

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 0.4509 ha Forest land under Forest (Conservation) Act-1980 for laying of underground pipeline for Irrigation Purpose in compartment No.617 & Survey No. 563 of village Deulgaon Sakarsha Tah. Mehkar Dist. Buldhana in favour of Shri. Bhaskar Namdeo Thakare & Others 35 farmars. The details of land proposed for diversion is as under-

Buldhana Forest Division						
Item of Work	Village	District	Survey/ Gut no.	Comptt. No	Area (in ha.)	Legal Status
Laying of Pipeline	Deulgaon Sakarsha	Buldhana	563	617	0.4509	Reserve Forest land ("C" class forest)
Total forest Area					0.4509	

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


(G Sai Prakash)

**Additional Principal Chief Conservator of Forests
& Nodal Officer, Maharashtra State, Nagpur.**

Date: 07/02/2018

Place: Nagpur

139/21

Proposal for diversion of 0.4509 ha Forest land under Forest (Conservation) Act-1980 for laying of underground pipeline for Irrigation Purpose in compartment No.617 & Survey No. 563 of village Deulgaon Sakarsha Tah. Mehkar Dist. Buldhana in favour of Shri. Bhaskar Namdeo Thakare & Others 35 farmers

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

- 1) The proposal is for diversion of 0.4509 ha Forest land under Forest (Conservation) Act-1980 for laying of underground pipeline for Irrigation Purpose in compartment No.617 & Survey No. 563 of village Deulgaon Sakarsha Tah. Mehkar Dist. Buldhana in favour of Shri. Bhaskar Namdeo Thakare & Others 35 farmers. The details of forest land proposed for diversion are as under-

Buldhana Forest Division						
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Laying of Pipeline	Deulgaon Sakarsha	Buldhana	563	617	0.4509	Reserve Forest land ("C" class forest)
Total forest Area					0.4509	

The proposal has been initiated by Shri. Bhaskar Namdeo Thakare & Others for diversion of 0.4509 ha Forest land under Forest (Conservation) Act-1980 for laying of underground pipeline for Irrigation. The water will be taken from Utavali Project to the starting point of pipeline is from Utavali Project to end point of pipelines is in private gut No.136,153,126,123,369,42,112,113,109,120,27,140,107,109,124,111,117,123,33,141,29,9, 143,144,369,20 of Naigaon Deshmukh Dist. Buldhana & 37/1,34/1,14,52/2,42/2, 43/1,40/1,12,56/1 of Sawargaon Dist. Akola. The total length of proposed pipeline is 2242 Rmt. From which 10002 x 4.50 Rmt is passing through forest land in Gut No.563 of Deulgaon Sakarsha Village, Tal. Mehkar Dist. Buldhana, compartment No.617. The project is demarcated on Survey of India Top sheet No. 55/D/11 and the forest area lies within Latitude & Longitude N-20°24'31.45" and E-76°41'45.19". The site inspection report of the Deputy Conservator of Forests, Buldhana Forest Division, Buldhana s enclosed on page no. 220 to 222.

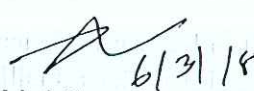
- 2) The area belongs to Eco-value class-III and having density less than 0.2 of open forest category.

- 3) The Deputy Conservator of Forests, Buldhana Forest Division, Buldhana has certified that no alternate alignment is possible and the forest land required is the barest minimum.
- 4) There are no cutting and felling of trees involved in this project.
- 5) The Deputy Conservator of Forests, Buldhana Forest Division, Buldhana has certified that the proposed project is beyond 10 kms from the boundary of Protected Area (Sanctuary and National Park).
- 6) The User Agency has submitted an undertaking to defray the cost of Net Present Value of the forest land proposed for diversion.
- 7) The proposed area does not form part of any existing National Park, Wildlife Sanctuary, and Nature Reserve etc. as certified by the The Deputy Conservator of Forests, Buldhana Forest Division, Buldhana.
- 8) The Deputy Conservator of Forests, Buldhana Forest Division, Buldhana has certified that proposed project is not likely to affect monumental site of cultural, historical, religious, archeological or recreational importance.
- 9) The User Agency has submitted the certificates of Collector, Buldhana under Schedule Tribes and Other Traditional Forest Dweller's (Recognition of Forest Rights) Act 2006 issued vide letter No.Rev/D-7(3)/A.K./W.S.1234/2017,dt.10/04/2017 in prescribed format Form- I as per Government of India guidelines dated 5/7/2013 with all annexures as required.
- 10) There is no violation of Forest (Conservation) Act 1980, as certified by the Deputy Conservator of Forests, Buldhana Forest Division, Buldhana.
- 11) The Deputy Conservator of Forests, Buldhana Forest Division, Buldhana and the Chief Conservator of Forests (T), Amravati Circle have recommended the proposal for diversion of 0.4509 ha. of forest land.

In view of this, the proposal is recommended for approval under section 2 (ii) of Forest (Conservation) Act, 1980 subject to the following conditions:-

- i) The legal status of the land required will remain unchanged.
- ii) The User Agency will defray the cost of compensatory afforestation over 1.00 ha degraded forest land.
- iii) The pipe line will be laid down 01 (one) meter below the ground and after lying down of pipeline the ground will be leveled.
- iv) The user agency will defray the cost of Net Present Value of 0.4509 ha. of forest land as per the latest Guideline of Government of India.
- v) 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.

- vi) 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.
- vii) The boundary of the diverted forestland 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.
- viii) 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.
- ix) The project agency shall restore the land to its level by proper back filling after excavation and pipe laying work is completed.
- x) The user agency shall ensure that because of the project, no damage is caused to the wildlife available in the area.
- xi) No trees will be felled during the implementation of the project.
- xii) No labour camp shall be established on the forest land.
- xiii) The forest land shall not be used for any purpose other than specified in the proposal;
- xiv) All other conditions as may be mandatory under relevant Acts, Rules and guidelines shall be complied with by the user agency.


6/3/18
Principal Chief Conservator of Forests
(Head of Forest Force)
Maharashtra State, 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 0.4509 ha Forest land under Forest (Conservation) Act-1980 for laying of underground pipeline for Irrigation Purpose in compartment No.617 & Survey No. 563 of village Deulgaon Sakarsha Tah. Mehkar Dist. Buldhana in favour of Shri. Bhaskar Namdeo Thakare & Others 35 farmers. *AP/CH/other/25961/2017*

No. : Desk-17/NC/II/ID-12528/ *2975* 17-18

Nagpur - 440 001, Dated : *07/03/2018*

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

Shri. Bhaskar Namdeo Thakare & Others 35 farmers has submitted the proposal for diversion of 0.4509 ha Forest land under Forest (Conservation) Act-1980 for laying of underground pipeline for Irrigation Purpose in compartment No.617 & Survey No. 563 of village Deulgaon Sakarsha Tah. Mehkar Dist. Buldhana. The area statement is as shown as below:-

Buldhana Forest Division						
Item of Work	Village	District	Survey/ Gut no.	Comptt. No	Area (in ha.)	Legal Status
Laying of Pipeline	Deulgaon Sakarsha	Buldhana	563	617	0.4509	Reserve Forest land ("C" class forest)
Total forest Area					0.4509	

The proposal has been initiated by Shri. Bhaskar Namdeo Thakare & Others for diversion of 0.4509 ha Forest land under Forest (Conservation) Act-1980 for laying of underground pipeline for Irrigation. The water will be taken from Utavali Project to the starting point of pipeline is from Utavali Project to end point of pipelines is in private gut No.136,153,126,123,369,42,112,113, 109,120,27,140,107,109,124,111,117,123,33,141,29,9,143, 144, 369,20 of Naigaon Deshmukh Dist. Buldhana & 37/1,34/1,14,52/2,42/2, 43/1,40/1,12,56/1 of Sawargaon Dist. Akola. The total length of proposed pipeline is 2242 Rmt. From which 10002 x 4.50 Rmt is passing through forest land in Gut No.563 of Deulgaon Sakarsha Village, Tal. Mehkar Dist. Buldhana, compartment No.617. The project is demarcated on Survey of India Top sheet No. 55/D/11 and the forest area lies within Latitude & Longitude N-20024'31.45" and E-76041'45.19". The site inspection report of the

Deputy Conservator of Forests, Buldhana Forest Division, Buldhana s enclosed on page no. 220 to 222.

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.

- 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) The area belongs to Eco-value class-III and having density less than 0.2 of open forest category.
- 6) The Deputy Conservator of Forests, Buldhana Forest Division, Buldhana has certified that no alternate alignment is possible and the forest land required is the barest minimum.
- 7) There are no cutting and felling of trees involved in this project.
- 8) The Deputy Conservator of Forests, Buldhana Forest Division, Buldhana has certified that the proposed project is beyond 10 kms from the boundary of Protected Area (Sanctuary and National Park).
- 9) The User Agency has submitted an undertaking to defray the cost of Net Present Value of the forest land proposed for diversion.
- 10) The proposed area does not form part of any existing National Park, Wildlife Sanctuary, and Nature Reserve etc. as certified by the The Deputy Conservator of Forests, Buldhana Forest Division, Buldhana.
- 11) The Deputy Conservator of Forests, Buldhana Forest Division, Buldhana has certified that proposed project is not likely to affect monumental site of cultural, historical, religious, archeological or recreational importance.
- 12) The User Agency has submitted the certificates of Collector, Buldhana under Schedule Tribes and Other Traditional Forest Dweller's (Recognition of Forest Rights) Act 2006 issued vide letter No.Rev/D-7(3)/A.K./W.S.1234/2017,dt.10/04/2017 in prescribed format Form- I as per Government of India guidelines dated 5/7/2013 with all annexures as required.
- 13) There is no violation of Forest (Conservation) Act 1980, as certified by the Deputy Conservator of Forests, Buldhana Forest Division, Buldhana.
- 14) The Deputy Conservator of Forests, Buldhana Forest Division, Buldhana and the Chief Conservator of Forests (T), Amravati Circle have recommended the proposal for diversion of 0.4509 ha. of forest land.

In view of this, the proposal is recommended for approval under section 2 (ii) of Forest (Conservation) Act, 1980 subject to the following conditions:-

- i) The legal status of the land required will remain unchanged.
- ii) The User Agency will defray the cost of compensatory afforestation over 1.00 ha degraded forest land.
- iii) The pipe line will be laid down 01 (one) meter below the ground and after lying down of pipeline the ground will be leveled.

- iv) The user agency will defray the cost of Net Present Value of 0.4509 ha. of forest land as per the latest Guideline of Government of India.
- v) 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.
- vi) 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.
- vii) The boundary of the diverted forestland 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.
- viii) 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.
- ix) The project agency shall restore the land to its level by proper back filling after excavation and pipe laying work is completed.
- x) The user agency shall ensure that because of the project, no damage is caused to the wildlife available in the area.
- xi) No trees will be felled during the implementation of the project.
- xii) No labour camp shall be established on the forest land.
- xiii) The forest land shall not be used for any purpose other than specified in the proposal;
- xiv) All other conditions as may be mandatory under relevant Acts, Rules and guidelines shall be complied with by the user agency.

It is therefore, requested that Government of India may kindly be moved for approving the proposal for diversion of 0.4509 ha Forest land under Forest (Conservation) Act-1980 for laying of underground pipeline for Irrigation Purpose in compartment No.617 & Survey No. 563 of village Deulgaon Sakarsha Tah. Mehkar Dist. Buldhana under section 2 (ii) of the Forest (Conservation) Act, 1980.

Encl. :- Proposal 2 copies

(G.Sai Prakash)

Addl. Principal Chief Conservator of Forests
& Nodal Officer,
Maharashtra State, Nagpur.

Copy to The Chief Conservator of Forests (Territorial) Amravati for information.

Copy to Deputy Conservator of Forests, Buldhana Forest Division, Buldhana for information.

Copy to Shri. Bhaskar Namdeo Thakare & Others-35 farmers, Naygaon, Post Umra, Tal. Mehakar, Dist. Buldhana for information.