

65

OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS (HEAD OF FOREST FORCE), MAHARASHTRA STATE, NAGPUR

ADDITIONAL PRINCIPAL CHIEF CONSERVATOR OF FORESTS AND NODAL OFFICER, MAHARASHTRA STATE, NAGPUR,
First Floor, 'B' Wing, Van Bhavan, Civil Lines, Nagpur-440001.

Tel no. (0712) 2530166, 2556916. Fax no. (0712) 2550675 E-mail- apccfnodal@maharashtraforest.gov.in

No. Desk-17/NC/RS-1/ID-12718/1499/19-20

Nagpur - 440 001, Date : 18/12/2019

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

Sub:- Diversion of 0.02 ha. of Forest land in of Raju Kashiram Kadam for laying of pipeline for agricultural irrigation purpose under Forest (Conservation) Act, 1980 in Washim District in the State of Maharashtra. (FP/MH/Others/1705/2014)

Ref:- 1) Government of India, MoEF & CC, Regional Office, Nagpur's letter F.No. FC-I/MH-165/2019-NGP/5698, dt.12/09/2019. P/53

2) The Conservator of Forests (T), Yavatmal letter No. Desk-10/FCA/1155, dt.12/12/2019. P/61

Sir,

Ministry of Environment, Forests & Climate Change, Government of India, Regional Office, Nagpur vide letter under reference No.1 has sought compliance on 04 points. Accordingly, the Conservator of Forests (T), Chandrapur vide letter under reference No. 2 has submitted the compliance in this regard to this office. The compliance as desired by Regional Office, Government of India vide letter dt. 29/08/2019 is submitted as under:-

Sr. No.	Points	Compliances
i.	Proposal has not been forwarded online and still showing pending at Nodal Office level (checked at 11.00 an on 05.09.2019)	Proposal has now been forwarded online on MoEF Portal to the website of the Regional Office, Government of India.
ii.	DGPS map of area proposed for diversion has not been submitted. Further examination of KML file of land proposed for diversion revealed that total alignment length is only 50 meters. DGPS map along with correct KML file need to be submitted and uploaded in online portal.	DGPS map along with correct KML of area proposed for diversion are enclosed herewith as (Annexure No. I). C.D. enclosed maps/57 to 59
iii.	Compliance of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 revealed that proceedings of sub-Divisional Level Committee has not been submitted.	The proceedings of sub-Divisional Level Committee under FRA, 2006 is enclosed herewith as (Annexure No. II). P/60-59
iv.	Details on employment potential in terms of man days of skilled, semiskilled and unskilled persons on	The details of employment potential in terms of man days of skilled, semiskilled and unskilled persons on permanent (direct and indirect) and temporary (direct

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489


P/61

permanent (direct and indirect) and temporary (direct and indirect) basis have not been provided.	the cultivation field. Therefore 2 unskilled labour may get permanent employment and 200 mandays for unskilled labour may be required during implementation of the said project.
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In view of the above, it is requested that the Government of India may kindly be moved for approval under section-2 (ii) of the Forest (Conservation) Act-1980, at the earliest.

Encl:- As above

Yours sincerely,


(Sanjeev Gaur)

Addl. Principal Chief Conservator of Forests
& Nodal Officer.

 18/12/2019

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

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

Copy to the Deputy Conservator of Forests, Washim for information.

Copy to Shri. Raju Kadam, Sonala, Tal. Malegaon, Distt. Washim for information.

112

PART -IV

(To be filled by Nodal Officer or Principal Chief Conservator of Forests (Head of Forest Force))

(Detailed opinion and specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks)

Sub.:- Proposal for diversion of 0.02 ha. Forest land under Forest (Conservation) Act-1980 for laying pipeline for irrigation purpose of Private land bearing Survey No.25 at Sonala owned by Shri. Raju Kashiram Kadam in Survey/Gut No.22 & Compartment No.C-185 at Sonala Tal. Malegaon Dist. Washim (FP/MH/OTHERS/14705/2015). The details of land proposed for diversion is as under-

Akola Forest Division					
Item of Work	Village & Taluka	Survey/ Gut no.	Compartment No	Area (in ha.)	Legal Status
Laying of Pipeline	Sonala Tal. Malegaon Dist. Washim.	22	C-185	0.02	Reserved Forest
Total forest Area (in ha.)				0.02	

Specific recommendation of Principal Chief Conservator of Forests (HoFF) MS Nagpur is attached on page no. 112 to 113/A

(Sanjeev Gaur)
Additional Principal Chief Conservator of Forests
& Nodal Officer,

Date: 2/07/2019
Place: Nagpur

OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS (HEAD OF FOREST FORCE),**MAHARASHTRA STATE, NAGPUR**

ADDITIONAL PRINCIPAL CHIEF CONSERVATOR OF FORESTS AND NODAL OFFICER, MAHARASHTRA STATE, NAGPUR.

First Floor, 'B' Wing, Van Bhavan, Civil Lines, Nagpur-440001.

Tel no. (0712) 2530166, 2556916, Fax no. (0712) 2550675 E-mail- apccfnodal@mahaforest.gov.in

Sub:- Proposal for diversion of 0.02 ha. Forest land under Forest (Conservation) Act-1980 for laying pipeline for irrigation purpose of Private land bearing Survey No.25 at Sonala owned by Shri. Raju Kashiram Kadam in Survey/Gut No.22 & Compartment No.C-185 at Sonala Tal. Malegaon Dist. Washim. (FP/MH/OTHERS/14705/2015)

No. : Desk-17/NC/II/ID-12499/ 531 /19-20

Nagpur - 440 001, Dated : 02/07/2019

To.

The Principal Secretary (Forests),
Revenue & Forest Department,
Mantralaya, Mumbai - 400032.

Shri. Raju Kashiram Kadam has submitted the proposal for diversion of 0.02 ha. Forest land under Forest (Conservation) Act-1980 for laying pipeline for irrigation purpose of Private land bearing Survey No.25 at Sonala owned by Shri. Raju Kashiram Kadam in Survey/Gut No.22 & Compartment No.C-185 at Sonala Tal. Malegaon Dist. Washim. The area statement is as shown as below:-

Akola Forest Division					
Item of Work	Village & Taluka	Survey/ Gut no.	Compartment No	Area (in ha.)	Legal Status
Laying of Pipeline	Sonala Tal. Malegaon Dist. Washim.	22	C-185	0.02	Reserved Forest
Total forest Area (in ha.)				0.02	

2.00 The proposal has been initiated by Shri. Raju Kashiram Kadam under Forest (Conservation) Act-1980 for laying of pipeline from Sonal Project to private field for irrigation purpose to private owned land in Gut No.25 at Sonala, Tal. Malegaon. The Sonala Dam was constructed on Adan River near Sonala village & completed in the year 1981 having catchment area 132.50 sqkm with storage capacity 20.27 mm³ and irrigation Potential 3156 ha. (Sonala, Kherda, Hirangi, Lathi, Yedsi, Selu, Nagi, Wangja, Tapowan, Farhala, Masola, Pedgaon, Ganeshpur, Tal. Mangrulpur Dist. Washim). The total length of main canal is 15.25 km and the total length of Dam is 1114 mtrs proposed pipeline passing through forest land.

3.00 The user agency has been granted permission by the Executive Engineer, Minor Irrigation Division, Washim vide letter No. 1525, dt.27/03/2019 to take water for lift irrigation from Sonal Project. This pipeline project is demarcated on Survey of India Top sheet No. 55/H/8 and the forest area lies within Latitude and Longitude is N-20°18.640 to E-77°12.699 and N-20°18.739 to E-77°12.594. The site inspection report of the Deputy Conservator of Forests, Akola Forest Division, Akola is enclosed on page no.24 to 25.

4.00 Following documents as prescribed in Government Circular, Revenue and Forest Department No.FLD-1081/2041/(A)/F-3, dated 20/03/1982 and according to Government of India's instructions issued from time to time are enclosed in three copies.

- 1) Prescribed form dated 10/01/2003.
- 2) Certificate regarding minimum demand of forest land for the project,
- 3) Area Statement,
- 4) Index map in suitable scale,

5.00 The Deputy Conservator of Forests, Akola Division, Akola has certified that:-

- 5.1 the area belongs to Eco-value class-III and having density less than 0.1 of Southern Tropical Dry Deciduous.
- 5.2 no alternate alignment is possible and the forest land required is the barest minimum.
- 5.3 there are no cutting and felling of trees involved in this project.
- 5.4 the proposed project boundary is beyond 10 kms from the boundary of Protected Area (Sanctuary and National Park).
- 5.5 the proposed area does not form part of any existing National Park, Wildlife Sanctuary, and Nature Reserve etc.
- 5.6 proposed project is not likely to affect monumental site of cultural, historical, religious, archeological or recreational importance.
- 5.7 there is no violation of Forest (Conservation) Act 1980
- 5.7 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.

6.00 The User Agency has submitted an undertaking that:-

- 6.1 the user agency has agreed to defray the cost of compensatory afforestation.
- 6.2 the user agency has submitted an undertaking to defray the cost of Net Present Value of the forest land proposed under diversion.

7.0 The Collector, Washim has issued certificate-

- 7.1 that all other alternative for the purpose have been explored and the demand for the required is the barest minimum.
- 7.2 under Schedule Tribes and Other Traditional Forest Dweller's (Recognition of Forest Rights) Act 2006 issued vide their letters Desk Desk-4/WS-1175/2018, dt. 24/10/2018 prescribed format Form- I as per Government of India guidelines dated 5/7/2013.
- 8.00 The Deputy Conservator of Forests, Akola Forest Division, Akola and the Chief Conservator of Forests (T), Yavatmal Circle have recommended the proposal for diversion of 0.02 ha. of reserved forest land.
- 9.00 **In view of this, the proposal is recommended for approval under section 2 (ii) subject the following conditions-**
- 9.1 The legal status of the land required will remain unchanged.
- 9.2 The agency will deposit the cost of raising plantation over 1.00 ha. (100 seedlings) of degraded forests land, in charge of the Forest Department.
- 9.3 The pipe line will be laid in the strip of land having width 1.00 meter and depth up to 1.00 meter all along the length through the forest.
- 9.4 The user agency will defray the cost of Net Present Value of 0.02 ha. of forest land as per the latest Guideline of Government of India.
- 9.5 The User Agency will defray the additional / revised cost of Net Present Value of Forest land as per the latest Guideline of Government of India.
- 9.6 The User Agency has agreed to defray the cost of compensatory afforestation over 1.00 ha degraded forest land.
- 9.7 The User Agency will furnish a certificate to make good any loss to forest /environment while laying the underground pipeline in the forest area and during maintenance of the same in future.
- 9.8 It will be responsibility of the User Agency to ensure that the labourers or staff engaged in pipeline activity do not cause any damage to the nearby forest flora and fauna.
- 9.9 In case of non-compliance of any of the above conditions, the concerned Divisional Forest Officer shall report through the State Government to this office as per procedure laid down in the clause 1.9 of guidelines issued under Forest (Conservation) Act-1980 on 25/10/1992.
- 9.10 No new forest area beyond the limited width of existing road shall be broken for laying of underground pipeline.
- 10.0 The project agency shall restore the land to its level by proper back filling after excavation & pipe laying work is completed.
- 10.1 The User Agency shall ensure that no damage is caused on adjoining area.
- 10.2 The forest land shall not be used for any purpose other than specified in the proposal;
- 10.3 All other conditions as may be mandatory under relevant Acts, Rules and guidelines shall be complied with by the user agency.

11.00 It is therefore, requested that Government of India may kindly be moved for approving the proposal for ~~Proposal for~~ diversion of 0.02 ha. Forest land under Forest (Conservation) Act-1980 for laying pipeline for irrigation purpose of Private land bearing Survey No.25 at Sonala owned by Shri. Raju Kashiram Kadam in Survey/Gut No.22 & Compartment No.C-185 at Sonala Tal. Malegaon Dist. Washim under section 2 (ii) of the Forest (Conservation) Act, 1980.

Encl. :- Proposal 2 copies

(Sanjeev Gaur)
Addl. Principal Chief Conservator of Forests
& Nodal Officer,
S.D. Washim
29/6/19
17/209
21/8/19

Copy to The Chief Conservator of Forests (Territorial) Yavatmal for information.
Copy to Deputy Conservator of Forests, Akola Forest Akola for information.
Copy to Shri. Raju Kashiram Kadam Sonala Tal. Malegaon Dist. Washim for information.