

**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 263.5406 ha. forest land under Forest (Conservation), 1980 for Construction of Sambarkund Medium Irrigation Project at Village Mahan, Taluka Alibag District Raigad in the State of Maharashtra (FP/MH/IRRIG/142819/2021). The details of land proposed for diversion is as under-

Sr No.	Item of work / purpose	Taluka	Village,	Compt. no.	Survey No.	Gut No.	Area (in ha.)	Status
1	Submergence	Alibag	Mahan	210	--	--	2.8466	Reserved Forest
				197	--	--	1.0296	
				199	--	--	8.9474	
				199	--	--	10.9362	
				200	--	--	3.3514	
				201	--	--	15.4796	
				201	--	--	0.7924	
				195	--	--	20.4426	
				196	--	--	62.9774	
				197	--	--	39.4587	
				--	26/0	54	8.0200	Reserved Forest (IFA, 1927 U/s 4)
				--	81/0	135	9.9600	
				--	73/0	125	1.7343	
				--	51/0	94	7.6690	
				--	47/P	91	7.7953	Restored to Owner U/s 22 A of MPF Act, 1975
				--	54/0	98	1.1800	
				--	57/0	103	0.3700	
				--	109/1	177/P	5.7783	Reserved Forest U/s 22 A of MPF Act, 1975
				--	107/0	175	1.9630	Restored to Owner U/s 22 A of MPF Act, 1975
				--	109/2	175	0.4000	
				--	68/0	110/P	8.4984	Reserved Forest U/s 22 A of MPF Act, 1975
				--	97/1B	167	0.2700	Restored to Owner U/s 22 A of
				--	22/2	52/P	1.2600	
				--	22/1	53/P	3.0800	



				--	31/2/1	60	0.5100	MPF Act, 1975
				--	31/2/3, 31/2/4, 31/2/6	61/P	0.5400	
				--	31/2/5	62	0.3000	
				--	31/4	71	0.2700	
				--	97/1A	168	1.0600	
				--	97/2	169/P	1.3500	
				--	59/0	105	0.5300	
				--	61/0	108	1.8200	
				--	15/1C	36	1.6600	
2	Submergence	Pen	Shuhu	211	--	--	4.9298	Reserved Forest
				210	--	--	1.0315	
3	Damseat			195	--	--	3.8708	
				--	109/1	177/P	1.5512	Reserved Forest U/s 22 A of MPF Act, 1975
				--	120/2	180/P	0.0708	
				--	120/3	178	1.1600	Restored to Owner U/S 22 A of MPF Act, 1975
				--	15/5B	32	0.1600	
				--	15/2	33/P	0.0500	
				--	15/5/A	34/P	0.5300	
				--	15/1B	35/P	0.1114	
				--	9/6	28	0.5200	
				--	15/4	31	0.0300	
				--	15/5C	27/P	0.0400	
				--	9/7	15/P	0.2078	Reserved Forest U/s 22 A of MPF Act, 1975
				--	15/3	24	0.0300	Restored to Owner U/S 22 A of MPF Act, 1975
4	Waste Weir	Alibag	Mahan	201	--	--	5.0921	Reserved Forest
5	Tail Channel			--	115/0	185	0.1620	Restored to Owner U/S 22 A of MPF Act, 1975
				--	120/7	186	0.7900	
6	Approach Road	Alibag	Mahan	--	120/20	199	0.1484	
				--	120/23	203	0.0956	
7	Approach Road	Alibag	Ramraj	--	54/0	112	2.6029	Reserved Forest U/s 22 A of MPF Act, 1975
8	Left Pipe Distribution Network	Alibag	Mahan	--	120/23	203/P	0.0954	Restored to Owner U/S 22 A of MPF Act,



								1975
			Ramraj	--	54	112/P	1.7594	Reserved Forest U/S 22 A of MPF Act, 1975
				--	85/1	195/P	0.8498	Finally Acquired private Forest U/S 22 A of MPF Act, 1975
				--	85/2	193/P	0.0471	Restored to Owner U/S 22 A of MPF Act, 1975
				--	116	282/P	0.4987	
			Malade	--	7/12	13/P	0.2068	Reserved Forest (IFA, 1927 U/s 4)
9	Right Pipe Distribution Network	Alibag	Mahan	--	9/7	15/P	0.0122	Reserved Forest U/S 22 A of MPF Act, 1975
				--	9/1	258/P	0.0633	
				--	145	246/P	0.1650	
				--	138/1	230/P	0.0183	
				--	20/4	--	0.0235	
			Moronde	--	3/1,3/2B	100/P	0.1489	Restored Forest U/s 22 A of MPF Act, 1975
			Umate	--	20/4	--	0.0235	
				--	42/P	--	0.3027	
				--	43/P	--	0.0269	
				--	49/P	--	0.3269	
				--	13/P	--	0.4623	
			Borghar	--	54/P	--	0.2566	
				--	55/P	--	0.6200	
				--	59	214/P	0.0386	
			Beloshi	--	190/2	454/P	0.1143	Restored Forest U/s 22 A of MPF Act, 1975
				--	190/1	455/P	0.1042	
			Mahajane	--	82/1/A	294/P	0.0402	
				--	82/1B	293/P	0.0326	
				--	74/3	287/P	0.0352	
				--	74/1	235/P	0.0894	
				--	63/0	223/P	0.2558	
				--	71/1B	190/P	0.0062	
				--	68/4	180/P	0.0646	
				--	8/0	25/P	0.3088	
				--	24/0	68/P	0.1733	Reserved Forest

			--	44/0	179/P	0.1714	(IFA,1927
			--	81/1	295/P	0.2874	U/s 4)
		Valvali	--	70/2	--	0.1876	Restored to
			--	66/P	--	0.1920	Owner U/S
		Malyan	--	20/1+2+3	83/P	0.0743	22 A of
			--				MPF Act,
			--	441/P	--	0.0164	1975
			--				Reserved
			--				Forest
			--				(IFA,1927
			--				U/s 4)
Total Forest Land (in ha.)						263.5406	

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



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

Date: 15/10/2021  
Place: Nagpur



**Proposal for diversion of 263.5406 ha. forest land under Forest (Conservation), 1980 for Construction of Sambarkund Medium Irrigation Project at Village Mahan, Taluka Alibag District Raigad in the State of Maharashtra (FP/MH/IRRIG/142819/2021).**

**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.**

- 1) Proposal for diversion of 263.5406 ha. forest land under Forest (Conservation), 1980 for Construction of Sambarkund Medium Irrigation Project at Village Mahan, Taluka Alibag District Raigad in the State of Maharashtra (FP/MH/IRRIG/142819/2021).
- 2) The details of the forest land proposed for diversion are as under:-

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				--	66/P	--	0.1920	
			Malyan	--	20/1+2+ 3	83/P	0.0743	Reserved Forest (IFA, 1927 U/s 4)
				--	441/P	--	0.0164	
			<b>Total Forest Land (in ha.)</b>					<b>263.5406</b>

3.00 The proposal has been initiated by the Executive Engineer, Hatwane Medium Project Division, Kamarli-Pen, Dist. Raigad for approval under Forest (Conservation) Act, 1980. This project submitted for construction of earthen dam about 725 Mtr. in length across the Sambarkund river near village Mahan, Tal. Alibag Dist. Raigad. The storage capacity contemplated is 49.85 McM. to irrigate 2528 ha. land on the banks of Sambarkund river in Tal. Alibag. The project affects 3 Padas of Mahan Village from Alibag Taluka Dist. Raigad. The affected population of 129 families is proposed to be resettled in the project command area and 33 number of village under Alibag Taluka are benefited.

**4.00 The Deputy Conservator of Forests, Alibag Forest Division, Alibag has certified that:-**

- 4.1 The total non forest land involved in the project is 171.8177 ha.
- 4.2 The copy of the Technical Approval accorded by the Chief Engineer, Water Resources Department, Konkan Region, Mumbai vide letter dated. Cewrdkr/Sambarkund/TS/T-2(2)/8601, dated 23/11/2011 is enclosed on page **No.305**.
- 4.3 The copy of the Administrative Approval accorded by the Government of Maharashtra, Water Resources Department vide order No.Suprama-2020/146/(CR.50/20)/Medium Project Division, dated 25/06/2020 is enclosed on **page No.306**.
- 4.4 The Site Inspection Report of the Deputy Conservator of Forests, Alibag Forest Division, Alibag is enclosed on page **no.62**.
- 4.5 The Site Inspection Report of the Chief Conservator of Forests (T), Thane is enclosed on page **No.60**.
- 4.6 No suitable alternate land is available and the forest land required is lowest minimum demand (**file. P/9**).
- 4.7 The area belongs to Eco-value class-I having density is 0.3 (**P/57**)



- 4.8 There are 67624 trees to be felled in the project the Girth wise break up is as under:-  
(P/66 & P/98)

Division	Below 30 cms	31-45	46-60	61-75	76-90	91-105	106-120	121-135	136-150	151-180	Total
Alibag	10451	20696	14140	8607	5123	3483	1844	1230	615	1435	67624

- 4.9 The area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc (P/56).
- 4.10 Proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance (P/55).
- 4.11 There is no violation of Forest (Conservation) Act 1980 (P/51).
- 4.12 Proposed project is 10.300 Km from Phansad Wildlife Sanctuary and is not include in Eco-Sensitive Zone of Phansad Wildlife Sanctuary. The proposed area is not included in Eco-Sensitive zone of Phansad Wildlife Bird Sanctuary (P/58).
- 4.13 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/54).
- 4.14 Proposed compensatory afforestation over 268.70 ha. non forest land the details of CA land is mentioned below:-

Sr. No.	Name of Village	Range	Taluka	S. No.	Handed over Area in Ha.	Encroachment Area Ha.	Free from Encroachment Area in Ha.	Proposed CA land for the Sambarkund Project. Ha.
1.	Hatola	Mandavi	Kinwat	19	50.00	20.00	30.00	30.00
2.	Nagapur	Mandavi	Kinwat	70	30.00	0.00	30.00	30.00
3.	Bhanegaon	Hadgaon	Hadgaon	56	15.00	0.00	15.00	15.00
4.	Shirur	Hadgaon	Hadgaon	227	20.00	0.00	20.00	20.00
5.	Taroda	Hadgaon	Hadgaon	246, 247	10.00	4.80	5.20	5.20
6.	Mahatala	Hadgaon	Hadgaon	146	30.00	0.00	30.00	30.00
7.	Brahamawadi	Hadgaon	Hadgaon	1	20.00	0.00	20.00	20.00
8.	Nivgha	Hadgaon	Hadgaon	110/1	15.00	5.00	10.00	10.00
9.	Bamni	Hadgaon	Hadgaon	3	10.00	1.50	8.50	8.50
10.	Digras	Hadgaon	Hadgaon	111	15.00	0.00	15.00	15.00
11.	Pimparala	Hadgaon	Hadgaon	16	10.00	0.00	10.00	10.00
12.	Kohli	Hadgaon	Hadgaon	255	25.00	0.00	25.00	25.00
13.	Sarsam Bk.	Himayatnagar	Himayatnagar	121	50.00	0.00	50.00	50.00
<b>Total</b>					<b>395.00</b>	<b>51.30</b>	<b>343.70</b>	<b>268.70</b>



is suitable for Compensatory Afforestation and Management purpose and it is free from encroachment and encumbrances (File P/11).

4.15 The cost benefit analysis ratio is 10.71 (P/80)

5.00 **The User Agency has submitted an undertaking that:-**

5.1 to defray the cost of compensatory afforestation (P/241).

5.2 to defray the cost of Net Present Value of the forest land proposed under diversion (P/243).

5.3 The Copy of the Environmental Clearance obtained by the User Agency vide letter dated 31/03/2020 is enclosed on page no.216 to 250.

5.4 The User Agency has submitted Catchment Area Treatment Plan is enclosed herewith on page no.254 to 287.

5.5 The Copy of the Typical Cross Section of Gabion Structure (P/291)

5.6 The User Agency has submitted an undertaking regarding Non-Indemnity to Forest Department in the matter of pending for enquiry u/s 22 (A) of the Maharashtra Private Forest (Acquisition) Act, 1975 (Act 13 of 1975) pertaining to the land bearing Gut Nos as mentioned under Area Statement respectively (P/251).

5.7 **Details of Command area:-**

a) Total Catchment area of dam	:-	28.10Sq.Km
b) Type of catchment area	:-	Hilly & Steep Sloped.
c) Average Annual Rainfall	:-	3158 mm.
d) Total Yield @ Side in Mcft/T.C.M	:-	50.70 M.cum
e) Gross Storage in Mcft/T.C.M	:-	49.85 M.cum
f) Utilization proposed	:-	46.65 M.cum
b) Full Reservoir Level	:-	52.70 Meter
c) Total Command Area (by flow)	:-	3160 Ha.
d) High Flood Level	:-	53.05 Meter
e) Minimum Water Draws down level (Sill R.L)	:-	29.91 Meter
f) Maximum height of dam	:-	38.50 Meter
g) Total No. of family benefited (Population)	:-	8267 families
h) Taluka benefited	:-	01 (Alibag Taluka)
i) Village benefited	:-	33 Villages.
j) Gross Command Area (GCA) in ha.:-		6445 ha.
k) Cultivable Command Area (CCA) :-		3160 ha.
l) Irrigation Potential (I.C.A)	:-	2528 ha.



- 6.00 The Deputy Conservator of Forests, Alibag Forest Division, Alibag and Chief Conservator of Forest (T), Thane have recommended the proposal for diversion of 263.5406 ha. of forest land.

**2.00 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: –**

2.1 The legal status of the forest land required will remain unchanged.

2.2 Forest land will be handed over only after required non-forest land for the project is handed over to the User Agency.

**2.3 Compensatory Afforestation :-**

Compensatory afforestation will be raised over 268.70 ha. non forest land the details of CA land is mentioned below:-

Sr. No.	Name of Village	Range	Taluka	S. No.	Handed over Area in Ha.	Encroachment Area Ha.	Free from Encroachment Area in Ha.	Proposed CA land for the Sambarkund Project. Ha.
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7.	Brahamawadi	Hadgaon	Hadgaon	1	20.00	0.00	20.00	20.00
8.	Nivgha	Hadgaon	Hadgaon	110/1	15.00	5.00	10.00	10.00
9.	Bamni	Hadgaon	Hadgaon	3	10.00	1.50	8.50	8.50
10.	Digras	Hadgaon	Hadgaon	111	15.00	0.00	15.00	15.00
11.	Pimparala	Hadgaon	Hadgaon	16	10.00	0.00	10.00	10.00
12.	Kohli	Hadgaon	Hadgaon	255	25.00	0.00	25.00	25.00
13.	Sarsam Bk.	Himayatnagar	Himayatnagar	121	50.00	0.00	50.00	50.00
<b>Total</b>					<b>395.00</b>	<b>51.30</b>	<b>343.70</b>	<b>268.70</b>


2.4 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 provision for anticipated cost increase for works scheduled for subsequent years.

**2.5. NPV:-**

- a) The State Government shall charge the Net Present Value (NPV) for the 263.5406 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 and File No.5-3/2011-FC(Vol-I), 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.
- 2.6 User agency shall restrict the felling of trees to minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the User Agency with the State Forest Department.
- 2.7 All the funds received from the user agency under the project shall be transferred/ deposited to CAMPA fund only through (<https://parivesh.nic.in/>).
- 2.8 The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
- 2.9 Speed regulating signage will be erected along the railway line at regular intervals in the Protected Areas/ Forest Areas.
- 2.10. The user agency shall provide suitable under/ over passes in Protected Area/ Forest Area.
- 2.11 No damage shall be caused to the flora and fauna of the area.
- 2.12 No labour camp shall be established on the forest land;
- 2.13 The user agency, if required, shall undertake comprehensive soil conservation measure at the project cost in consultation with the Forest Department.
- 2.14 The user agency shall carry out muck disposal at pre- designated sites in such manner so as to avoid its rolling down;
- 2.15 The dumping area for muck disposal shall be stabilized and reclaimed by planting suitable species by the user agency at the cost of project under the supervision of State Forest Department. Retaining walls and terracing shall be carried out to hold the dumping material in place. Stabilization and reclamation of such dumping sites shall be completed before handing over the same to the State Forest Department in a time bound manner as per plan;
- 2.16 The user agency shall consult organizations (s) having experience in construction of roads in hilly areas to avoid frequent road blocks due to landslides etc. and shall provide breast walls and retaining walls wherever necessary;
- 2.17 The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
- 2.18 All other conditions as may be mandatory under relevant Acts, Rules and guidelines shall be complied with by the user agency.

  
(Dr. Y.L.P Rao)  
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 263.5406 ha. forest land under Forest (Conservation), 1980 for Construction of Sambarkund Medium Irrigation Project at Village Mahan, Taluka Alibag District Raigad in the State of Maharashtra (FP/MH/IRRIG/142819/2021).

No. : Desk-17/Nodal/Thane /I.D- 13714 (78)/1817/2022-23  
Nagpur – 440 001, Dated :- 15/10/2022

To,  
The Principal Secretary (Forests),  
Revenue & Forest Department,  
Mantralya, Mumbai – 400032

The Executive Engineer, Hatwane Medium Project Division, Kamarli-Pen, Dist. Raigad has submitted proposal for diversion of 263.5406 ha. forest land under Forest (Conservation), 1980 for Construction of Sambarkund Medium Irrigation Project at Village Mahan, Taluka Alibag District Raigad in the State of Maharashtra. The details of forest land proposed for diversion is as given below: -

Sr No.	Item of work / purpose	Taluka	Village,	Compt. no.	Survey No.	Gut No.	Area (in ha.)	Status
1	Submergence	Alibag	Mahan	210	--	--	2.8466	Reserved Forest
				197	--	--	1.0296	
				199	--	--	8.9474	
				199	--	--	10.9362	
				200	--	--	3.3514	
				201	--	--	15.4796	
				201	--	--	0.7924	
				195	--	--	20.4426	
				196	--	--	62.9774	
				197	--	--	39.4587	
				--	26/0	54	8.0200	Reserved Forest (IFA, 1927 U/s 4)
				--	81/0	135	9.9600	
				--	73/0	125	1.7343	
				--	51/0	94	7.6690	
				--	47/P	91	7.7953	Restored to Owner U/s 22 A of MPF Act, 1975
				--	54/0	98	1.1800	
				--	57/0	103	0.3700	
				--	109/1	177/P	5.7783	Reserved Forest U/s 22 A of MPF Act, 1975
				--	107/0	175	1.9630	Restored to Owner U/s 22 A of MPF Act, 1975
				--	109/2	175	0.4000	



				--	68/0	110/P	8.4984	Reserved Forest U/s 22 A of MPF Act, 1975
				--	97/1B	167	0.2700	Restored to Owner U/s 22 A of MPF Act, 1975
				--	22/2	52/P	1.2600	
					22/1	53/P	3.0800	
				--	31/2/1	60	0.5100	
				--	31/2/3, 31/2/4, 31/2/6	61/P	0.5400	
				--	31/2/5	62	0.3000	
				--	31/4	71	0.2700	
				--	97/1A	168	1.0600	
				--	97/2	169/P	1.3500	
				--	59/0	105	0.5300	
				--	61/0	108	1.8200	
				--	15/1C	36	1.6600	
2	Submergence	Pen	Shuhu	211	--	--	4.9298	Reserved Forest
				210	--	--	1.0315	
				195	--	--	3.8708	
3	Damseat			--	109/1	177/P	1.5512	Reserved Forest U/s 22 A of MPF Act, 1975
				--	120/2	180/P	0.0708	
				--	120/3	178	1.1600	Restored to Owner U/S 22 A of MPF Act, 1975
				--	15/5B	32	0.1600	
				--	15/2	33/P	0.0500	
				--	15/5/A	34/P	0.5300	
				--	15/1B	35/P	0.1114	
				--	9/6	28	0.5200	
				--	15/4	31	0.0300	
				--	15/5C	27/P	0.0400	
				--	9/7	15/P	0.2078	Reserved Forest U/s 22 A of MPF Act, 1975
				--	15/3	24	0.0300	Restored to Owner U/S 22 A of MPF Act, 1975
4	Waste Weir	Alibag	Mahan	201	--	--	5.0921	Reserved Forest
5	Tail Channel			--	115/0	185	0.1620	Restored to Owner U/S 22 A of MPF Act, 1975
				--	120/7	186	0.7900	
6	Approach Road	Alibag	Mahan	--	120/20	199	0.1484	
				--	120/23	203	0.0956	
7	Approach Road	Alibag	Ramraj	--	54/0	112	2.6029	Reserved Forest U/s 22 A of MPF Act, 1975
8	Left Pipe	Alibag	Mahan	--	120/23	203/P	0.0954	Restored to



	Distribution Network							Owner U/S 22 A of MPF Act, 1975
			Ramraj	--	54	112/P	1.7594	Reserved Forest U/S 22 A of MPF Act, 1975
				--	85/1	195/P	0.8498	Finally Acquired private Forest U/S 22 A of MPF Act, 1975
				--	85/2	193/P	0.0471	Restored to Owner U/S 22 A of MPF Act, 1975
				--	116	282/P	0.4987	
			Malade	--	7/12	13/P	0.2068	Reserved Forest (IFA, 1927 U/s 4)
9	Right Pipe Distribution Network	Alibag	Mahan	--	9/7	15/P	0.0122	Reserved Forest U/S 22 A of MPF Act, 1975
				--	9/1	258/P	0.0633	
				--	145	246/P	0.1650	Restored Forest U/S 22 A of MPF Act, 1975
				--	138/1	230/P	0.0183	
				--	20/4	--	0.0235	
			Moronde	--	3/1,3/2B	100/P	0.1489	
			Umate	--	20/4	--	0.0235	
				--	42/P	--	0.3027	
				--	43/P	--	0.0269	
				--	49/P	--	0.3269	
				--	13/P	--	0.4623	
			Borghar	--	54/P	--	0.2566	
				--	55/P	--	0.6200	
				--	59	214/P	0.0386	
			Beloshi	--	190/2	454/P	0.1143	Restored Forest U/S 22 A of MPF Act, 1975
				--	190/1	455/P	0.1042	
			Mahajane	--	82/1/A	294/P	0.0402	
				--	82/1B	293/P	0.0326	
				--	74/3	287/P	0.0352	
				--	74/1	235/P	0.0894	
				--	63/0	223/P	0.2558	Reserved Forest U/S 22 A of MPF Act, 1975
				--	71/1B	190/P	0.0062	
				--	68/4	180/P	0.0646	
				--	8/0	25/P	0.3088	Reserved Forest (IFA, 1927 U/s 4)
				--	24/0	68/P	0.1733	
				--	44/0	179/P	0.1714	
				--	81/1	295/P	0.2874	



			Valvali	--	70/2	--	0.1876	Restored to Owner U/S 22 A of MPF Act, 1975
				--	66/P	--	0.1920	
			Malyan	--	20/1+2+3	83/P	0.0743	
				--	441/P	--	0.0164	Reserved Forest (IFA, 1927 U/s 4)
<b>Total Forest Land (in ha.)</b>							<b>263.5406</b>	

2.00 The proposal has been initiated by the Executive Engineer, Hatwane Medium Project Division, Kamarli-Pen, Dist. Raigad for approval under Forest (Conservation) Act, 1980. This project submitted for construction of earthen dam about 725 Mtr. in length across the Sambarkund river near village Mahan, Tal. Alibag Dist. Raigad. The storage capacity contemplated is 49.85 McM. to irrigate 2528 ha. land on the banks of Sambarkund river in Tal. Alibag. The project affects 3 Padas of Mahan Village from Alibag Taluka Dist. Raigad. The affected population of 129 families is proposed to be resettled in the project command area and 33 number of village under Alibag Taluka are benefited.

3) 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.

- 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,

**4.00 The Deputy Conservator of Forests, Alibag Forest Division, Alibag has certified that:-**

- 4.1 The total non forest land involved in the project is 171.8177 ha.
- 4.2 The copy of the Technical Approval accorded by the Chief Engineer, Water Resources Department, Konkan Region, Mumbai vide letter dated. Cewrdkr/Sambarkund/TS/T-2(2)/8601, dated 23/11/2011 is enclosed on page **No.305**.
- 4.3 The copy of the Administrative Approval accorded by the Government of Maharashtra, Water Resources Department vide order No.Suprama-2020/146/(CR.50/20)/Medium Project Division, dated 25/06/2020 is enclosed on page **No.306**.
- 4.4 The Site Inspection Report of the Deputy Conservator of Forests, Alibag Forest Division, Alibag is enclosed on page **no.62**.
- 4.5 The Site Inspection Report of the Chief Conservator of Forests (T), Thane is enclosed on page **No.60**.
- 4.6 No suitable alternate land is available and the forest land required is lowest minimum demand
- 4.7 The area belongs to Eco-value class-I having density is 0.3
- 4.8 There are 67624 trees to be felled in the project the Girth wise break up is as under:-

Division	Below 30 cms	31-45	46-60	61-75	76-90	91-105	106-120	121-135	136-150	151-180	Total
Alibag	10451	20696	14140	8607	5123	3483	1844	1230	615	1435	67624



- 4.9 The area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc.
- 4.10 Proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance.
- 4.11 There is no violation of Forest (Conservation) Act 1980.
- 4.12 Proposed project is 10.300 Km from Phansad Wildlife Sanctuary and is not include in Eco-Sensitive Zone of Phansad Wildlife Sanctuary. The proposed area is not included in Eco-Sensitive zone of Phansad Wildlife Bird Sanctuary.
- 4.13 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.
- 4.14 Proposed compensatory afforestation over 268.70 ha. non forest land the details of CA land is mentioned below:-

Sr. No.	Name of Village	Range	Taluka	S. No.	Handed over Area in Ha.	Encroachment Area Ha.	Free from Encroachment Area in Ha.	Proposed CA land for the Sambarkund Project. Ha.
1.	Hatola	Mandavi	Kinwat	19	50.00	20.00	30.00	30.00
2.	Nagapur	Mandavi	Kinwat	70	30.00	0.00	30.00	30.00
3.	Bhanegaon	Hadgaon	Hadgaon	56	15.00	0.00	15.00	15.00
4.	Shirur	Hadgaon	Hadgaon	227	20.00	0.00	20.00	20.00
5.	Taroda	Hadgaon	Hadgaon	246, 247	10.00	4.80	5.20	5.20
6.	Mahatala	Hadgaon	Hadgaon	146	30.00	0.00	30.00	30.00
7.	Brahamawadi	Hadgaon	Hadgaon	1	20.00	0.00	20.00	20.00
8.	Nivgha	Hadgaon	Hadgaon	110/1	15.00	5.00	10.00	10.00
9.	Bamni	Hadgaon	Hadgaon	3	10.00	1.50	8.50	8.50
10.	Digras	Hadgaon	Hadgaon	111	15.00	0.00	15.00	15.00
11.	Pimparala	Hadgaon	Hadgaon	16	10.00	0.00	10.00	10.00
12.	Kohli	Hadgaon	Hadgaon	255	25.00	0.00	25.00	25.00
13.	Sarsam Bk.	Himayatnagar	Himayatnagar	121	50.00	0.00	50.00	50.00
<b>Total</b>					<b>395.00</b>	<b>51.30</b>	<b>343.70</b>	<b>268.70</b>

is suitable for Compensatory Afforestation and Management purpose and it is free from encroachment and encumbrances.

- 4.15 The cost benefit analysis ratio is 10.71.

**5.00 The User Agency has submitted an undertaking that:-**

- 5.1 to defray the cost of compensatory afforestation.
- 5.2 to defray the cost of Net Present Value of the forest land proposed under diversion.



- 5.3 The Copy of the Environmental Clearance obtained by the User Agency vide letter dated 31/03/2020 is enclosed on page no.216 to 250.
- 5.4 The User Agency has submitted Catchment Area Treatment Plan is enclosed herewith on page no.254 to 287.
- 5.6 The Copy of the Typical Cross Section of Gabion Structure.
- 5.6 The User Agency has submitted an undertaking regarding Non-Indemnity to Forest Department in the matter of pending for enquiry u/s 22 (A) of the Maharashtra Private Forest (Acquisition) Act, 1975 (Act 13 of 1975) pertaining to the land bearing Gut Nos as mentioned under Area Statement respectively.
- 5.7 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 in-principle approval as per Government of India vide letter No.11-43/2013-FC, dt.3/12/2018.

**5.8 Details of Command area:-**

a) Total Catchment area of dam	:-	28.10Sq.Km
b) Type of catchment area	:-	Hilly & Steep Sloped.
c) Average Annual Rainfall	:-	3158 mm.
d) Total Yield @ Side in Mcft/T.C.M	:-	50.70 M.cum
e) Gross Storage in Mcft/T.C.M	:-	49.85 M.cum
f) Utilization proposed	:-	46.65 M.cum
b) Full Reservoir Level	:-	52.70 Meter
c) Total Command Area (by flow)	:-	3160 Ha.
d) High Flood Level	:-	53.05 Meter
e) Minimum Water Draws down level (Sill R.L)	:-	29.91 Meter
f) Maximum height of dam	:-	38.50 Meter
g) Total No. of family benefited (Population)	:-	8267 families
h) Taluka benefited	:-	01 (Alibag Taluka)
i) Village benefited	:-	33 Villages.
j) Gross Command Area (GCA) in ha.:-		6445 ha.
k) Cultivable Command Area (CCA) :-		3160 ha.
l) Irrigation Potential (I.C.A)	:-	2528 ha.

- 6.00 The Deputy Conservator of Forests, Alibag Forest Division, Alibag and Chief Conservator of Forest (T), Thane have recommended the proposal for diversion of 263.5406 ha. of forest land.

**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 Forest land will be handed over only after required non-forest land for the project is handed over to the User Agency.



### 7.3 Compensatory Afforestation :-

Compensatory afforestation will be raised over 268.70 ha. non forest land the details of CA land is mentioned below:-

Sr. No.	Name of Village	Range	Taluka	S. No.	Handed over Area in Ha.	Encroachment Area Ha.	Free from Encroachment Area in Ha.	Proposed CA land for the Sambarkund Project. Ha.
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13.	Sarsam Bk.	Himayat nagar	Himayatnagar	121	50.00	0.00	50.00	50.00
<b>Total</b>					<b>395.00</b>	<b>51.30</b>	<b>343.70</b>	<b>268.70</b>

7.4 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 provision for anticipated cost increase for works scheduled for subsequent years.

### 7.5. NPV:-

- a) The State Government shall charge the Net Present Value (NPV) for the 263.5406 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 and File No.5-3/2011-FC(Vol-I), 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.

7.6 User agency shall restrict the felling of trees to minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the User Agency with the State Forest Department.



- 7.7 All the funds received from the user agency under the project shall be transferred/ deposited to CAMPA fund only through (<https://parivesh.nic.in/>).
- 7.8 The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
- 7.9 Speed regulating signage will be erected along the railway line at regular intervals in the Protected Areas/ Forest Areas.
- 7.10 The user agency shall provide suitable under/ over passes in Protected Area/ Forest Area.
- 7.11 No damage shall be caused to the flora and fauna of the area.
- 7.12 No labour camp shall be established on the forest land;
- 7.13 The user agency, if required, shall undertake comprehensive soil conservation measure at the project cost in consultation with the Forest Department.
- 7.14 The user agency shall carry out muck disposal at pre- designated sites in such manner so as to avoid its rolling down;
- 7.15 The dumping area for muck disposal shall be stabilized and reclaimed by planting suitable species by the user agency at the cost of project under the supervision of State Forest Department. Retaining walls and terracing shall be carried out to hold the dumping material in place. Stabilization and reclamation of such dumping sites shall be completed before handing over the same to the State Forest Department in a time bound manner as per plan;
- 7.16 The user agency shall consult organizations (s) having experience in construction of roads in hilly areas to avoid frequent road blocks due to landslides etc. and shall provide breast walls and retaining walls wherever necessary;
- 7.17 The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
- 7.18 All other conditions as may be mandatory under relevant Acts, Rules and guidelines shall be complied with by the user agency.
- 8.00 It is therefore, requested that Government of Maharashtra may kindly be placed before the Government of India for its approval under section-2(ii) of the Forest (Conservation), Act, 1980
- Encl. :- Proposal 2 copies

**(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, Alibag Forest Division, Alibag for information.  
Copy to the Executive Engineer, Hatwane Medium Project Division, Kamarli-Pen, Dist. Raigad for information