

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 3.48 ha. forest land under Forest (Conservation), 1980 for Gravity Scheme Nanashi Link Cut/ Canal in Village Nanashi, Tal. Dindori, Dist. Nashik in the State of Maharashtra (FP/MH/IRRIG/48480/2020)

No. : Desk-17/Nodal/Nashik /I.D-12913/1594/2021-22
Nagpur – 440 001, Dated 22/11/2021

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

The Executive Engineer, Minor Irrigation Division, Nashik has submitted proposal for diversion of 3.48 ha. forest land under Forest (Conservation), 1980 for Gravity Scheme Nanashi Link Cut/ Canal in Village Nanashi, Tal. Dindori, Dist. Nashik in the State of Maharashtra. The details of forest land proposed for diversion is as given below: -

Sr No.	Item of work / purpose	Village,	Survey/ Gut No.	Area (in ha.)	Legal Status of Forest Land
1	Linkcut/Canal	Nanashi	141	1.25	Reserved Forest
			193	2.23	
Total Forest Land (in ha.)				3.48	

2.00 The proposal has been initiated by the Executive Engineer, Minor Irrigation Division, Nashik for approval under Forest (Conservation) Act, 1980. The Gravity Diversion Scheme Nanashi envisages construction of an earthen dam across local nalla and link cut/canal near Village Nanashi, Tehsil-Dindori, Dist. Nashik. The catchment area up to the dam site and collecting channel is 1.00 sq. Km. The gross yield of the project is 1.56 Mcum out of that 0.56 Mcum Stoarage will be used for Irrigation 57.00 ha. and drinking water to Nanashi and nearby villages in tribal area and remaining yield 1.00 Mcum will be diverted through like cut/canal in deficit Godawari Basin.

2.1 The scheme involves construction of earthen dams, Collecting Channel and Link Cut/Canal for diverting water from west flowing basin to deficit East flowing Godawari Basin. The benefit of said proposal is as under:-

- (i) The length of link cut/Canal is minimum
- (ii) More catchment areas are available
- (iii) Comparatively less height of link cut/Canal
- (iv) More command area is available
- (v) Suitable site for good foundation in rock.

2.2 The scheme is situated in Tribal area of Dindori Tehsil and it is most essential for Irrigation to maintain an assured supply of water for increasing food production by way of double cropping and also drinking water supply in Nanashi and near by villages. The total non forest land involved in

the project is 4.69 ha. The site inspection report of the Deputy Conservator of Forests, West Division, Nashik is enclosed on page no. 49 to 43.

3.0 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, West Division, Nashik has certified that:-

- 4.1 no suitable alternate land is available and the forest land required is barest minimum
- 4.2 the area belongs to Eco-value class-I having density is 0.20 (Tropical Moist Deciduous Forests)
- 4.3 there are 21 trees required to be felled. The various species and trees is involved in implementation of the Project the Girth wise break up is as under:-

Tree Girth in Cm.										
0-30 cm	31-45 cm	46-60 cm	61-75 cm	75-90 cm	90-105 cm	105-120 cm	121-135 cm	136-150 cm	Above 150 cm	Total
0	1	4	4	2	1	3	0	3	3	21

- 4.4 the area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc
- 4.5 proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance
- 4.6 there is no violation of Forest (Conservation) Act 1980
- 4.7 proposed project area for the project is not included within 10 km from the boundary of the National Park/Sanctuary. It is 67 Km from Nandur Madhmeshwar Bird Sanctuary
- 4.8 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
- 4.9 and proposed compensatory afforestation over 3.48 ha non forest land bearing Survey/ Gut No.13 of Village Holdarnagar, Tehsil, Tryamakeshwar, Dist. Nashik is contiguous; suitable for afforestation and management purpose also it is free from encroachment an encumbrance
- 4.11 the proposed site is considered downstream of proposed site the link cut/canal not function. As the area required for the proposed site is barest minimum the proposed site for the Gravity Diversion Scheme Nanashi Link Cut/Canal, Tal. Dindori, Dist. Nashik is most suitable from Technical, Economical and forest open of view

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 Copy of the administrative approval accorded by Joint Secretary, Government of Maharashtra, Water Resources Department, Resolution No.UGP-0777/748(443)/07/M.P-1, dated 14/07/2008

5.4 Copy of the technical approval accorded by Assistant Chief Engineer (W.R.), North Maharashtra Region, Nashik vide letter No.NMR/T-1/3482/2004, dated 21/08/2009

5.5 The Catchment Area Treatment Plan is enclosed file page **no. 6 to 11**

5.6 Management of Wildlife Habitat due to diversion of land is submitted as follows-
1) Leopard Rescue & Management Plan for Rs.130.2 Lakhs 2) Vulture Conservation & Management (Gyps begalensis, Byps indicus for Rs.40.5 Lakhs).

6.00 The Collector, Nagpur has given certificated that:-

5.5 the certificate of Collector, Nashik the all other alternative for the purpose have been explored and the demand for the forest land is barest minimum demand

5.6 the certificate of Collector, Nashik under Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Right) Act, 2006 issued vide letter No.RB-D-3/1189/2020, dated 17/08/2020 issued in Form-II as per Government of India latest guidelines dated 05/07/2013

5.7 The User Agency has certified that the aforesaid Environmental Clearance is not required as the command area 57.00 ha of the project is less than 2000 ha.

5.8 Details of Command area:-

- a) Total Catchment area :- 1.00 Sq.Km
- b) Yield at Damsite :- 1557.60 T.C.M (i.e. 55.00 Mcft)
- c) Silt pocket :- 8.73 T.C.M (i.e. 0.299 Mcft)
- d) Proposed Utilizaton of Water :- 1557.60 T.C.M (i.e. 55.00 Mcft)
- e) Local Storage :- 555.36 T.C.M (i.e. 19.61 Mcft)
- f) Water available for diversion :- 1002.24 T.C.M (i.e. 35.39 Mcft)
- g) Water to be diverted to Godawari Basin :- 1002.24 T.C.M (i.e. 35.39 Mcft)
- h) Water Stored in Dam for local use :- 555.36 T.C.M (i.e. 19.61 Mcft)

6.00 The Deputy Conservator of Forests, West Division, Nashik and Chief Conservator of Forest (T), Nashik have recommended the proposal for diversion of 3.48 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 shall be taken up by the Forest Department over 3.48 ha non forest land bearing Survey/ Gut No.13 of Village Holdarnagar, Tehsil, Tryamakeshwar, Dist. Nashik

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.

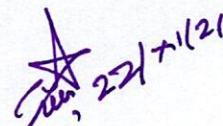
- 7.4 The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars if required on the CA land shall be deposited in advance with the Forest Department by the project authority. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.
- 7.5 The boundary of the diverted forest land shall be demarcated on ground at the project cost by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number toward and back bearing and distance from pillar to pillar.
- 7.6 The Project Authority should provide water to forestry and allied purposes at the rate fixed by the Government of Maharashtra.
- 7.7 The forest land shall not be used for any purpose other than specified in the project.
- 7.8 The project authority will defray the cost of Net Present Value of **3.48** ha. of forest land as per the latest Guideline of the Government of India.
- 7.9 The project authority will defray the additional/revised cost of Net Present Value of forest land as per the latest guidelines of Government of India.
- 7.10 The forest land shall not be utilized for any purpose other than specified in the project proposal
- 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 A Catchment Area Treatment Plan shall be prepared, and implemented under the supervision of the Forest Department at the project cost, if applicable;
- 7.15 The user agency shall obtain environmental clearance, 2006, if required.
- 7.16 The user agency shall carry out muck disposal at pre- designated sites in such manner so as to avoid its rolling down;
- 7.17 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;
- 7.18 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;

7.19 The layout plan of the proposal shall not be changed without the prior approval of the Central Government.

7.20 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 India may kindly be moved for approving the proposal for diversion of 3.48 ha. forest land under Forest (Conservation), 1980 for Gravity Scheme Nanashi Link Cut/ Canal in Village Nanashi, Tal. Dindori, Dist. Nashik in the State of Maharashtra under section 2 (ii) of the Forest (Conservation) Act, 1980.

Encl. :- Proposal 2 copies



Jan, 22/11/21

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

Copy to the Chief Conservator of Forest (T), Nashik for information.

Copy to the Deputy Conservator of Forests, West Division, Nashik for information.

Copy to the Executive Engineer, Minor Irrigation Division, Nashik 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 3.48 ha. forest land under Forest (Conservation), 1980 for Gravity Scheme Nanashi Link Cut/ Canal in Village Nanashi, Tal. Dindori, Dist. Nashik in the State of Maharashtra (FP/MH/IRRIG/48480/2020) .The details of land proposed for diversion is as under-

Sr No.	Item of work / purpose	Village,	Survey/ Gut No.	Area (in ha.)	Legal Status of Forest Land
1	Linkcut/Canal	Nanashi	141	1.25	Reserved Forest
			193	2.23	
Total Forest Land (in ha.)			3.48		

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

*✓
Cen, 22/11/21*

(Naresh Zurmure)

**Additional Principal Chief Conservator of Forests
& Nodal Officer**

Date: /11/2021

Place: Nagpur

Proposal for diversion of 3.48 ha. forest land under Forest (Conservation), 1980 for Gravity Scheme Nanashi Link Cut/ Canal in Village Nanashi, Tal. Dindori, Dist. Nashik in the State of Maharashtra (FP/MH/IRRIG/48480/2020)

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

1) proposal for diversion of 3.48 ha. forest land under Forest (Conservation), 1980 for Gravity Scheme Nanashi Link Cut/ Canal in Village Nanashi, Tal. Dindori, Dist. Nashik in the State of Maharashtra (FP/MH/IRRIG/48480/2020)

Sr No.	Item of work / purpose	Village,	Survey/ Gut No.	Area (in ha.)	Legal Status of Forest Land
1	Linkcut/Canal	Nanashi	141	1.25	Reserved Forest
			193	2.23	
Total Forest Land (in ha.)			3.48		

3.00 The proposal has been initiated by the Executive Engineer, Minor Irrigation Division, Nashik for approval under Forest (Conservation) Act, 1980. The Gravity Diversion Scheme Nanashi envisages construction of an earthen dam across local nalla and link cut/canal near Village Nanashi, Tehsil-Dindori, Dist. Nashik. The catchment area up to the dam site and collecting channel is 1.00 sq. Km. The gross yield of the project is 1.56 Mcum out of that 0.56 Mcum Stoarage will be used for Irrigation 57.00 ha. and drinking water to Nanashi and nearby villages in tribal area and remaining yield 1.00 Mcum will be diverted through like cut/canal in deficit Godawari Basin.

3.1 The scheme involves construction of earthen dams, Collecting Channel and Link Cut/Canal for diverting water from west flowing basin to deficit East flowing Godawari Basin. The benefit of said proposal is as under:-

- (i) The length of link cut/Canal is minimum
- (ii) More catchment areas are available
- (iii) Comparatively less height of link cut/Canal
- (iv) More command area is available
- (v) Suitable site for good foundation in rock.

3.2 The scheme is situated in Tribal area of Dindori Tehsil and it is most essential for Irrigation to maintain an assured supply of water for increasing food production by way of double cropping and also drinking water supply in Nanashi and near by villages. The total non forest land involved in the project is 4.69 ha. The site inspection report of the Deputy Conservator of Forests, West Division, Nashik is enclosed on page no. 49 to 43.

4.00 The Deputy Conservator of Forests, West Division, Nashik has certified that:-

- 4.1 no suitable alternate land is available and the forest land required is barest minimum.
- 4.2 the area belongs to Eco-value class-I having density is 0.20 (Tropical Moist Deciduous Forests)
- 4.3 there are 21 trees required to be felled. The various species and trees is involved in implementation of the Project the Girth wise break up is as under:-

Tree Girth in Cm.										
0-30 cm	31-45 cm	46-60 cm	61-75 cm	75-90 cm	90-105 cm	105-120 cm	121-135 cm	136-150 cm	Above 150 cm	Total
0	1	4	4	2	1	3	0	3	3	21

- 4.4 the area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc
- 4.5 proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance
- 4.6 there is no violation of Forest (Conservation) Act 1980
- 4.7 proposed project area for the project is not included within 10 km from the boundary of the National Park/Sanctuary. It is 67 Km from Nandur Madhmeshwar Bird Sanctuary
- 4.8 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.
- 4.9 and proposed compensatory afforestation over 3.48 ha non forest land bearing Survey/ Gut No.13 of Village Holdarnagar, Tehsil, Tryamakeshwar, Dist. Nashik is contiguous; suitable for afforestation and management purpose also it is free from encroachment an encumbrance
- 4.11 the proposed site is considered downstream of proposed site the link cut/canal not function. As the area required for the proposed site is barest minimum the proposed site for the Gravity Diversion Scheme Nanashi Link Cut/Canal, Tal. Dindori, Dist. Nashik is most suitable from Technical, Economical and forest open of view

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 Copy of the administrative approval accorded by Joint Secretary, Government of Maharashtra, Water Resources Department, Resolution No.UGP-0777/748(443)/07/M.P-1, dated 14/07/2008

5.4 Copy of the technical approval accorded by Assistant Chief Engineer (W.R.), North Maharashtra Region, Nashik vide letter No.NMR/T-1/3482/2004, dated 21/08/2009

5.5 The Catchment Area Treatment Plan is enclosed file page **no. 6 to 11**

5.6 Management of Wildlife Habitat due to diversion of land is submitted as follows-
1) Leopard Rescue & Management Plan for Rs.130.2 Lakhs 2) Vulture Conservation & Management (Gyps begalensis, Byps indicus for Rs.40.5 Lakhs).

6.00 The Collector, Nagpur has given certificated that:-

5.5 the certificate of Collector, Nashik the all other alternative for the purpose have been explored and the demand for the forest land is barest minimum demand

5.6 the certificate of Collector, Nashik under Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Right) Act, 2006 issued vide letter No.RB-D-3/1189/2020, dated 17/08/2020 issued in Form-II as per Government of India latest guidelines dated 05/07/2013

5.7 The User Agency has certified that the aforesaid Environmental Clearance is not required as the command area 57.00 ha of the project is less than 2000 ha.

5.8 Details of Command area:-

a) Total Catchment area	:-	1.00 Sq.Km
b) Yield at Damsite	:-	1557.60 T.C.M (i.e. 55.00 Mcft)
c) Silt pocket	:-	8.73 T.C.M (i.e. 0.299 Mcft)
d) Proposed Utilization of Water	:-	1557.60 T.C.M (i.e. 55.00 Mcft)
e) Local Storage	:-	555.36 T.C.M (i.e. 19.61 Mcft)
f) Water available for diversion	:-	1002.24 T.C.M (i.e. 35.39 Mcft)
g) Water to be diverted to Godawari Basin	:-	1002.24 T.C.M (i.e. 35.39 Mcft)
h) Water Stored in Dam for local use	:-	555.36 T.C.M (i.e. 19.61 Mcft)

6.00 The Deputy Conservator of Forests, West Division, Nashik and Chief Conservator of Forest (T), Nashik have recommended the proposal for diversion of 3.48 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.

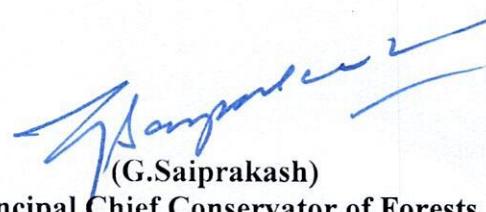
7.3 Compensatory Afforestation :-

Compensatory afforestation shall be taken up by the Forest Department over 3.48 ha non forest land bearing Survey/ Gut No.13 of Village Holdarnagar, Tehsil, Tryamakeshwar, Dist. Nashik 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.

- 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 The boundary of the diverted forest land shall be demarcated on ground at the project cost by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number toward and back bearing and distance from pillar to pillar.
- 7.6 The Project Authority should provide water to forestry and allied purposes at the rate fixed by the Government of Maharashtra.
- 7.7 The forest land shall not be used for any purpose other than specified in the project.
- 7.8 The project authority will defray the cost of Net Present Value of **3.48** ha. of forest land as per the latest Guideline of the Government of India.
- 7.9 The project authority will defray the additional/revised cost of Net Present Value of forest land as per the latest guidelines of Government of India.
- 7.10 The forest land shall not be utilized for any purpose other than specified in the project proposal
- 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 A Catchment Area Treatment Plan shall be prepared, and implemented under the supervision of the Forest Department at the project cost, if applicable;
- 7.15 The user agency shall obtain environmental clearance, 2006, if required.
- 7.16 The user agency shall carry out muck disposal at pre- designated sites in such manner so as to avoid its rolling down;
- 7.17 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;

- 7.18 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;
- 7.19 The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
- 7.20 All other conditions as may be mandatory under relevant Acts, Rules and guidelines shall be complied with by the user agency.



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