Mantralaya, Mumbai - 400 032.

Dated:- 01.08.2023

To,

Regional Officer (Central),
Integrated Regional Office, MoEF&CC,
Government of India, Civil Lines, Nagpur.

Subject: Forest Land- Nashik.

Diversion of 9.19 ha. forest land under Forest (conservation), 1980 for construction of Boripada Minor Irrigation Tank is Irrigation Cum Drinking Water Supply Project, Taluka-Traymbakeshwar, Dist. Nashik in the State of Maharashtra. (FP/MH/IRRIG/47897/2020)

The Additional Principal Chief Conservator of Forests, Maharashtra State, Nagpur has submitted proposal for diversion of 9.19 ha. forest land under Forest (conservation), 1980 for construction of Boripada Minor Irrigation Tank is Irrigation Cum Drinking Water Supply Project, Taluka-Traymbakeshwar, Dist. Nashik in the State of Maharashtra.

The details of forest land proposed for diversion are as under:-

| Sr. No. | Item of work / purpose | Village | Survey & Gut No. | Compt No. | Area (in ha) | Legal Status |
|----------------------------|------------------------|------------|------------------|-----------|--------------|-----------------|
| 1 | Submergence | Shindapada | 118 | 318 | 8.47 | Reserved Forest |
| 2 | Dam Seat | Shindapada | 118 | 318 | 0.72 | |
| Total Forest Land (in ha.) | | | | | 9.19 | |

2. The proposal has been initiated by the District Water Conservation Officer, Soil & Water Conservation Division, Nashik for approval under Forest (Conservation) Act, 1980. This Minor Irrigation Tank Boripada Irrigation Scheme envisages construction of an earthen dam across local nalla near village Boripada, Tehsil- Tryambakeshwar, Dist. Nashik. The catchment area up to the dam site is 1.75 sq.km and the 50% dependable yield utilized is 1970.00 T. Cum. Total Irrigation area is 227 ha. and dam site is 50 km away from Tryambakeshwar the Tehsil Place. The project envisages construction of an earthen dam 435 m. in length with maximum height 22.83 M. in gorge. A clear over type non gated Waste Weir on Left Bank of 28 M. Length is proposed between Ch. 390 m to 418 m. Thus project will benefit 3 villages namely Shindpada, Boripada and Chinchhol in Nashik District. The total non-forest land involved in the project is 11.026 ha.

3. The Deputy Conservator of Forests, West Nashik has certified that:-

- 3.1 No suitable alternate land is available and the forest land required is barest minimum.
- 3.2 The area belongs to Eco-value class-I having density is 0.4. (Tropical Semi Evergreen Forests Class)
- 3.3 There are 276 trees involved in the project out of which 69 trees required to be felled. The various species and trees is involved in implementation of the Project the Girth break up is as under-

| Particular | Tree Girth in Cm. | | | | | | | | | | Total | Remarks |
|---------------|-------------------|-------|-------|-------|-------|--------|---------|---------|---------|--------------|-------|--|
| | 0-30 | 31-45 | 46-60 | 61-75 | 75-90 | 91-105 | 106-121 | 121-136 | 136-150 | Above 150 cm | | |
| Dam Seat | 2 | 1 | 2 | 2 | 1 | 0 | 1 | 1 | 1 | 3 | 14 | The Deputy Conservator of Forests, West Nashik has certified that 14 trees involve to be felled in Dam Sear Area. |
| FRL & FRL-2 | 0 | 14 | 21 | 9 | 35 | 19 | 19 | 17 | 15 | 29 | 178 | -- |
| FRL-2 & FRL-4 | 0 | 3 | 6 | 19 | 0 | 0 | 0 | 0 | 0 | 1 | 29 | -- |
| FRL-4 | 6 | 23 | 12 | 5 | 4 | 2 | 1 | 0 | 0 | 2 | 55 | The Deputy Conservator of Forests, West Nashik has certified that 14 trees involve to be felled in Below FRL-4 Area. |
| Total | 8 | 41 | 41 | 35 | 40 | 21 | 21 | 18 | 16 | 35 | 276 | |

As per the Government of India, MoEF letter dated 30/01/2009 has mentioned that 'No tree felling in the area between FRL-4 m below shall be carried out' for the Minor Irrigation proposals. In this regard the actual tree felling for the said proposal is 69 required to be felled.

- 3.4 The area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc.
- 3.5 Proposed project is not likely to affect any monumental site of cultural, historical, religious, archaeological or recreational importance.
- 3.6 There is no violation of Forest (Conservation) Act 1980.
- 3.7 Proposed project area for the project is not included within 10 km from the boundary of the National Park/Sanctuary. It is 86 Km from Nandur Madhmeshwar Bird Sanctuary.

3.8 The User Agency has proposed 9.19 ha non-forest land in Survey/Gut No. 13 at Village Holdarnagar, Taluka Trambakeshwa, District- Nashik for Compensatory Afforestation. But, plantation of 1000 plants may not be possible on this land. Therefore, actual plantation will be carried on total 18.38 ha. degraded forest land by accepting 9.19 ha non-forest land in lieu of forest land. Hence, Deputy Conservator of Forests, West Nashik has proposed total 18.38 ha. degraded forest land i.e. 10.00 ha. in Gut No.477, 476 & 499 and 8.38 ha. in Gut No.526, 527, 528 & 528 at Vilwandi, Tal. Dindori, Dist. Nashik. It is free from encroachment and suitable for Compensatory Afforestation.

3.9 The non-forest area covered under the project is not under the provision of Maharashtra Private Forest (Acquisition) Act 1975 by virtue of application of Section 35 of Indian Forest Act 1927 and are not recognized as deemed reserved forest as well as not included in the area identified as "forest" as per dictionary meaning of forest as intimated to the expert committee appointed under interim judgment of the Hon'ble Supreme Court dated 12/12/1996.

3.10 The cost benefit analysis ratio is 28.83.

3.11 The proposed site is considered downstream of proposed site the forest land will require more. If the project site is considered upstream of proposed site dam length will increase resulting equipment of more forest land and less water storage. As the area required for the proposed site is barest minimum the proposed site for the Minor Irrigation Tank Boripada. Tal. Tryambakeshwar, Dist. Nashik most suitable from Technical, Economical and Forest point of view.

4. The User Agency has submitted undertakings:-

4.1 to defray the cost of compensatory afforestation.

4.2 to defray the cost of Net Present Value of the forest land proposed for diversion.

5. The Collector, Nashik has given certificated that:-

5.1 The all other alternative for the purpose have been explored and the demand for the forest land is barest minimum demand.

5.2 The certificate under Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Right) Act, 2006 issued vide letter No.FRA-Sell/NO/3/6- 1/742, dated 10/07/2020 issued in Form-11 as per Government of India latest guidelines dated 05/07/2013.

5.3 The User Agency has certified that the aforesaid Environmental Clearance is not required as the command area 227.00 ha of the project is less than 2000 ha.

5.4 Details of Command area:-

| | | |
|---------------------------------|----|------------------|
| a) Total Catchment area of dam | :- | 1.75 Sq.Km |
| b) Full Reservoir Level | :- | 103.00 M |
| c) Total Command Area (by flow) | :- | 227.00 (ICA) Ha. |
| d) High Flood level | :- | 104.20 M |

| | | |
|--|----|------------|
| e) MDDL (Sill R.L) | :- | 91.00 M |
| f) Maximum hight of dam | :- | 22.83 M |
| g) Total No. of family benefited (Population) | :- | 4500 Souls |

6. The Principal Chief Conservator of Forests (HoFF), Maharashtra State, Nagpur has recommended the proposal subject to the conditions, given in his specific recommendations, under Section-2 (ii) of the Forest (Conservation) Act, 1980. His specific recommendations are enclosed in the proposal.
7. In the circumstances explained in the aforesaid paragraphs and enclosures, the State Government recommends that the said forest land may be allowed to be diverted subject the conditions proposed by the Principal Chief Conservator of Forests (HoFF), Maharashtra State, Nagpur. The matter may kindly be placed before the Government of India for its approval under Section-2 (ii) of the Forest (Conservation) Act, 1980, be obtained and communicated to this Government.


(Ganesh Jadhao)

Under Secretary to the
Government of Maharashtra

Encl: A) Set of case papers

B) The following documents are enclosed:-

1. Prescribed form as per Rules.
2. Area Statement
3. Commitment from the Applicant for defraying the cost of Net Present Value & Compensatory Afforestation.
4. Brief note of the project
5. Site Inspection Report.
6. Certificate in Part V.

Under Secretary
Revenue and Forests Department
Hutatma Rajguru Chowk
Madam Cama Road, Mantralaya
Mumbai 400 032

Copy:

1. Principal Chief Conservator of Forests & C.E.O, Maha-CAMPA, Nagpur.
2. Additional Principal Chief Conservator of Forests and Nodal Officer, Maharashtra State Nagpur with reference to his letter No.Desk-17/Nodal/Nashik/ID-12924/1595/2021-22, Dt.22.11.2021.
3. Chief Conservator of Forests (T), Nashik.
4. Deputy Conservator of Forests, West Nashik.
5. District Water Conservation Officer, Soil & Water Conservation Division, Nashik.
6. Select File (F-10).

Subject:- Forest Land- Nashik.

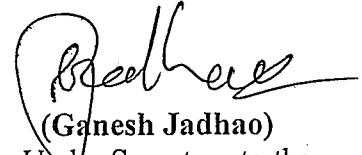
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PART - V

(To be filled up by the Secretary in charge of Forest Department or by any other authorized officer of the State Government not below the rank of an Under Secretary)

1. Recommendation of the State Government

The proposal is recommended
vide Government letter
No. FLD-1521/CR-233/F-10
Dated: 01.08.2023



(Ganesh Jadhao)
Under Secretary to the
Government of Maharashtra

Place: Mumbai.

Date: 01.08.2023

Under Secretary
Revenue and Forests Department
Hutatma Rajguru Chowk
Madam Cama Road, Mantralaya
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