

Government of Maharashtra

No.FLD-2022/CR-01/F-10

Revenue and Forest Department,
Mantralaya, Mumbai - 400 032.

Dated: 12.09.2022

To,

The Secretary,
Ministry of Environment, Forests & Climate Change,
Government of India,
New Delhi.

Subject: Forest Land-Nandurbar

Diversion of 73.94 ha. forest land for Construction of Kareghat Minor Irrigation Tank is Irrigation at Kareghat, Tal. Nawapur, Dist. Nandurbar in the State of Maharashtra

The Additional Principal Chief Conservator of Forests, Maharashtra State, Nagpur has submitted proposal for diversion of 73.94 ha. forest land for Construction of Kareghat Minor Irrigation Tank is Irrigation at Kareghat, Tal. Nawapur, Dist. Nandurbar in the State of Maharashtra

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

Sr No.	Item of work / purpose	Village	Taluka	District	Compt no.	Area (in ha.)	Legal Status of Forest Land
1	Submergence	Kareghat	Nawapur	Nandurbar	41A	54.71	Reserved Forest
2	Submergence				42 APB	15.23	
3	Dam Component				41 APB	3.64	
4	Canal				41 APB	0.36	
Total Forest Land (in ha.)						73.94	

2. The proposal has been initiated by the Executive Engineer, Nandurbar Medium Project Divisional Unit, Nandurbar for approval under Forest (Conservation) Act, 1980. This Minor Irrigation Tank of Kareghat, Tal. Nawapur, Dist. Nandurbar Scheme envisages construction of an earthen dam across local nalla Tal. Nawapur Dist. Nandurbar. The catchment area up to the dam site is 4.66 sq.Mile i.e. 12.08 Sq. Km and total approx. 5000 population dependable 100% tribal area. The total Irrigation area is 757 ha. and the maximum height of Tank 22.91 m. Thus project will benefit 3 villages namely Khokarwad, Kareghat, Lakkadkot in Nandurbar District. The total non-forest land involved in the project is 77.54 ha.

3. The Deputy Conservator of Forests, Nandurbar has certified that:-

- 3.1 No suitable alternate land is available and the forest land required is barest minimum.
- 3.2 The area belongs to Eco-value class-III having density is 0.7 (Tropical Dry Deciduous Forest)
- 3.3 There are 30166 trees involved in the project out of which 28294 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.										
Particular	15-30 cm	31-45 cm	46-60 cm	61-90 cm	91-105 cm	106-150 cm	Above 150 cm	Total cutting and felling of trees	Total	Remarks
Dam Seat	127	156	119	153	81	47	0	683	683	The Deputy Conservator of Forests, Nandurbar Division Shahada has certified that 907 trees involved to be felled in Dam Seat and approach tail channel & link canal.
Approach and Tail Channel & link Canal	47	49	52	32	19	25	0	224	224	
FRL & FRL-2	284	189	93	131	195	66	0	0	958	---
FRL-2 & FRL-4	281	143	130	170	154	36	0	0	914	---
FRL-4 to MDDL	11159	7569	2813	2904	1950	992	0	27387	27387	The Deputy Conservator of Forests, Nandurbar Division Shahada has certified that 27387 trees involved to be felled in FRL-4 to MDDL.
Total	11333	7774	2984	3089	2050	1064	0	28294	30166	

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 28924 required to be felled.

- 3.4 The area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc.
- 3.5 Proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance.
- 3.6 There is no violation of Forest (Conservation) Act 1980.
- 3.7 Proposed project area for the project is beyond 10 kms from the boundary of the Protected Area (Sanctuary and National Park).
- 3.8 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.
- 3.9 Proposed compensatory afforestation over 87.00 ha non forest land (i) Area 77.00 ha. in Gut No.117 at Village Sutare, Tahsil Sakari, Dist. Dhule (ii) Area 10.00 ha. in Gut No.83/2 at Village Satarpada, Taluka Sakari, Dist. Dhule is contiguous; suitable for afforestation and management purpose also it is free from encroachment an encumbrance.
- 3.10 The cost benefit analysis ratio is 1.35.
- 3.11 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 at Kareghat, Tal. Nawapur, Dist. Nandurbar is most suitable from Technical, Economical and Forest point of view.

4. The User Agency has submitted undertakings:-

- 4.1 to defray the cost of compensatory afforestation.
- 4.2 to defray the cost of Net Present Value of the forest land proposed under diversion.
- 4.3 to submit compliance under FRA-2006.

5. The Collector, Dhule has given certified that:-

- 5.1 The all other alternative for the purpose have been explored and the demand for the forest land is barest minimum demand
- 5.2 The User Agency has certified that the aforesaid Environmental Clearance is not required as the command area 412.00 ha. of the project is less than 2000 ha.

विवरण :-
प्रमाणित करण्यात आलेले
सर्व माहिती खालीलप्रमाणे
सत्य आहे. यावर
सहस्रकृष्ण महाराज

5.3 Details of Command area:-

a) Total Catchment area of dam	:- 949 ha. GCA, 4.66 sq.Mile i.e. 12.08 Sq.Km
b) Height of Tank	:- 22.91 M
c) Full Reservoir Level	:- 148.70M
d) High Flood level	:- 151.20 M
e) MDDL (Sill R.L)	:- 139.55 M
f) Gross Command Area	:- 412 Ha.
g) Curable Command Area	:- 949 Ha.
h) Irrigable Command Area	:- 757 Ha.
i) Total No. of family benefited	:- 5974
(Population)	

6. Remarks of Principal Chief Conservator of Forests (Wildlife), Maharashtra State:-


"The proposed project in Dhule Circle Nadurbar Division an area of 92.92 Km from the Kareghat Conservation the proposal is yet to be received from CF (T), Dhule to CWLW. At, present the area is not a 'Protected Area' as per the definition under WLPS, 1972. Hence wildlife clearance would not be required"

7. The Principal Chief Conservator of Forests (HoFF), Maharashtra State, Nagpur has recommended the proposal subject to the conditions, given in his specific recommendations, under Section-2 (ii) of the Forest (Conservation) Act, 1980. His specific recommendations are enclosed in the proposal.

8. In the circumstances explained in the aforesaid paragraphs and enclosures, the State Government recommends that the said forest land may be allowed to be diverted subject the conditions proposed by the Principal Chief Conservator of Forests (HoFF), Maharashtra State, Nagpur as well as following additional condition:-

"Conservator of Forest, Dhule and Deputy Conservator of Forest, Nandurbar shall ensure that the proposed area is outside the confines of Kareghat Conservator Reserve and submit site inspection report in this regard, before Stage-I approval."

The matter may kindly be placed before the Government of India for its approval under Section-2 (ii) of the Forest (Conservation) Act, 1980, be obtained and communicated to this Government.


(Ganesh Jadhao)

Under Secretary to the
Government of Maharashtra

Encl: A) Set of case papers

Under Secretary
Revenue and Forests Department
Hutatma Rajguru Chowk
Madam Cama Road, Centralaya
Mumbai 400 032

B) The following documents are enclosed:-

1. Prescribed form as per Rules.
2. Area Statement
3. Commitment from the Applicant for defraying the cost of Net Present Value & Compensatory Afforestation.
4. Brief note of the project
5. Site Inspection Report.
6. Certificate in Part V.

Copy:

1. Regional Officer (Central), Integrated Regional Office, Nagpur
2. Principal Chief Conservator of Forests & C.E.O, Maha-CAMPA, Nagpur
3. Additional Principal Chief Conservator of Forests and Nodal Officer, Maharashtra State Nagpur with reference to his letter No.Desk-17/Nodal/Dhule/ID-12942(25)/2208/2021-22, Dt.25.01.2022.
4. Chief Conservator of Forests (T), Dhule
5. Deputy Conservator of Forests, Nandurbar.
6. Executive Engineer, Nandurbar Medium Project Divisional Unit, Nandurbar
- ✓ 7. Select File (F-10)

Sub: Forest Land-Nandurbar

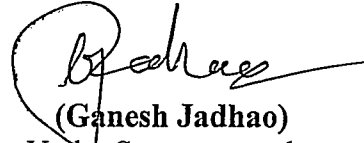
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PART - V

(To be filled up by the Secretary In charge of Forest Department or by any other authorized officer of the State Government not below the rank of an Under Secretary)

**1. Recommendation of the
State Government**

The proposal is recommended
vide Government letter
No.FLD-2022/CR 01/ F-10
Dated: 12/09/2022



(Ganesh Jadhao)

Under Secretary to the
Government of Maharashtra

**Under Secretary
Revenue and Forests Department
Hutatma Rajguru Chowk
Madam Cama Road, Mantralaya
Mumbai 400 032**

Place: Mumbai

Date: 12/09/2022