

PART - IV

(to be filled by the Nodal Officer or Principal Chief Conservator of Forests or Head of Forest Department)

17	Detailed opinion and specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks. (While giving opinion, the adverse comments made by concerned Conservator of Forests or Deputy Conservator of Forests should be categorically reviewed and critically commented upon)
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Specific recommendation
of principal chief conservator
of forests (Head of Forest
force) Maharashtra state
is enclosed on page No.
131C to 131E

place: Nagpur
date: 19/8/2015.

Hyant
19/8/15

Adt Principal Chief Conservator of Forests
And Nodal officer
Maharashtra State, Nagpur

19/8/15

Proposal for diversion of 7.65 ha Forest Land under Section - 2 of the Forest (Conservation) Act-1980 for construction of Falegaon (Storage) Minor Irrigation Project Tal. Washim Dist. Washim.

Specific recommendations of PCCF (HoFF) Maharashtra State, with regards to acceptance or otherwise of the proposal supported by reasons.

- 1) The proposal is for diversion of 7.65 ha. Forest Land area for construction of Falegaon (Storage) Minor Irrigation project, Tal. Washim, Dist. Washim. The detailed area statement is shown as under-

Sr. No	Item	Village	Taluka	District	Survey/ Gut no	Area (in ha.)	Legal Status
1	Dam Line	Falegaon	Washim	Washim	67	0.80	Reserve Forest
						1.14	
						0.65	
						0.28	
2	Tail Channel					1.14	
3	Submergence					3.34	
Total area in Ha						7.65	

The proposal for Falegaon Minor Irrigation Project has been initiated by Executive Engineer, Minor Irrigation Division, Washim. The project is administratively approved vide Government of Maharashtra Resolution No.VIDC/ KT-7/ 648/ Falegaon AA/ (164/2009) 2009 dated 14/08/2009 and technically sanctioned by Chief Engineer (S.P.) Water Resources Department, Amravati MI/Falegaon/3996, dated 24/8/2009. The total non-forest area involved in the project is 25.96 ha.

- 2) The project is proposed to provide irrigation facility to 399 ha. land in the Falegaon village of Washim Taluka and District falling under the Penganga sub-basin of Godavari Basin. At present, the existing supply of water cannot fulfill the demand of Washim Taluka owing to scarcity of water in the area. There was a social demand to provide water for irrigation and drinking water supply. The project is proposed is on Local Nalla located 2 km west of village Falegaon and 14 Km away from Washim. The project is at latitude $20^{\circ} 03' 00''$ and longitude $77^{\circ} 11' 44''$ located on Toposheet No. 55 H/4.

Total gross storage capacity of the project is 1.6963 mm^3 out of which 0.2328 mm^3 water is proposed to be utilized for drinking water supply to nearby villages in Washim Tahsil. The forest land required for construction of Falegaon Minor Irrigation Tank is 7.65

ha. in Gut No. 67, Reserve Forest. Availability of other alternate land for the purpose was explored and all possible efforts were undertaken to avoid forest land. After studying 3 alternate sites, it was found that 7.65 ha is the minimum forest land required for the project.


- 2) The Culturable Command Area (CCA) is 443 ha., Irrigable Command Area (ICA) is 399 ha. and Gross Command Area (GCA) is 554 ha. of the proposed project.
- 3) Density of forest is below 0.1, Eco Value Class III.
- 4) There are no cutting and felling of trees involved in project.
- 5) District Collector, Washim and Deputy Conservator of Forests, Akola Forest Division, Akola have certified that no alternate land is available and the forest land required is the barest minimum.
- 6) The User Agency has submitted an undertaking to defray the cost of Net Present Value of the forest land proposed for diversion.
- 7) User Agency has agreed to defray the cost of compensatory afforestation on 7.65 ha. degraded forest land.
- 8) Deputy Conservator of Forest, Akola Forest Division Akola has given suitability certificate for non- forest land in Survey /Gut No. 81 of village Falegaon, Tal.Washim, Dist. Washim which is proposed for compensatory afforestation land in lieu of forest land required for construction of Falegaon (Storage) Minor Irrigation Project Tal.Washim Dist. Washim. It is contiguous to the forest area and suitable for afforestation and free from encroachment and encumbrances.
- 9) The area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc as certified by Deputy Conservator of Forests, Akola Division.
- 10) Assistant Director, Archeological Department, Nagpur and Deputy Conservator of Forests, Akola Division have certified that proposed project is not likely to affect monumental site of cultural, historical, religious, archeological or recreational importance.
- 11) There is no violation of Forest (Conservation) Act 1980, as certified by Deputy Conservator of Forests, Akola Division, Akola.
- 12) Deputy Conservator of Forest, Akola Division, Akola has certified that there is no area of F.D.C.M. involved in the proposed project area involving forest as well as non-forest for construction of Falegaon (Storage) Minor Irrigation Project Tal.Washim, Dist.Washim
- 13) Deputy Conservator of Forest, Akola Division, Akola and Chief Conservator of Forest (T) Yavatmal Circle have recommended the proposal for the diversion of 7.65 ha. forest land for construction of Falegaon Storage Tank.
- 14) Deputy Conservator of Forest, Akola Division, Akola has certified that non-forest land in survey/ Gut No. 81 of village Falegaon, Tal.Washim, Dist. Washim which is proposed for

compensatory afforestation is neither a deemed Reserved Forest under the Maharashtra Private Forest (Acquisition) Act, 1975 nor it has been identified as "Forest" as envisaged in the interim order given by the Hon'ble Supreme Court, dated 12/12/1996.

- 15) Deputy Conservator of Forests, Akola Forest Division, Akola, has certified that non-forest area covered under the project is not acquired under the Maharashtra Private Forest (Acquisition) Act, 1975 by application of section 35 of Indian Forest Act 1927 and is not recognized as deemed reserved Forest nor it has been identified as "Forest" as envisaged in the interim order given by the Hon'ble Supreme Court, dated 12/12/1996.
- 16) Deputy Conservator of Forests, Akola Forest Division, Akola has certified that the proposed project is beyond 10 km. of the Protected Area.
- 17) The User Agency has submitted a copy of Certificate of Collector, compliance of the Schedule Tribes and Other traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 in prescribed format (Form-II) as per the Government of India guidelines dt 5/7/2013.

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) Compensatory Afforestation will be raised at the cost of user agency on 7.65 ha. of non-forest land, in Gut no. 67 of Village Palegaon, Tal. Washim, Dist. Washim.
- iii) The Agency will pay the cost of survey, demarcation and erection of permanent pillars for the compensatory afforestation land.
- iv) The User Agency will pay the cost of fencing for area proposed for compensatory afforestation land.
- v) There are no felling and cutting of trees involved in the project.
- vi) The User Agency shall provide water to forestry and allied purposes at the rate fixed by the Government of Maharashtra.
- vii) The forest land shall not be used for any purpose other than specified in the project.
- viii) The User Agency will defray the cost of Net Present Value of 7.65 ha. of forest land as per the latest guidelines of the Government of India.
- xi) The User Agency will defray the additional/revised cost of Net Present Value of forest land as per the latest guidelines of Government of India.
- x) All other conditions as may be mandatory under relevant Acts, Rules and guidelines shall be complied with by the user agency.


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 7.65 ha Forest Land under Section - 2 of the Forest (Conservation) Act-1980 for construction of Falegaon (Storage) Minor Irrigation Project Tal. Washim Dist. Washim.

No. : Desk-17/NC//I.D- / 942 /15-16
 Nagpur - 440 001, Dated : 20/8/2015

To,

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

Executive Engineer, Minor Irrigation Division Tal. Washim Dist. Washim has submitted the proposal for diversion of 7.65 ha Forest Land under Section - 2 of the Forest (Conservation) Act-1980 for construction of Falegaon (Storage) Minor Irrigation Project Tal. Washim Dist. Washim. The location of proposed area is as given below -

Sr. No	Item	Village	Taluka	District	Survey/ Gut no	Area (in ha.)	Legal Status
1	Dam Line	Falegaon	Washim	Washim	67	0.80	Reserve Forest
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The proposal for Falegaon Minor Irrigation Project has been initiated by Executive Engineer, Minor Irrigation Division, Washim. The project is administratively approved vide Government of Maharashtra Resolution No.VIDC/ KT-7/ 648/ Falegaon AA/ (164/2009) 2009 dated 14/08/2009 and technically sanctioned by Chief Engineer (S.P.) Water Resources Department, Amravati MI/Falegaon/3996, dated 24/8/2009. The total non-forest area involved in the project is 25.96 ha.

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Total gross storage capacity of the project is 1.6963 mm^3 out of which 0.2328 mm^3 water is proposed to be utilized for drinking water supply to nearby villages in Washim Tahsil. The forest land required for construction of Falegaon Minor Irrigation Tank is 7.65 ha. in Gut No. 67, Reserve Forest. Availability of other alternate land for the purpose was explored and all possible efforts were undertaken to avoid forest land. After studying 3 alternate sites, it was found that 7.65 ha is the minimum forest land required for the project.

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 Culturable Command Area (CCA) is 443 ha., Irrigable Command Area (ICA) is 399 ha. and Gross Command Area (GCA) is 554 ha. of the proposed project.
- 6) Density of forest is below 0.1; Eco Value Class III.
- 7) There are no cutting and felling of trees involved in project.
- 8) District Collector, Washim and Deputy Conservator of Forests, Akola Forest Division, Akola have certified that no alternate land is available and the forest land required is the barest minimum.
- 9) The User Agency has submitted an undertaking to defray the cost of Net Present Value of the forest land proposed for diversion.
- 10) User Agency has agreed to defray the cost of compensatory afforestation on 7.65 ha. non-forest land.
- 11) Deputy Conservator of Forest, Akola Forest Division Akola has given suitability certificate for non- forest land in Survey /Gut No. 81 of village Falegaon, Tal.Washim, Dist. Washim which is proposed for compensatory afforestation land in lieu of forest land required for construction of Falegaon (Storage) Minor Irrigation Project Tal.Washim Dist. Washim. It is

contiguous to the forest area and suitable for afforestation and free from encroachment and encumbrances.

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- 13) Assistant Director, Archeological Department, Nagpur and Deputy Conservator of Forests, Akola Division have certified that proposed project is not likely to affect monumental site of cultural, historical, religious, archeological or recreational importance.
- 14) There is no violation of Forest (Conservation) Act 1980, as certified by Deputy Conservator of Forests, Akola Division, Akola.
- 15) Deputy Conservator of Forest, Akola Division, Akola has certified that there is no area of F.D.C.M. involved in the proposed project area involving forest as well as non-forest for construction of Falegaon (Storage) Minor Irrigation Project Tal.Washim, Dist.Washim
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- 17) Deputy Conservator of Forest, Akola Division, Akola has certified that non-forest land in survey/ Gut No. 81 of village Falegaon, Tal.Washim, Dist. Washim which is proposed for compensatory afforestation is neither a deemed Reserved Forest under the Maharashtra Private Forest (Acquisition) Act, 1975 nor it has been identified as "Forest" as envisaged in the interim order given by the Hon'ble Supreme Court, dated 12/12/1996.
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In view of this, the proposal is recommended for approval under section -2 (II) of Forest (Conservation) Act- 1980 subject to the following conditions –

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- v) The User Agency shall provide water to forestry and allied purposes at the rate fixed by the Government of Maharashtra.
- vii) The forest land shall not be used for any purpose other than specified in the project.
- viii) The User Agency will defray the cost of Net Present Value of 7.65 ha. of forest land as per the latest guidelines of the Government of India.
- xi) The User Agency will defray the additional/revised cost of Net Present Value of forest land as per the latest guidelines of Government of India.
- x) 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 diversion of 7.65 ha. Forest Land under Forest (Conservation) Act -1980 for diversion of 7.65 ha Forest Land under Section - 2 of the Forest (Conservation) Act-1980 for construction of Falegaon (Storage) Minor Irrigation Project Tal. Washim Dist. Washim under section 2 (ii) of the Forest (Conservation) Act, 1980.

Encl. :- Proposal 2 copies

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

Copy to Chief Conservator of Forests (T), Yavatmal for information.
Copy to Deputy Conservator of Forest, Akola Division Akola for information.
Copy to Executive Engineer, Minor Irrigation Division, Washim for information.

19/8/2015