

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.-: diversion of 0.1125 ha. forest area under Forest (Conservation) Act-1980 is for laying of pipeline for agriculture purpose of Shri. Kacharu Meram Rathod & Other 12 farmers of Deulgaon Sakarsha in, Compartment no.617, Gat No.97 at Deulgaon Sakarsha, Tal. Mehkar, Dist.Buldana. The details of land proposed for diversion is as under- (FP/MH/OTHRs/16320/2015)

Buldana Forest Division					
Item of Work	Village & Taluka	Compartment No	Gat No.	Area (in ha.)	Legal Status
Laying of Pipeline	Deulgaon Sakarsha, Tal. Mehkar, Dist.Buldana	617	97	0.1125	Reserved Forest
Total forest Area				0.1125	

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

(Handwritten signature)
(G Sai Prakash) 20/6

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

(Handwritten notes and signatures)
25/6/18
25/6/18

Date: 26/6/2018
Place: Nagpur

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Proposal for diversion of 0.1125 ha. forest area under Forest (Conservation) Act-1980 is for laying of pipeline for agriculture purpose of Shri. Kacharu Meram Rathod & Other 12 farmers of Deulgaon Sakarsha in, Compartment no.617, Survey No.97 at Deulgaon Sakarsha, Tal. Mehkar, Dist.Buldana FP/MH/OTHS/16320/2015

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

- 1) The proposal is for diversion of 0.1125 ha. forest area under Forest (Conservation) Act-1980 for agriculture purpose of Shri. Kacharu Meram Rathod of Deulgaon Sakarsha in Compartment No.617, Gut No.97 at Deulgaon Sakarsha, Tal. Mehkar, Dist.Buldana. The details of forest land proposed for diversion are as under-

Buldana Forest Division					
Item of Work	Village & Taluka	Compartment No	Gut No.	Area (in ha.)	Legal Status
Laying of Pipeline	Deulgaon Sakarsha, Tal. Mehkar, Dist.Buldana	617	97	0.1125	Reserved Forest
Total forest Area				0.1125	

The proposal has initiated by Shri. Kacharu Meram Rathod for diversion of 0.1125 ha. forest area under Forest (Conservation) Act-1980 for irrigation & agriculture purpose in Compartment No.617 & Gut No.97 at Deaulgaon Sakarsha, Tal. Mehkar, in Dist.Buldana. The total length of pipeline is 2370 Rmt out of this 1500 Rmt passing through Forest land in Gut No.97 of Deulgaon Sakarsha, Tal. Mehkar Dist.Buldana. The project is demarcated on Survey of India Top sheet No. 55/D/11/NE and the forest area lies within Latitude N-20⁰25'20.01" E 076⁰40'27.50" and 20⁰26'04.34 E 076⁰40'09.33". The site inspection report of the Deputy Conservator of Forests, Buldana Forest Division, Buldana is enclosed on page no.25 to 27. The total non forest land in the project is 0.06525 Ha.

- 2) The area belongs to Eco-value class-III and having density less than 0.4 consisting of Tropical Dry Deciduous Forests.
- 3) The Deputy Conservator of Forests, Buldana Division, Buldana has certified that no alternate alignment is possible and the forest land required is the barest minimum.
- 4) There is no cutting and felling of trees involved in this project.


- 5) The Deputy Conservator of Forests, Buldana Division, Buldana has certified that the proposed project is beyond 10 kms from the boundary of Protected Area (Sanctuary and National Park). (P-22)
- 6) The User Agency has submitted an undertaking to defray the cost of Net Present Value of the forest land proposed for diversion. (P-20)
- 7) The proposed area does not form part of any existing National Park, Wildlife Sanctuary, and Nature Reserve etc. as certified by the Deputy Conservator of Forests, Buldana Division, Buldana. (P-19)
- 8) The Deputy Conservator of Forests, Buldana Division, Buldana has certified that proposed project is not likely to affect monumental site of cultural, historical, religious, archeological or recreational importance. (P-18)
- 10) The Deputy Conservator of Forests, Buldana Division, Buldana has not been submitted 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 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.
- 11) The User Agency has submitted the undertaking for submitting revised certificates of Collector, Buldana under Schedule Tribes and Other Traditional Forest Dweller's (Recognition of Forest Rights) Act 2006. (P-01)
- 10) The Project Authority undertake that the pipeline need by user agency in forest land in Gut No. 97 & Compartment No. 617 will be measured 1.0 meter below from the surface level. (P-9)
- 11) There is no violation of Forest (Conservation) Act 1980, as certified by the Deputy Conservator of Forests, Buldana Division, Buldana (P-17)
- 12) 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.
- 13) The Deputy Conservator of Forests, Buldana Forest Division, Buldana and the Chief Conservator of Forests (T), Amravati Circle have recommended the proposal for diversion of 0.1125 ha. of forest land. (P-5, P-6)

In view of this, the proposal is recommended for approval under section 2 (ii) subject the following conditions-




- i) The legal status of the land required will remain unchanged.
- ii) As per the Guidelines regarding Compensatory Afforestation [Para 3.2 (viii) (b)] Compensatory Afforestation shall not be insisted upon proposals involving diversion of forest land up to one hectare. In such case plantation of ten times the number of

trees likely to be felled should be carried out by way of Compensatory Afforestation. No felling of trees involved in the proposed project hence Cost for Compensatory Afforestation should not be insisted. However, User Agency shall pay the cost for plantation of 100 seedlings.

- iii) The pipe line will be laid down 1.00 meter below the ground level and 0.75 meter wide, all along the length through the forest.
- iv) The user agency will defray the cost of Net Present Value of 0.1125 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 has agreed to defray the cost of compensatory afforestation over 1.00 ha degraded forest land.
- vii) No trees will be felled during the implementation of the project.
- viii) 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.
- ix) 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.
- x) No new forest area beyond the limited width of existing road shall be broken for laying of underground pipeline.
- xi) The project agency shall restore the land to its level by proper back filling after excavation & pipe laying work is completed.
- xii) If user agency has worked for underground pipeline for proposed area no any damage of nearby road. And permission will be taken by concern road authority.
- 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.


Principal Chief Conservator of Forests
(Head of Forest Force)
Maharashtra State, Nagpur

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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 0.1125 ha. forest area under Forest (Conservation) Act-1980 is for laying of pipeline for agriculture purpose of Shri. Kacharu Meram Rathod & Other 12 farmers of Deulgaon Sakarsha in, Compartment no.617, Gat No.97 at Deulgaon Sakarsha, Tal. Mehkar, Dist.Buldana.
(FP/MH/OTHR/16320/2015)

No. : Desk-17/NC/II/ID-/ 714 /18-19
Nagpur – 440 001, Dated : 26/6/18

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

Shri. Kacharu Meram Rathod has submitted the proposal for diversion of 0.1125 ha. forest area under Forest (Conservation) Act-1980 is for laying of pipeline for agriculture purpose of Shri. Kacharu Meram Rathod & Other 12 farmers of Deulgaon Sakarsha in, Compartment no.617, Gat No.97 at Deulgaon Sakarsha, Tal. Mehkar, Dist.Buldana. The area statement is as shown as below:-

Buldana Forest Division					
Item of Work	Village & Taluka	Compartment No	Gat No.	Area (in ha.)	Legal Status
Laying of Pipeline	Deulgaon Sakarsha, Tal. Mehkar, Dist.Buldana	617	97	0.1125	Reserved Forest
Total forest Area				0.1125	

The proposal has initiated by Shri. Kacharu Meram Rathod for diversion of 0.1125 ha. forest area under Forest (Conservation) Act-1980 for irrigation & agriculture purpose in Compartment No.617 & Gat No.97 at Deulgaon Sakarsha, Tal. Mehkar, in Dist.Buldana. The total length of pipeline is 2370 Rmt out of this 1500 Rmt passing through Forest land in Gut No.97 of Deulgaon Sakarsha, Tal. Mehkar Dist.Buldana. The project is demarcated on Survey of India Topo sheet No. 55/D/11/NE and the forest area lies within Latitude N-20°25'20.01" E 076°40'27.50" and 20°26'04.34" E 076°40'09.33". The site inspection report

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of the Deputy Conservator of Forests, Buldana Forest Division, Buldana is enclosed on page no.25 to 27. The total non forest land in the project is.0.06525 ha.

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. - P-79
- 2) Certificate regarding minimum demand of forest land for the project, - P-16
- 3) Area Statement, - P-72
- 4) Index map in suitable scale, - P-10, 11
- 5) The area belongs to Eco-value class-III and having density less than 0.4 consisting of Tropical Dry Deciduous Forests. - P-26
- 6) The Deputy Conservator of Forests, Buldana Division, Buldana has certified that no alternate alignment is possible and the forest land required is the barest minimum. P-23
- 7) There is no cutting and felling of trees involved in this project. - P-21
- 8) The Deputy Conservator of Forests, Buldana Division, Buldana has certified that the proposed project is beyond 10 kms from the boundary of Protected Area (Sanctuary and National Park). - P-22
- 9) The User Agency has submitted an undertaking to defray the cost of Net Present Value of the forest land proposed for diversion. - P-20
- 10) The proposed area does not form part of any existing National Park, Wildlife Sanctuary, and Nature Reserve etc. as certified by the Deputy Conservator of Forests, Buldana Division, Buldana. - P-19
- 11) The Deputy Conservator of Forests, Buldana Division, Buldana has certified that proposed project is not likely to affect monumental site of cultural, historical, religious, archeological or recreational importance. - P-18
- 12) The Deputy Conservator of Forests, Buldana Division, Buldana has not been submitted 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 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. - P-61
- P-62
- 13) The User Agency has submitted the undertaking for submitting revised certificates of Collector, Buldana under Schedule Tribes and Other Traditional Forest Dweller's (Recognition of Forest Rights) Act 2006. - P-61
- 14) The Project Authority undertake that the pipeline need by user agency in forest land in Gut No. 97 & Compartment No. 617 will be measured 1.0 meter below from the surface level. - P-17
- 15) There is no violation of Forest (Conservation) Act 1980, as certified by the Deputy Conservator of Forests, Buldana Division, Buldana - P-17

- 16) 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.
- 17) The Deputy Conservator of Forests, Buldana Forest Division, Buldana and the Chief Conservator of Forests (T), Amravati Circle have recommended the proposal for diversion of 0.1125 ha. of forest land.

In view of this, the proposal is recommended for approval under section 2 (ii) subject the following conditions-

- i) The legal status of the land required will remain unchanged.
- ii) As per the Guidelines regarding Compensatory Afforestation [Para 3.2 (viii) (b)] Compensatory Afforestation shall not be insisted upon proposals involving diversion of forest land up to one hectare. In such case plantation of ten times the number of trees likely to be felled should be carried out by way of Compensatory Afforestation. No felling of trees involved in the proposed project hence Cost for Compensatory Afforestation should not be insisted. However, User Agency shall pay the cost for plantation of 100 seedlings.
- iii) The pipe line will be laid down 1.00 meter below the ground level and 0.75 meter wide, all along the length through the forest.
- iv) The user agency will defray the cost of Net Present Value of 0.1125 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 has agreed to defray the cost of compensatory afforestation over 1.00 ha degraded forest land.
- vii) No trees will be felled during the implementation of the project.
- viii) 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.
- ix) 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.
- x) No new forest area beyond the limited width of existing road shall be broken for laying of underground pipeline.
- xi) The project agency shall restore the land to its level by proper back filling after excavation & pipe laying work is completed.
- xii) If user agency has worked for underground pipeline for proposed area no any damage of nearby road. And permission will be taken by concern road authority.
- 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 0.1125 ha. forest area under Forest (Conservation) Act-1980 is for laying of pipeline for agriculture purpose of Shri. Kacharu Meram Rathod & Other 12 farmers of Deulgaon Sakarsha in, Compartment no.617, Gat No.97 at Deulgaon Sakarsha, Tal. Mehkar, Dist.Buldana 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, Buldana Forest Buldana for informaiton.
Copy to Shri. Kacharu Meram Rathod, Deulgaon Sakarsha, Tal. Mehkar, Dist.Buldana for information.

(Kacharu Meram Rathod)
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