

New Proposal- Canal



Office of the Principal Chief Conservator of Forests (Head of Forests Force),
Maharashtra State
Additional Principal Chief Conservator of Forests & Nodal Officer,
1st Floor, B Wing
Van Bhavan, Ramgiri Road, Civil Lines, Nagpur- 440 001
Tel.No.: 0712- 2556916 , E-mail: apccfnodal@mahaforest.gov.in

E-mail/Important

No.Desk-17/
Nagpur

Date . 20/06/2023

To,

The Principal Secretary (Forest)
Revenue and Forest Department
Mantralaya Mumbai-32.

Subject:- Diversion of 3.27 ha. Reserve Forest land under section- 2 of the Forest (Conservator) Act, 1980 for Construction of Upper Pravara Right Bank Canal Nilwande in Tauka Rahuri, District Ahmednagar in the State of Maharashtra. (FP/MH/Canal/150569/2021)

Refferance:- Chief Conservator of Forest (T) Nashik Letter No. Desk-2/Land/ C.N.28/ 322, dt.05/06/2023.

The Chief Conservator of Forests (T.), Nashik on dated 05/06/2023, has submitted the proposal is for diversion of 3.27 ha. Reserve Forest land under section-2 of the Forest (Conservator) Act, 1980 for Construction of Upper Pravara Right Bank Canal Nilwande in Tauka Rahuri, District Ahmednagar in the State of Maharashtra. (FP/MH/Canal/150569/2021)

2.0 The detailed area statement of forest land is shown as under:- **(P.P.No. 47)**

| Sr. No | Name of Component | Name of Village | Survey No | Required Forest Land | | | Legal Status of land |
|--------|---|--------------------------------------|-----------|----------------------|-------|------------|----------------------|
| | | | | Length | Width | Area in ha | |
| 1. | Diversion of 3.27 ha. Forest land for construction of Upper Pravara Right Bank Canal Nilwande Dam project | Tambhere Tal; Rahuri Dist. Ahmednagr | 345 | 405 | 40 | 1.62 | Reserved Forest |
| | | | 344/3 | 550 | 30 | 1.65 | |
| | | Total | | | | 3.27 | |

3.0 The proposal has been initiated by the Executive Engineer, Upper Pravara Dam Division, sangamner for diversion of 3.27 ha. Reserve Forest land under section-2 of the Forest (Conservator) Act, for Construction of Upper Pravara Right Bank Canal Nilwande in Tauka

Rahuri, District Ahmednagar in the State of Maharashtra. The Government of India has accorded final approval vide its letter no 8/187/97 F.C Dated 23/07/2002 for diversion of 383.46 ha Forest land Uppar Pravara Dam division, Sangamner for Uppar Pravara (Nilwande-2) Project Tal. Akole Dist. Ahmednagar. After approval to said proposal work of Nilwande dam has been completed. current stage work of main canal is in progress. The right bank canal is of total 97 Km length which is passing through 69 villages and will result in total irrigation of 20395 ha., for this canal total 53.30 ha. forest land already been diverted by Central Government. The left bank canal is of total 85 Km length which is passing through 113 villages and will result in total irrigation of 43865 ha. for this canal total 82.31 ha. already been diverted by Central Government for the proposal of total 383.46 ha. in which land required for right bank canal at village Tambhere Tal. Rahuri Dist. Ahmednagar gut no. 344/3 area 1.65 ha. is not included considering this land is portion of Government non irrigated land and land acquisition of same land portion is done by collector at that time. But while scrutiny of documents from Forest Department it is observed that this portion of land is Reserved Forest Area. Considering above facts, these land acquisition proposal of required for right bank canal 3.27 ha. is prepared as per section -2 of Forest (Conservation) Act, 1980. No other alternative non forest land is available for this alignment due to field conditions. After execution of this portion of main canal total 1261.74 ha. from village Tambhere and 8089 ha. from Rahuri Taluka will come under irrigation and ultimately helps to achieve planned irrigation potential.

4.0 The site inspection report of the Deputy Conservator of Forests, Ahmednagar Forest Division, is enclosed in the proposal on (P.P.No. 36 to 38)

5.0 The Chief Conservator of Forests, Nashik and the Deputy Conservator of Forests, Ahmednagar have recommended the proposal for diversion of 3.27 ha. of Reserve forest land. (P.P.No.2 to 5)

6.0 The Deputy Conservator of Forests Ahmednagar Forest Division has certified that:-

6.1 No alternate alignment is possible and the forest land required is minimum.

(P.P.No. 21)

6.2 There is no violation of FCA, 1980.

(P.P.No.23)

6.3 The proposed compensatory afforestation over 3.27 ha. non forest land in Survey / Gut No-108 at Village Warvandi, Taluka Rahuri District Ahmednagar and it contiguous suitable for afforestation and management purpose and also it is free from encroachment and encumbrances.

(P.P.No.24-25)

6.4 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. (P.P.No.27)

6.5 Proposed project is not likely to affect any monumental site of cultural, historical, religious archaeological or recreational Importance (P.P.No.28)

6.6 The proposed project is not included in any National Park or Wild Life Sanctuary or Nature reserve. (P.P.No.29)

6.7 There are 109 trees cutting and felling involved in the project. Girth wise details is as under:- (P.P. No. 31 and 59-61)

| Tree Girth in Cm. | | | | | | | |
|-------------------|-------|-------|--------|---------|---------|-----------|-------|
| 0-30 | 31-60 | 61-90 | 91-120 | 121-150 | 151-180 | Above 180 | Total |
| 4 | 74 | 24 | 7 | 6 | 0 | 0 | 109 |

6.8 C.A.Scheme for 10 years is attached on (P.P.No.39 to 46)

6.9 The proposed project area belongs to Eco Value Class -III having Density below 0.01, (Open Forest) (P.P. No. 30)

6.10. Proposed project is beyond 10 Kms from the boundary of the Protected Area (Sanctuary and National Park) (P.P.No.32)

7.0 The User Agency has submitted the following undertaking/documents:-

7.1 Agreed to defray the cost of Compensatory Afforestation. (P.P.No 66)

7.2 Agreed to bear the cost of Net Present Value. (P.P.No.68)

7.3 The copy of the Administrative and, Technical approval is enclosed on (P.P.No 79 - 82)

7.4 The User Agency has submitted certificate of Collector, Ahmednagar under Schedule Tribe and other Traditional Forest Dweller’s (Recognition of Forest Right) Act, 2006 issued vide letter No. RB/Desk/LND-4B/629, date 25/07/2022 .in prescribed (Format-I) as per Government of India latest guideline dated 05/02/2013. The copy of the same is enclosed on (P.P.No 91-92)

7.5 The KML file of the proposed diverted area and C.A area is placed.

8.00 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: –

- 8.1 The legal status of the forest land required will remain unchanged.
- 8.2 The proposed compensatory afforestation over 3.27 ha. non forest land in Survey / Gut No-108 at Village Warvamdi , Taluka Rahuri District Ahmednagar and it contiguous suitable for afforestation and management purpose and also it if free from encroachment and encumbrances.
- 8.3 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.
- 8.4 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.
- 8.5 The Project Authority should provide water to forestry and allied purposes at the rate fixed by the Government of Maharashtra.
- 8.6 The forest land shall not be used for any purpose other than specified in the project.
- 8.7 The project authority will defray the cost of Net Present Value of 3.27 ha. of non forest land as per the latest Guideline of the Government of India.
- 8.8 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.
- 8.9 The forest land shall not be utilized for any purpose other than specified in the project Proposal.
- 8.10 No damage shall be caused to the flora and fauna of the area.
- 8.11 No labour camp shall be established on the forest land;
- 8.12 The user agency, if required, shall undertake comprehensive soil conservation measure at the project cost in consultation with the Forest Department.
- 8.12 A Catchment Area Treatment Plan shall be prepared, and implemented under the supervision of the Forest Department at the project cost, if applicable;
- 8.14 The user agency shall obtain environmental clearance, 2006, if required.
- 8.15 The user agency shall carry out muck disposal at pre- designated sites in such manner so as to avoid its rolling down;

- 8.16 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;
- 8.17 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;
- 8.18 The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
- 8.19 All other conditions as may be mandatory under relevant Acts, Rules and guidelines shall be complied with by the user agency.
- 9.00 Keeping in view of facts mention in above para, this proposal for diversion of 3.27 ha. Reserve Forest land under section-2 of the Forest (Conservator) Act, 1980 for Construction of Uppar Pravara Right Bank Canal Nilwande in Tauka Rahuri, District Ahmednagar in the State of Maharashtra. is recommended under section 2 (ii) of the Forest (Conservation) Act, 1980.

Encl:- Proposal 2 Copies.

 20/6/22.

(Naresh Zurmure)

**Addl. Principal Chief Conservator of Forests
& Nodal Officer**

Copy for information:-

1. The Chief Conservator of Forest (T)] Nashik
2. The Deputy Conservator of forests, Ahmednagar.
3. The Executive Engineer, Uppar Pravara Dam Division, Sangamner.

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)

Subject:- :- Diversion of 3.27 ha. Reserve Forest land under section- 2 of the Forest (Conservator) Act, 1980 for Construction of Uppar Pravara Right Bank Canal Nilwande in Tauka Rahuri, District Ahmednagar in the State of Maharashtra.
(FP/MH/Canal/150569/2021)

The details of land proposed for diversion is as under:-

| Sr. No | Name of Component | Name of Village | Survey No | Required Forest Land | | | Legal Status of land |
|--------|---|--------------------------------------|-----------|----------------------|-------|------------|----------------------|
| | | | | Length | Width | Area in ha | |
| 1. | Diversion of 3.27 ha. Forest land for construction of Upper Pravara Right Bank Canal Nilwande Dam project | Tambhere Tal; Rahuri Dist. Ahmednagr | 345 | 405 | 40 | 1.62 | Reserved Forest |
| | | | 344/3 | 550 | 30 | 1.65 | |
| | | | Total | | | 3.27 | |

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

(Naresh Zurmure)

Additional Principal Chief Conservator of Forests
& Nodal Officer

Place :- Nagpur

Date:- 20/06/2023

Proposal for diversion of 3.27 ha. Reserve Forest land under section-2 of the Forest (Conservator) Act, 1980 for Construction of Uppar Pravara Right Bank Canal Nilwande in Tauka Rahuri, District Ahmednagar in the State of Maharashtra.

(FP/MH/Canal/150569/2021)

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

The proposal is for diversion of 3.27 ha. Reserve Forest land under section-2 of the Forest (Conservator) Act, 1980 for Construction of Uppar Pravara Right Bank Canal Nilwande in Tauka Rahuri, District Ahmednagar in the State of Maharashtra. (FP/MH/Canal/150569/2021)

2.0 The detailed area statement of forest land is shown as under:- **(P.P.No. 47)**

| Sr. No | Name of Component | Name of Village | Survey No | Required Forest Land | | | Legal Status of land |
|--------|---|--------------------------------------|-----------|----------------------|-------|------------|----------------------|
| | | | | Length | Width | Area in ha | |
| 1. | Diversion of 3.27 ha. Forest land for construction of Uppar Pravara Right Bank Canal Nilwande Dam project | Tambhere Tal; Rahuri Dist. Ahmednagr | 345 | 405 | 40 | 1.62 | Reserved Forest |
| | | | 344/3 | 550 | 30 | 1.65 | |
| | | Total | | | | 3.27 | |

3.0 The proposal has been initiated by the Executive Engineer, Uppar Pravara Dam Division, sangamner for diversion of 3.27 ha. Reserve Forest land under section-2 of the Forest (Conservator) Act, for Construction of Uppar Pravara Right Bank Canal Nilwande in Tauka Rahuri, District Ahmednagar in the State of Maharashtra. The Government of India has accorded final approval vide it letter no 8/187/97 F.C Dated 23/07/2002 for diversion of 383.46 ha Forest land Uppar Pravara Dam division, Sangamner for Uppar Pravara (Nilwande-2) Project Tal. Akole Dist. Ahmednagar. After approval to said proposal work of Nilwande dam has been completed. current stage work of main canal is in progress. The right bank canal is of total 97 Km length which is passing through 69 villages and will result in total irrigation of 20395 ha., for this canal total 53.30 ha. forest land already been diverted by Central Government. The left bank canal is of total 85 Km length which is passing through 113 villages and will result in total irrigation of 43865 ha. for this canal total 82.31 ha. already been diverted by Central Government for the proposal of total 383.46 ha. in which land required for right bank canal at in village Tambhere Tal. Rahuri Dist. Ahmednagar gut no. 344/3 area 1.65 ha. is not included considering this land is portion of Government non irrigated land and land acquisition of same land portion is done by collector at that

time. But while scrutiny of documents from Forest Department it is observed that this portion of land is Reserved Forest Area. Considering above facts, these land acquisition proposal of required for right bank canal 3.27 ha. is prepared as per section -2 of Forest (Conservation) Act, 1980. No other alternative non forest land is available for this alignment due to field conditions. After execution of this portion of main canal total 1261.74 ha. from village Tambhere and 8089 ha. from Rahuri Taluka will come under irrigation and ultimately helps to achieve planned irrigation potential.

4.0 The site inspection report of the Deputy Conservator of Forests, Ahmednagar Forest Division, is enclosed in the proposal on **(P.P.No. 36 to 38)**

5.0 The Chief Conservator of Forests, Nashik and the Deputy Conservator of Forests, Ahmednagar have recommended the proposal for diversion of 3.27 ha. of Reserve forest land. **(P.P.No.2 to 5)**

6.0 The Deputy Conservator of Forests Ahmednagar Forest Division has certified that:-

6.1 No alternate alignment is possible and the forest land required is minimum.

(P.P.No. 21)

6.2 There is no violation of FCA, 1980.

(P.P.No.23)

6.3 The proposed compensatory afforestation over 3.27 ha. non forest land in Survey / Gut No-108 at Village Warvandi, Taluka Rahuri District Ahmednagar and it contiguous suitable for afforestation and management purpose and also it is free from encroachment and encumbrances.

(P.P.No.24-25)

6.4 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.

(P.P.No.27)

6.5 Proposed project is not likely to affect any monumental site of cultural, historical, religious archaeological or recreational Importance

(P.P.No.28)

6.6 The proposed project is not included in any National Park or Wild Life Sanctuary or Nature reserve.

(P.P.No.29)

6.7 There are 109 trees cutting and felling involved in the project. Girth wise details is as under:-

(P.P. No. 31 and 59-61)

| Tree Girth in Cm. | | | | | | | |
|-------------------|-------|-------|--------|---------|---------|-----------|-------|
| 0-30 | 31-60 | 61-90 | 91-120 | 121-150 | 151-180 | Above 180 | Total |
| 4 | 74 | 24 | 7 | 6 | 0 | 0 | 109 |

- 6.8 C.A.Scheme for 10 years is attached on (P.P.No.39 to 46)
- 6.9 The proposed project area belongs to Eco Value Class -III having Density below 0.01, (Open Forest) (P.P. No. 30)
- 6.10. Proposed project is beyond 10 Kms from the boundary of the Protected Area (Sanctuary and National Park) (P.P.No.32)

7.0 The User Agency has submitted the following undertaking/documents:-

- 7.1 Agreed to defray the cost of Compensatory Afforestation. (P.P.No 66)
- 7.2 Agreed to bear the cost of Net Present Value. (P.P.No.68)
- 7.3 The copy of the Administrative and, Technical approval is enclosed on (P.P.No 79 - 82)
- 7.4 The User Agency has submitted certificate of Collector, Ahmednagar under Schedule Tribe and other Traditional Forest Dweller's (Recognition of Forest Right) Act, 2006 issued vide letter No. RB/Desk/LND-4B/629, date 25/07/2022 .in prescribed (Format-I) as per Government of India latest guideline dated 05/02/2013. The copy of the same is enclosed on (P.P.No 91-92)
- 7.5 The KML file of the proposed diverted area and C.A area is placed.

8.00 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: –

- 8.1 The legal status of the forest land required will remain unchanged.
- 8.2 The proposed compensatory afforestation over 3.27 ha. non forest land in Survey / Gut No-108 at Village Warvamdi , Taluka Rahuri District Ahmednagar and it contiguous suitable for afforestation and management purpose and also it if free from encroachment and encumbrances.
- 8.3 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.

- 8.4 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.
- 8.5 The Project Authority should provide water to forestry and allied purposes at the rate fixed by the Government of Maharashtra.
- 8.6 The forest land shall not be used for any purpose other than specified in the project.
- 8.7 The project authority will defray the cost of Net Present Value of 3.27 ha. of non forest land as per the latest Guideline of the Government of India.
- 8.8 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.
- 8.9 The forest land shall not be utilized for any purpose other than specified in the project Proposal.
- 8.10 No damage shall be caused to the flora and fauna of the area.
- 8.11 No labour camp shall be established on the forest land;
- 8.12 The user agency, if required, shall undertake comprehensive soil conservation measure at the project cost in consultation with the Forest Department.
- 8.12 A Catchment Area Treatment Plan shall be prepared, and implemented under the supervision of the Forest Department at the project cost, if applicable;
- 8.14 The user agency shall obtain environmental clearance, 2006, if required.
- 8.15 The user agency shall carry out muck disposal at pre- designated sites in such manner so as to avoid its rolling down;
- 8.16 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;
- 8.17 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;
- 8.18 The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
- 8.19 All other conditions as may be mandatory under relevant Acts, Rules and guidelines shall be complied with by the user agency.

9.00 Keeping in view of facts mention above, this proposal for diversion of 3.27 ha. Reserve Forest Land for Construction of Uppar Pravara Right Bank Canal Nilwande in Tauka Rahuri, District Ahmednagar in the State of Maharashtra is recommended for approval under section-2 of the Forest (Conservator) Act, 1980.


(Dr. Y.L.P. Rao)

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