

**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 9.19 ha. forest land under Forest (Conservation), 1980 for Construction of Boripada Minor Irrigation Tank is Irrigation Cum Drinking Water Supply Project, Tal. Tryambakeshwar, Dist. Nashik in the State of Maharashtra (FP/MH/IRRIG/47897/2020). The details of land proposed for diversion is as under-

Sr No.	Item of work / purpose	Village,	Survey / Gut No.	Compt no.	Area (in ha.)	Legal Status of Forest Land
1	Submergence	Shindapada	118	318	8.47	Reserved Forest
2	Dam Seat	Shindpada	118		0.72	
Total Forest Land (in ha.)					9.19	

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

(Naresh Zurmure)

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

Date: 22/11/2021

Place: Nagpur



**Proposal for diversion of 9.19 ha. forest land under Forest (Conservation), 1980 for Construction of Boripada Minor Irrigation Tank is Irrigation Cum Drinking Water Supply Project, Tal. Tryambakeshwar, Dist. Nashik in the State of Maharashtra (FP/MH/IRRIG/47897/2020).**

**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.**

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1.0 Proposal is for diversion of 9.19 ha. forest land under Forest (Conservation), 1980 for Construction of Boripada Minor Irrigation Tank is Irrigation Cum Drinking Water Supply Project, Tal. Tryambakeshwar, Dist. Nashik in the State of Maharashtra (FP/MH/IRRIG/47897/2020).

2.00 The details of forest land proposed for diversion are as under-

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Total Forest Land (in ha.)					9.19	

3.00 The proposal has been initiated by the District Water Conservation Officer, Soil & Water Conservation Division, Nashik for approval under Forest (Conservation) Act, 1980. This Minor Irrigation Tank Boripada Irrigation Scheme envisages construction of an earthen dam across local nalla near village Boripada, Tehsil- Tryambakeshwar, Dist. Nashik. The catchment area up to the dam site is 1.75 sq.km and the 50% dependable yield utilized is 1970.00 T.Cum. Total Irrigation area is 227 ha. and dam site is 50 km away from Tryambakeshwar the Tehsil Place. The project envisages construction of an earthen dam 435 m. in length with maximum height 22.83 M. in gorge. A clear over fall type non gated Waste Weir on Left Bank of 28 M. Length is proposed between Ch. 390 m to 418 m. Thus project will benefit 3 villages namely Shindpada, Boripada and Chinchhol in Nashik District. The total non forest land involved in the project is 11.026 ha. The site inspection report of the Deputy Conservator of Forests, West Division, Nashik is enclosed on page no. 45 to 47.

**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 0.4 (Tropical Semi Evergreen Forests Class)
- 4.3 there are 276 trees involved in the project out of which 69 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	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	2	1	2	2	1	0	1	1	1	3	14	The Deputy Conservator of Forests, West Division, Nashik has certified that 14 trees involved to be felled in Dam Seat Area.
FRL & FRL-2	0	14	21	9	35	19	19	17	15	29	178	--
FRL-2 & FRL-4	0	3	6	19	0	0	0	0	0	1	29	--
FRL-4	6	23	12	5	4	2	1	0	0	2	55	The Deputy Conservator of Forests, West Division, Nashik has certified that 14 trees involved to be felled in Below FRL-4 area.
<b>Total</b>	<b>8</b>	<b>41</b>	<b>41</b>	<b>35</b>	<b>40</b>	<b>21</b>	<b>21</b>	<b>18</b>	<b>16</b>	<b>35</b>	<b>276</b>	

As per the Government of India, MoEF letter dated 30/01/2009 has mentioned that 'No tree felling in the area between FRL-4 m below shall be carried out' for the Minor Irrigation proposals. In this regard the actual tree felling for the said proposal is 69 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 not included within 10 km from the boundary of the National Park/Sanctuary. It is 86 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 9.19 ha non forest land in Survey / Gut No.13 in village Holdarnagar, Tehsil Tryambakeshwar, Dist. Nashik is contiguous; suitable for afforestation and management purpose also it is free from encroachment an encumbrance.



- 4.10 The cost benefit analysis ratio is 28.83
- 4.11 the proposed site is considered downstream of proposed site the forest land will require more. If the project site is considered upstream of proposed site dam length will increase resulting requirement of more forest land and less water storage. As the area required for the proposed site is barest minimum the proposed site for the Minor Irrigation Tank Boripada, Tal. Tryamakeshwar, Dist. Nashik most suitable from Technical, Economical and Forest point 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 Managing Director, Maharashtra Water Conservation Corporation Aurangabad letter No. MIT/AA/C.No/2062/709, dated 28/03/2013
- 5.4 Copy of the technical approval accorded by Assistant Chief Engineer, Small Scale Irrigation (W.C) Pune -6 letter No. C.E/S.D.O-1/PB-5/1676, dated 03/03/2014.

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.FRA-Sell/NO/3/6-1/742, dated 10/07/2020 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 227.00 ha of the project is less than 2000 ha.

5.8 **Details of Command area:-**

a) Total Catchment area of dam	:-	1.75 Sq.Km
b) Full Reservoir Level	:-	103.00 M
c) Total Command Area (by flow)	:-	227.00 (ICA) Ha.
d) High Flood Level	:-	104.20 M
e) Minimum Water Draws down level (Sill R.L)	:-	91.00 M
f) Maximum hight of dam	:-	22.83 M
g) Total No. of family benifited (Population)	:-	4500 Souls

- 6.00 The Deputy Conservator of Forests, West Division, Nashik and Chief Conservator of Forest (T), Nashik have recommended the proposal for diversion of 9.19 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.

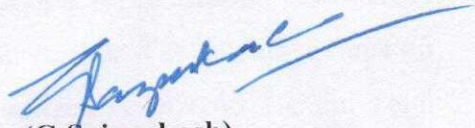
**7.2 Compensatory Afforestation :-**

Compensatory afforestation shall be taken up by the Forest Department over 9.19 ha non Forest land in Survey / Gut No.13 in village Holdarnagar, Tehsil Tryambakeshwar, 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.

- 7.3 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 9.19 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.

  
(G. Saiprakash)  
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](mailto:apccfnodal@mahaforest.gov.in)

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No. : Desk-17/Nodal/Nashik /I.D-12924/1595/2021-22  
Nagpur – 440 001, Dated 22/11/2021

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

The District Water Conservation Officer, Soil & Water Conservation Division, Nashik has submitted proposal for diversion of 9.19 ha. forest land under Forest (Conservation), 1980 for Construction of Boripada Minor Irrigation Tank is Irrigation Cum Drinking Water Supply Project, Tal. Tryambakeshwar, Dist. Nashik in the State of Maharashtra. The details of forest land proposed for diversion is as given below: -

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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 0.4 (Tropical Semi Evergreen Forests Class)
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7.6 The forest land shall not be used for any purpose other than specified in the project.

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7.10 No damage shall be caused to the flora and fauna of the area.

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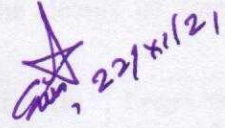
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- 7.17 The user agency shall consult organizations (s) having experience in construction of roads in hilly areas to avoid frequent road blocks due to landslides etc. and shall provide breast walls and retaining walls wherever necessary;
- 7.18 The 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.

8.00 It is therefore, requested that Government of India may kindly be moved for approving the proposal for diversion of 9.19 ha. forest land under Forest (Conservation), 1980 for Construction of Boripada Minor Irrigation Tank is Irrigation Cum Drinking Water Supply Project, Tal. Tryambakeshwar, Dist. Nashik in the State of Maharashtra 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 Forest (T), Nashik for information.

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

Copy to the District Water Conservation Officer, Soil & Water Conservation Division, Nashik for information