

**OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS (HEAD OF FOREST FORCE),
MAHARASHTRA STATE, NAGPUR**

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Sub:- Proposal for diversion of 31.49 ha. forest land under Forest (Conservation), 1980 for Construction of Handya Kundy Storage Tank Near Village Deohari Tal. Chopda, Dist. Jalgaon in the State of Maharashtra (FP/MH/IRRI/52943/2020)

No. : Desk-17/NODAL/ Dhule /ID- 12908 (31)/ 1570/20-21
Nagpur - 440 001, Dated :- 18/11/2021

To,
The Principal Secretary (Forests),
Revenue and Forest Department,
Mantralaya, Mumbai -32

The Executive Engineer, Minor Irrigation Division, Jalgaon has submitted the proposal for diversion of 31.49 ha. forest land under Forest (Conservation), 1980 for Construction of Handya Kundy Storage Tank Near Village Deohari Tal. Chopda, Dist. Jalgaon in the State of Maharashtra. The details of forest land proposed for diversion is as given below: -

Sr No.	Item of work / purpose	Village	Compt. No.	Length (in meter)	Width (in meter)	Area (in ha.)	Legal Status of Forest Land
1	Submergence including casing, hearting and rubble quarries	Satpuda Hills	166	1905	21	4.00	Reserved Forest
2	Submergence including casing, hearting and rubble quarries		167	2049	90.2	18.48	
3	Dam seat		166	180	167	3.00	
4	Submergence		167	279	144	4.01	
5	Approach & Tail Channel		167	200	100	2.00	
Total Area (in ha.)						31.49	

3.00 The proposal has been initiated by the Executive Engineer, Minor Irrigation Division, Jalgaon for approval under Forest (Conservation) Act, 1980. This is storage tank proposed on Handya Kundy Nalla (Deohari), Tal. Chopada, Dist. Jalgaon. The proposed project irrigable command area covered from Jalgaon District will be 264.00 there was a continuous social demand from the village in the area from the providing irrigation facilities. Due to this project total 2.580 mm³ water will be stored at Handya Kundy Nalla as ground water in this area is substantially depleted lead to scarcity of drinking water for public as well for domestic and wild animals in the region. Thus project will benefit 3 villages namely Deohari, Deozari & Melane

from Chopada Taluka in Dist. Jalgaon. The site inspection report of the Deputy Conservator of Forests, Yawal Forest Division, Jalgaon is enclosed on page no. 101 to 103

3.0 Previously the aforesaid proposal was submitted to the Regional Office, Government of India vide the State Government letter FLD.3111/CR/170/F10, dt.11/11/2011 for prior approval of the Central Government under Forest (Conservation) Act, 1980. The Central Government vide letter No.6-MHC-82/2011-BHO/150, dt.8/7/2015 desired information on the following points:-

- 3.1 Website entries of the site inspection Report of DCF
- 3.2 Certificate of the Collector, ensuring compliance under FRA, 2006.
- 3.3 CA scheme, map and suitability certificate.
- 3.4 Tree enumeration list.

4.00 The Deputy Conservator of Forests, Yawal Forest Division, Jalgaon 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-III having density is 0.4 (Tropical Dry Deciduous Forest, Open Forest).
- 4.3 there are 9582 trees involved the project out of which 6909 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:-

Particular	Tree Girth in Cm.										Total	Total cutting and felling of trees	Remarks
	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			
Dam Seat	3338	971	412	192	97	44	21	35	0	0	5110	5110	---
Approach and Tail Channel	691	413	150	87	62	19	27	44	0	0	1493	1493	---
FRL to FRL-2	446	765	513	264	189	89	46	81	0	0	2393	0	FRL to FRL-2 trees mentioned are not to be felled
FRL-2 to FRL-4	45	98	59	27	22	6	10	13	0	0	280	280	
FRL-4 to MDDL	83	92	65	23	16	16	14	0	0	0	306	306	---
Total	4603	2339	1199	593	386	174	118	173	0	0	9582	6909	

As per the Government of India, MoEF letter dated 30/01/2009 has mentioned that 'No tree felling in the area between FRL and 4 m below FRL shall be carried out' for the Minor Irrigation proposals. In this regard the actual tree felling for the said proposal is 6909 required to be felled.

- 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 2.50 km from the boundary of the project area (Sanctuary and National Park).
- 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 it is contiguous, suitable for afforestation and management purpose and it is free from encroachment and an encumbrances. The details of CA area is as under:-

Sr.No.	Village	Taluka	District	Gut No.	Total Area (in ha)	Suitable Area for CA (in ha.)
1	Pimpalgaon	Jamner	Jalgaon	148	6.33	31.49
2	Savatkheda	Jamner	Jalgaon	213	9.85	
3	Savatkheda	Jamner	Jalgaon	214	9.51	
4	Savatkheda	Jamner	Jalgaon	215	0.54	
5	Savatkheda	Jamner	Jalgaon	216	0.55	
6	Savatkheda	Jamner	Jalgaon	217	9.84	
7	Savatkheda	Jamner	Jalgaon	219	10.15	
Total Area					46.77	31.49

- 4.10 The cost benefit analysis ratio is 32.49

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 Executive Engineer and Member Secretary (E.D) Tapi Irrigation Development Corporation, Jalgaon vide resolution No./TIDC/ED/PB-1/32-98/A.A./32, dated 12/10/1998.
- 5.4 Copy of the technical approval accorded by Executive Engineer Tapi Irrigation Development Corporation, Jalgaon vide letter No.93/1998, dated 12/10/1998
- 5.5 the certificate of Collector, Jalgaon 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, Jalgaon under Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Right) Act, 2006 issued vide letter No.Land/2/RR/ETAPAL/33/17/426, dated 16/05/2019 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 330 ha of the project is less than 2000 ha.

5.8 Details of Command area:-

- a) G.C.A: 413 ha
- b) C.C.A (by lift): 330 ha
- c) I.C.A (by flow): 264 ha
- d) Taluka benefited: Chopada
- e) Village benefited: Deohari, Deoziri & Melane

6.00 The Deputy Conservator of Forests, Yawal Forest Division, Jalgaon and Chief Conservator of Forest (T), Dhule have recommended the proposal for diversion of 31.49 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 Compensatory Afforestation :-

Compensatory afforestation will be raised over 31.49 ha non forest land at the cost of user agency in Village Pimpalgaon & Savatkhedha, Taluka. Jamner, Dist. Jalgaon. The details are as under:-

Sr.No.	Village	Taluka	District	Gut No.	Total Area (in ha)	Suitable Area for CA (in ha.)
1	Pimpalgaon	Jamner	Jalgaon	148	6.33	31.49
2	Savatkhedha	Jamner	Jalgaon	213	9.85	
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Total Area					46.77	31.49

7.3 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.

7.4 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.

- 7.5 The Project Authority should provide water to forestry and allied purposes at the rate fixed by the Government of Maharashtra.
- 7.6 The forest land shall not be used for any purpose other than specified in the project.
- 7.7 The project authority will defray the cost of Net Present Value of 31.49 ha. of forest land as per the latest Guideline of the Government of India.
- 7.8 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.
- 7.9 The forest land shall not be utilized for any purpose other than specified in the project proposal
- 7.10 No damage shall be caused to the flora and fauna of the area.
- 7.11 No labour camp shall be established on the forest land;
- 7.12 The user agency, if required, shall undertake comprehensive soil conservation measure at the project cost in consultation with the Forest Department.
- 7.13 A Catchment Area Treatment Plan shall be prepared, and implemented under the supervision of the Forest Department at the project cost, if applicable;
- 7.14 The user agency shall obtain environmental clearance, 2006, if required.
- 7.15 The user agency shall carry out muck disposal at pre- designated sites in such manner so as to avoid its rolling down;
- 7.16 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;
- 7.17 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;
- 7.18 The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
- 7.19 All other conditions as may be mandatory under relevant Acts, Rules and guidelines shall be complied with by the user agency.

Maharashtra

8.00 It is therefore, requested that Government of India may kindly be moved for approving the proposal for diversion of 31.49 ha. forest land under Forest (Conservation), 1980 for Construction of Handya Kundy Storage Tank Near Village Deohari Tal. Chopda, Dist. Jalgaon in the State of Maharashtra under section 2 (ii) of the Forest (Conservation) Act, 1980.

Encl. :- Proposal 2 copies

Star
18/1/21

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

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

Copy to the Deputy Conservator of Forests, Yawal Forest Division, Jalgaon for formation.

Copy to the Executive Engineer, Minor Irrigation Division, Jalgaon 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 31.49 ha. forest land under Forest (Conservation), 1980 for Construction of Handya Kunda Storage Tank Near Village Deohari Tal. Chopda, Dist. Jalgaon in the State of Maharashtra (FP/MH/IRRI/52943/2020). The details of land proposed for diversion is as under-

Sr No.	Item of work / purpose	Village	Compt. No.	Length (in meter)	Width (in meter)	Area (in ha.)	Legal Status of Forest Land
1	Submergence including casing, hearting and rubble quarries	Satpuda Hills	166	1905	21	4.00	Reserved Forest
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4	Submergence		167	279	144	4.01	
5	Approach & Tail Channel		167	200	100	2.00	
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Specific recommendation of Principal Chief Conservator of Forests (HoFF) Maharashtra State, Nagpur is attached on page no.

 18/11/21

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

Date: /11/2021

Place: Nagpur

Proposal for diversion of 31.49 ha. forest land under Forest (Conservation), 1980 for Construction of Handya Kundy Storage Tank Near Village Deohari Tal. Chopda, Dist. Jalgaon in the State of Maharashtra (FP/MH/IRRI/52943/2020).

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 31.49 ha. forest land under Forest (Conservation), 1980 for Construction of Handya Kundy Storage Tank Near Village Deohari Tal. Chopda, Dist. Jalgaon in the State of Maharashtra (FP/MH/IRRI/52943/2020).

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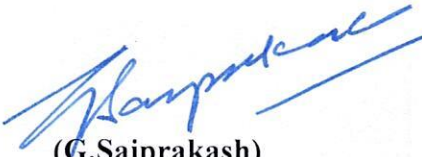
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(G.Saiprakash)
Principal Chief Conservator of Forests
(Head of Forest Force)
Maharashtra State, Nagpur