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,

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

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Sub:- Proposal for diversion of 25.5540 ha. forest land under section-2 of the Forest (Conservation) Act, 1980 for Construction of Manekhind Minor Irrigation Scheme at Village Manekhind and Apate, Tal. Shahapur, Dist. Thane in the State of Maharashtra (FP/MH/IRRIG/122284/2021)

No.:Desk-17/FCA/S1/PID-122284/Thane/2023-24/3563 Nagpur – 440 001, Dated :- 28 63 2024

To.

The Principal Secretary (Forests), Revenue and Forest Department, Mantralaya, Mumbai -32

The District Water Conservation Officer Soil & Water Conservation Department Kalwa, Thane has submitted proposal for diversion of 25.5540 ha. forest land under section-2 of the Forest (Conservation) Act, 1980 for Construction of Manekhind Minor Irrigation Scheme at Village Manekhind and Apate, Tal. Shahapur, Dist. Thane in the State of Maharashtra. The details of forest land proposed for diversion is as given below: -

Sr. No	Item work purpose	District	Name of Village	Taluka	Survey No.	L X W (in Mtr)	Area (in ha.)	Legal Status
1	Dam Seat	Thane	Manekhind	Shahapur	93	71 x 75	0.5325	R.F
					93	32 x 40	0.1280	P.F
			Apate		272	36 x 30	0.1080	P.F
					203A	160 x 46	0.7360	P.F
					274	162 x 85	1.3770	R.F
2	Tail Channel		Apate		274	221 x 30	0.6630	R.F
			-		203 A	73 x 30	0.2190	P.F
3	3 Submergence	1	Manekhind		93	475 x 83	3.9425	R.F
			Apate		274	550 x 160	8.8000	R.F
					203 A	40 x34	0.1360	P.F
					272	7 x 15	0.0105	P.F
			Ambekhor		122	660 x 52	3.4320	R.F
4	Right Bank		Manekhind		93	645 x 15	0.9675	R.F
	Canal				87	395 x 15	0.5925	P.F
					86 A	153 x 15	0.2295	P.F
					86A	250 x15	0.3750	P.F
					64/1	76 x 15	0.1140	R.P.F
5	Left Bank		Manekhind		93	33 x 15	0.0495	R.F.
	Canal				57	83 x 15	0.1245	P.F
			Apate		203A	737.34 x	1.1060	P.F
						15		
					274	190 x 15	0.2850	R.F
					254	480 x 15	0.7200	R.F
					253	60 x 15	0.0900	P.F

	Road	Total Fo	25.5540			
/	Approach Road	Wallekimid	274	311 x 10	0.3110	R.F
-		Manekhind	203 A	265 x 10	0.2560	P.F
6	Chowki	Apate	274	60 x 40	0.2400	R.F.

2.0 The proposal for diversion of 25.5540 ha. forest land under section-2 of the Forest (Conservation) Act, 1980 for Construction of Manekhind Minor Irrigation Scheme at Village Manekhind and Apate, Tal. Shahapur, Dist. Thane in the State of Maharashtra. The proposed Minor Irrigation Scheme is located across a local nalla near village Manekhind, Tal. Shahapur, Dist. Thane. The village Manekhind is located distance about 44 Km. away from Shahapur. The proposed dam site is about 1.5 Km from Vilage Manekhind and situated on the in village Manekhind. The dame site latitude 19º-25'00 and longitudinal 73º- 33' 00" with reference of Topo sheet is 47E/11. The Catchment area is 3.624 sq km. The catchment area is hilly and free with very good yield. The rainfall data has been collected from the nearest rain gauge station at Shahapur. The 50% dependable rainfall is 259.50 cm. & yield is 6716.54 Tcum. Gross Storage is proposed 1289.40 T cum. The proposed length of Dam is 3110 M. and maximum height of Dam in gorge portion is 25.570 m. The earthen dam consists of hearting and casing in impervious and previous soil respectively. The Top width of dam is 4.5 m. H.F.L is 96.50 m. and F.S.L. is 95.50 m. is proposed on either side level. Hydraulic gradient is taken from F.S.L with slope of 1:1 casing & 2:1 in hearting. Bottom width of C.O.T is proposed 5.00 m with 0.60 m depth in H.R. The R.C.C well type H.R. is provided with R.C.C. Conduit is proposed as per approved C.D.O. design for similar proposal previously. Sufficient numbers of trial pits are taken of dam alignment, quarry site location to ascertain the strata. It is ascertained that sufficient quantity of hearting & casing material is available with a lead of 0.3 & 0.5 km. from Quarry in submergence. (P/20 to 21)

- 3.00 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 two copies.
 - 3.1 Prescribed form dated 10/01/2003.
 - 3.2 Certificate regarding minimum demand of forest land for the project,
 - 3.3 Area Statement,
 - 3.4 Index map in suitable scale

4.0 The Deputy Conservator of Forest, Shahapur Forest Division, Shahapur has certified that:-

- 4.1 The total non-forest involved in project is 2.777 ha. (P/18)
- 4.2 The site inspection report of the Deputy Conservator of Forests, Shahapur Forest Division, Shahapur is enclosed on page No.57 to 59.

4.3 No alternate alignment is possible and the forest land required is minimum (P/130)

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- 4.4 The area belongs to Eco-value class-I having density is 0.4 to 0.1 (Open Forest) (P/51).
- 4.5 There are 3387 trees of various species and trees is involved in implementation of the Project. The Girth wise break up is as under. (P/52 & 97)

				Tree Girt	th in cm				
00.20	31-45	46-60	61-75	76-90	91-120	121-150	151 cm	Total	
00-30 cm	cm	cm	cm	cm	cm	cm	Above	Total	
11	756	1325	722	313	202	48	10	3387	

The total tree emeration is 3387 at FRL felling trees is 3387, at FRL-2 is 3199 Nos and At FRA-4 is 2989 Nos.

- 4.6 The area involved in the project does not form part of any existing National Park.Wildlife Sanctuary, Nature Reserve etc. (P/53)
- 4.7 Proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance. (P/49)
- 4.8 There is no violation of Forest (Conservation) Act, 1980. (P/41)
- 4.9 Proposed project is beyond 10 Kms from Tansa Wildlife Sanctuary and Kalsubai Harishchandragad Wildlife Sanctuary (P/50)
- 4.10 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. (P/48)
- 4.11 The proposed Compensatory afforestation over 29.50 ha. Non forest land (i) 14.00 ha. in Survey No.34, at Village Pandhrewadi, Taluka Paranda, Dit. Osmanabad (ii) 15.50 ha. in Survey No. 345 pt. at Village Kukkadgaon, Taluka Paranda, Dist. Osmanabad and it is contiguous, suitable for afforestation and management purpose and it is free from encroachment and an encumbrances. (P/42)
- 4.12 The proposal is not for linear diversion, hence alternative alignment not applicable (P/54)

5.0 The User Agency has submitted an undertaking that:-

5.1 The User Agency has submitted an undertaking to defray the cost of Net Present Value.(P/136)

- 5.2 The User Agency has submitted an undertaking to defray the cost of Compensatory Afforestation. (P/134)
- 5.3 The copy of the Administrative/Technical approval accorded by Government of Maharashtra, Water Conservation Corporation vide letter No.MIS/AA/1207/Case no.201, dated 31/05/2008 is enclosed herewith on page No.24.
- 5.4 The Cost benefit ratio is 7.40. The details cost benefit report is encrosed herewith on file page no.20 to 22
- 5.5 The User Agency has submitted an undertaking regarding the compliance under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 has been applied and is under process and shall be submitted before final approval as per Government of India vide letter No.11-43/2013-FC, dt. 3/12/2018. (P/155).
- 5.6 The User Agency has submitted the certificates of Collector, Thane under Schedule Tribes and Other Traditional Forest Dweller's (Recognition of Forest Rights) Act, 2006 issued vide letter No. RB/Desk.IV/T.II/FRA/NoC/CR-01/2021, dated 22/03/2021 in prescribed format (Form-II) as per Government of India latest guidelines dated 05/07/2013. (P/186)
- 6.0 The Deputy Conservator of Forests, Shahapur Forest Division, Shahapur and the Chief Conservator of Forests (T), Thane have recommended the proposal for diversion of 25.554 ha. of Forest land. (P/8 to 11 & 11-10)
- 7.00 In view of this, the proposal is recommended for approval under the section-2 (ii) of the Forest (Conservation) Act, 1980 subject to the following conditions:-
- 7.1 The legal status of the forest land required will remain unchanged.
- 7.2 Compensatory Afforestation:-
- a) The proposed Compensatory afforestation over 29.50 ha. Non forest land (i) 14.00 ha. in Survey No.34, at Village Pandhrewadi, Taluka Paranda, Dit. Osmanabad (ii) 15.50 ha. in Survey No. 345 pt. at Village Kukkadgaon, Taluka Paranda, Dist. Osmanabad shall be undertaken at the cost of the User Agency. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided.
- b) The Non-forest land proposed for CA shall be transferred and mutated in the name of forest Department and notified as RF/PF prior to Stage-II approval. A copy of the original notification declaring the non-forest land under Section-4 or section 29 of the Indian forest act, 1927, or under the relevant section of the State Forest Act as the case may be, will be submitted by the State Government prior to Stage-II approval.

7.3 The cost of compensatory Afforestation 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 10 years. The scheme may include appropriate provisions for anticipated cost increase for works scheduled for subsequent years.

7.4 NPV:

- a) The State Government shall charge the Net Present Value (NPV) for the 25.554 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, 5-3/2011-FC(Vol-1), dated 06/01/2022 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.
- 7.5 The cost of felling of trees shall be deposited by the User Agency with the State Forest Department.
- 7.6 Copy of approved Catchment Area Treatment (CAT) Plan shall be submitted in accordance to para no. 4.8(i) of Forest (Conservation) Act, 1980 Handbook, if applicable.
- 7.7 The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
- 7.8 All the funds received from the user agency under the project shall be transferred/ deposited to CAMPA fund only through e-portal (https://parivesh.nic.in/).
- 7.9 User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;
- 7.10 The layout plan of the proposal shall not be changed without prior approval of Central Government;
- 7.11 No labour camp shall be established on the forest land;
- 7.12 The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer;

- 7.13 The forest land shall not be used for any purpose other than that specified in the project proposal;
- 7.14 The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India;
- 7.15 Violation of any of these conditions will amount to violation of Forest (Conservation)
 Act, 1980 and action would be taken as per the MoEF&CC Guideline F. No. 11 42/2017-FC dt 29/01/2018;
- 7.16 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;
- 7.17 The compliance report shall be uploaded on e-portal (<u>https://parivesh.nic.in/</u>).

8.0 It is therefore, requested that Government of Maharashtra may kindly recommend the proposal approving for diversion of 25.5540 ha. forest land under section-2 of the Forest (Conservation) Act, 1980 for Construction of Manekhind Minor Irrigation Scheme at Village Manekhind and Apate, Tal. Shahapur, Dist. Thane in the State of Maharashtra under section 2 (ii) of the Forest (Conservation) Act, 1980.

Encl. :- Proposal 2 copies

28(3)24

(Naresh Zurmure) Addl. Principal Chief Conservator of Forests & Nodal Officer

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

- Copy to the Deputy Conservator of Forests, Shahapur Forest Division, Shahapur for formation.
- Copy to the District Water Conservation Officer Soil & Water Conservation Department Kalwa, for information.

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 25.5540 ha. forest land under section-2 of the Forest (Conservation) Act, 1980 for Construction of Manekhind Minor Irrigation Scheme at Village Manekhind and Apate, Tal. Shahapur, Dist. Thane in the State of Maharashtra (FP/MH/IRRIG/122284/2021). The details of land proposed for diversion is as under-

Sr. No	Item work purpose	District	Name of Village	Taluka	Survey No.	L X W (in Mtr)	Area (in ha.)	Legal Status
1	Dam Seat	Thane	Manekhind	Shahapur	93	71 x 75	0.5325	R.F
	Algorita Mendalesciano dever incluindare e				93	32 x 40	0.1280	P.F
			Apate		272	36 x 30	0.1080	P.F
					203A	160 x 46	0.7360	P.F
					274	162 x 85	1.3770	R.F
2	Tail Channel		Apate		274	221 x 30	0.6630	R.F
					203 A	73 x 30	0.2190	P.F
3	Submergence		Manekhind		93	475 x 83	3.9425	R.F
,			Apate		274	550 x 160	8.8000	R.F
					203 A	40 x34	0.1360	P.F
					272	7 x 15	0.0105	P.F
			Ambekhor	-	122	660 x 52	3.4320	R.F
4	Right Bank Canal	-	Manekhind	-	93	645 x 15	0.9675	R.F
					87	395 x 15	0.5925	P.F
					86 A	153 x 15	0.2295	P.F
					86A	250 x15	0.3750	P.F
					64/1	76 x 15	0.1140	R.P.F
5	Left Bank		Manekhind		93	33 x 15	0.0495	R.F.
	Canal				57	83 x 15	0.1245	P.F

		Total Fore	st area involved	d (in ha.)	25.5540	
				10		
			274	311 x	0.3110	R.F
	Road			10		
7	Approach	Manekhind	203 A	265 x	0.2560	P.F
6	Chowki	Apate	274	60 x 40	0.2400	R.F.
			253	60 x 15	0.0900	P.F
				15		
			254	480 x	0.7200	R.F
	× .			15		
			274	190 x	0.2850	R.F
				x 15		
		Apate	203A	737.34	1.1060	P.F

Specific recommendation of Principal Chief Conservator of Forests (HoFF) Maharashtra State, Nagpur is attached on page no.

A2513124

(Naresh Zurmure) Additional Principal Chief Conservator of Forests & Nodal Officer

Date **28** /03 /2024 Place: Nagpur Proposal for diversion of 25.5540 ha. forest land under section-2 of the Forest (Conservation) Act, 1980 for Construction of Manekhind Minor Irrigation Scheme at Village Manekhind and Apate, Tal. Shahapur, Dist. Thane in the State of Maharashtra (FP/MH/IRRIG/122284/2021)

Specific Recommendation of Principal Chief Conservator of Forests, Maharashtra State (Head of Forest Force) Maharashtra State, Nagpur with regards to acceptance or otherwise of the proposal supported by reasons.

The proposal is for diversion of 25.5540 ha. forest land under section-2 of the Forest (Conservation) Act, 1980 for Construction of Manekhind Minor Irrigation Scheme at Village Manekhind and Apate, Tal. Shahapur, Dist. Thane in the State of Maharashtra (FP/MH/IRRIG/122284/2021) has been initiated by the District Water Conservation Officer Soil & Water Conservation Department Kalwa, Thane for seeking approval under FCA 1980.
 The details of the forest land proposed for diversion are as under:- (P/18)

Sr. No	Item work purpose	District	Name of Village	Taluka	Survey No.	L X W (in Mtr)	Area (in ha.)	Legal Status
1	Dam Seat	Thane	Manekhind	Shahapur	93	71 x 75	0.5325	R.F
					93	32 x 40	0.1280	P.F
			Apate		272	36 x 30	0.1080	P.F
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2	Tail Channel		Apate] [274	221 x 30	0.6630	R.F
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	Canal				57	83 x 15	0.1245	P.F
			Apate		203A	737.34 x 15	1.1060	P.F
					274	190 x 15	0.2850	R.F
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					253	60 x 15	0.0900	P.F
6	Chowki		Apate] [274	60 x 40	0.2400	R.F.
7	Approach		Manekhind] [203 A	265 x 10	0.2560	P.F
	Road				274	311 x 10	0.3110	R.F
			Tot	al Forest a	area involv	ved (in ha.)	25.5540	

3) The proposal for diversion of 25.5540 ha. forest land under section-2 of the Forest (Conservation) Act, 1980 for Construction of Manekhind Minor Irrigation Scheme at Village Manekhind and Apate, Tal. Shahapur, Dist. Thane in the State of Maharashtra. The proposed Minor Irrigation Scheme is located across a local nalla near village Manekhind, Tal. Shahapur, Dist. Thane. The village Manekhind is located distance about 44 Km. away from

Shahapur. The proposed dam site is about 1.5 Km from Vilage Manekhind and situated on the in village Manekhind. The dame site latitude 19^{0} -25'00 and longitudinal 73^{0} - 33' 00" with reference of Topo sheet is 47E/11. The Catchment area is 3.624 sq km. The catchment area is hilly and free with very good yield. The rainfall data has been collected from the nearest rain gauge station at Shahapur. The 50% dependable rainfall is 259.50 cm. & yield is 6716.54 Tcum. Gross Storage is proposed 1289.40 T cum. The proposed length of Dam is 3110 M. and maximum height of Dam in gorge portion is 25.570 m. The earthen dam consists of hearting and casing in impervious and previous soil respectively. The Top width of dam is 4.5 m. H.F.L is 96.50 m. and F.S.L. is 95.50 m. is proposed on either side level. Hydraulic gradient is taken from F.S.L with slope of 1:1 casing & 2:1 in hearting. Bottom width of C.O.T is proposed 5.00 m with 0.60 m depth in H.R. The R.C.C well type H.R. is provided with R.C.C. Conduit is proposed as per approved C.D.O. design for similar proposal previously. Sufficient numbers of trial pits are taken of dam alignment, quarry site location to ascertain the strata. It is ascertained that sufficient quantity of hearting & casing material is available with a lead of 0.3 & 0.5 km. from Quarry in submergence. (P/20 to 21)

4.0 The Deputy Conservator of Forest, Shahapur Forest Division, Shahapur has certified that:-

- 4.1 The total non-forest involved in project is 2.777 ha. (P/18)
- 4.2 The site inspection report of the Deputy Conservator of Forests, Shahapur Forest Division, Shahapur is enclosed on page No.57 to 59.
- **4.3** No alternate alignment is possible and the forest land required is minimum (P/40)
- 4.4 The area belongs to Eco-value class-I having density is 0.4 to 0.1 (Open Forest) (P/51).
- 4.5 There are 3387 trees of various species and trees is involved in implementation of the Project. The Girth wise break up is as under. (P/52 & 97)

				Tree Girt	th in cm				
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The total tree emeration is 3387 at FRL felling trees is 3387, at FRL-2 is 3199 Nos and At FRA-4 is 2989 Nos.

- 4.6 The area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc. (P/53)
- 4.7 Proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance. (P/49)
- 4.8 There is no violation of Forest (Conservation) Act, 1980. (P/41)

- 4.9 Proposed project is beyond 10 Kms from Tansa Wildlife Sanctuary and Kalsubai Harishchandragad Wildlife Sanctuary (P/50)
- 4.10 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. (P/48)
- 4.11 The proposed Compensatory afforestation over 29.50 ha. Non forest land (i) 14.00 ha. in Survey No.34, at Village Pandhrewadi, Taluka Paranda, Dit. Osmanabad (ii) 15.50 ha. in Survey No. 345 pt. at Village Kukkadgaon, Taluka Paranda, Dist. Osmanabad and it is contiguous, suitable for afforestation and management purpose and it is free from encroachment and an encumbrances. (P/42)
- 4.12 The proposal is not for linear diversion, hence alternative alignment not applicable(P/54)

5.0 The User Agency has submitted an undertaking that:-

- 5.1 The User Agency has submitted an undertaking to defray the cost of Net Present Value.(P/136)
- 5.2 The User Agency has submitted an undertaking to defray the cost of Compensatory Afforestation. (P/134)
- 5.3 The copy of the Administrative/Technical approval accorded by Government of Maharashtra, Water Conservation Corporation vide letter No.MIS/AA/1207/Case no.201, dated 31/05/2008 is enclosed herewith on page No.24.
- 5.4 The Cost benefit ratio is 7.40. The details cost benefit report is encposed herewith on file page no.20 to 22
- 5.5 The User Agency has submitted an undertaking regarding the compliance under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 has been applied and is under process and shall be submitted before final approval as per Government of India vide letter No.11-43/2013-FC, dt. 3/12/2018. (P/155).
- 5.6 The User Agency has submitted the certificates of Collector, Thane under Schedule Tribes and Other Traditional Forest Dweller's (Recognition of Forest Rights) Act, 2006 issued vide letter No. RB/Desk.IV/T.II/FRA/NoC/CR-01/2021, dated 22/03/2021 in prescribed format (Form-II) as per Government of India latest guidelines dated 05/07/2013. (P/186)

- 6.0 The Deputy Conservator of Forests, Shahapur Forest Division, Shahapur and the Chief Conservator of Forests (T), Thane have recommended the proposal for diversion of 25.554 ha. of Forest land. (P/8 to 11 & 11-10)
- 7.00 In view of this, the proposal is recommended for approval under the section-2 (ii) of the Forest (Conservation) Act, 1980 subject to the following conditions:-
- 7.1 The legal status of the forest land required will remain unchanged.

7.2 Compensatory Afforestation:-

- a) The proposed Compensatory afforestation over 29.50 ha. Non forest land (i) 14.00 ha. in Survey No.34, at Village Pandhrewadi, Taluka Paranda, Dit. Osmanabad (ii) 15.50 ha. in Survey No. 345 pt. at Village Kukkadgaon, Taluka Paranda, Dist. Osmanabad shall be undertaken at the cost of the User Agency. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided.
- b) The Non-forest land proposed for CA shall be transferred and mutated in the name of forest Department and notified as RF/PF prior to Stage-II approval. A copy of the original notification declaring the non-forest land under Section-4 or section 29 of the Indian forest act, 1927, or under the relevant section of the State Forest Act as the case may be, will be submitted by the State Government prior to Stage-II approval.
- 7.3 The cost of compensatory Afforestation 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 10 years. The scheme may include appropriate provisions for anticipated cost increase for works scheduled for subsequent years.

7.4 NPV:

- a) The State Government shall charge the Net Present Value (NPV) for the 25.554 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, 5-3/2011-FC(Vol-1), dated 06/01/2022 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.

- 7.5 The cost of felling of trees shall be deposited by the User Agency with the State Forest Department.
- 7.6 Copy of approved Catchment Area Treatment (CAT) Plan shall be submitted in accordance to para no. 4.8(i) of Forest (Conservation) Act, 1980 Handbook, if applicable.
- 7.7 The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
- 7.8 All the funds received from the user agency under the project shall be transferred/ deposited to CAMPA fund only through e-portal (https://parivesh.nic.in/).
- 7.9 User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;
- 7.10 The layout plan of the proposal shall not be changed without prior approval of Central Government;
- 7.11 No labour camp shall be established on the forest land;
- 7.12 The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer;
- 7.13 The forest land shall not be used for any purpose other than that specified in the project proposal;
- 7.14 The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India;
- 7.15 Violation of any of these conditions will amount to violation of Forest (Conservation)
 Act, 1980 and action would be taken as per the MoEF&CC Guideline F. No. 11 42/2017-FC dt 29/01/2018;
- 7.16 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;
- 7.17 The compliance report shall be uploaded on e-portal (https://parivesh.nic.in/).

8.0 It is therefore, requested that Government of Maharashtra may kindly recommend the proposal approving for diversion of 25.5540 ha. forest land under section-2 of the Forest (Conservation) Act, 1980 for Construction of Manekhind Minor Irrigation Scheme at Village Manekhind and Apate, Tal. Shahapur, Dist. Thane in the State of Maharashtra under section 2 (ii) of the Forest (Conservation) Act, 1980.

(Shailesh G. Tembhurnikar) Principal Chief Conservator of Forests (Head of Forest Force) Maharashtra State, Nagpur