

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

ADDITIONAL PRINCIPAL CHIEF CONSERVATOR OF FORESTS AND NODAL OFFICER,

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Speed Post/By E-mail

No. Desk-17/2/Nodal/Nashik/ID-12746(15)/ 291 /23-24

Nagpur – 440 001,

Date : 26 /04/2023

To,

The Principal Secretary (Forest)

Revenue and Forest Department

Mantralaya Mumbai-32

Sub:- Diversion of 28.60 ha forest land in favour of Water Conservation Division Nashik for Mamdapur Storage Tank at Village-Mamdapur, in Nashik District in the State of Maharashtra- regarding.

Ref:- 1. Government of India, Ministry of Environment Forest & Climate Change, Integrated Regional Office, Nagpur letter dated 25/09/2022 of F.No.FC-II/MH-160/2021-NGP /10346

2. Chief Conservator of Forests, (T) Nashik letter No.Desk-2/land/C.N.02/83, dt. 17/04/2023.

Sir,

The Government of India, Ministry of Environment, Forest and Climate Change, Integrated Regional Office, Nagpur vide letter under reference No.1 has sought query compliance on 1 to 17 points. Accordingly, the Chief Conservator of Forests (T) Nashik vide letter under reference No. 2 has submitted the compliance of shortcoming in this regard to this office. The compliance report as desired by Government of India vide letter dt.25/09/2022 is submitted as under:-

Cond. No.	Condition	Compliance
i	Legal status of the forest land shall remain unchanged.	The user agency has submitted an undertaking enclosed as Annexure-I (Page No.20)
ii	Forest land will be handed over only after required non-forest for raising CA is handed over by the User Agency;	The user agency has submitted an undertaking enclosed as Annexure-II (Page No.21 and 39)
iii	Compensatory afforestation	
	a) Compensatory afforestation shall be taken up by the Forest Department over 28.60 ha.non – forest land in Survey No.63,64,65,66,67 at village-Vadali BK, Taluka-Nandgaon. District-Nashik at the cost of the User Agency. As far as possible a mixture of local indigenous species along with 10 % RET	Compensatory afforestation shall be taken up by the Forest Department over 28.60 ha.non –forest land in Survey No.63,64,65,66,67 at village-Vadali BK, Taluka-Nandgaon. District-Nashik , 28.60 ha C.A. total amount is Rs. 2,30,19,682. user agency has deposited total amount Rs. 5,04,12,190 /- in Ad-hoc Campa Maharashtra account No. 150785737261438 Union Bank of India Bengaluru IFCS code UBIN0996335 through NEFT vide Transaction dated 15/01/2023 which include Rs. 2,30,19,682/- towards the cost of C.A over 28.60 ha. The user agency has

	<p>species of Nashik District shall be planted and monoculture of any species may be avoided. At least four water bodies shall be constructed in the form of tank/stop dams etc. if the same are not available in the area or in nearby vicinity. Further, if existing tank/stop dams are available and needs desilting/ repair, same shall be carried out to meet the water requirement of wild animals throughout the year;</p> <p>b) State Government shall ensure plantation of 1000 plants per ha for proposed non-forest land. In case it is not possible to raise plantation at the rate of 1000 plants per ha on the selected non-forest land, then the balance plants shall be planted on degraded forest land as per working plan prescriptions at the cost of User Agency. A scheme in this regard shall be submitted to IRO, MoEF&CC;</p> <p>c) The non-forest land proposed for CA shall be transferred and mutated in the name of Forest Department and notified as RF/PF prior to Stage-II approval. A copy of the original notification declaring the non-forest land under Section -4 or Section 29 of the Indian Forest Act, 1927, or under the relevant section of the State Forest Act as the case may be, will be submitted by the State Government prior to Stage-II approval;</p>	<p>submitted an undertaking enclosed as Annexure-III (a) (Page No.29 -32)</p> <p>The user agency has submitted an undertaking enclosed as Annexure-III (b) (Page No.23)</p> <p>The user agency has submitted an undertaking enclosed as Annexure-III (c) (Page No.24)</p>
iv	<p>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 maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.</p>	<p>The User Agency has deposited in advance the amount of Rs. 2,30,19,682/ (Two Crore Thirty Lacks Nineteen Thousand Six Hundred and Eighty Two only) towards the cost of raising compensatory afforestation to CAMPA. Annexure-IV (Page No. 25)</p>
v	NPV	

	<p>a) The State Government shall charge the Net Present Value (NPV) for the 28.60 ha forest area to be diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 30.10.2002, 01.08.2003, 28.03.2008, 24.04.2008 and 09.05.2008 in IA No.566 in Writ Petition (Civil) No. 202/1995 and as per the guidelines issued by this Ministry vide its letter No.5-1/1998-FC (Pt.II) dated 18.09.2003, as well as letter No.5-2/2006-FC dated 03-10-2006 and 5-3/2007-FC, dated 05.02.2009 and letter No. 5-3/2011-FC (Vol-I) dated 06-01-2022 in this regard.</p>	<p>The User Agency have transferred in advance Net Present Value (NPV) Rs. 2,73,92,508/- (Two Crore Seventy Three Lacks Ninety Two Thousand Five hundred and Eight Only) of the forest land 28.60 ha being diverted under proposal to CAMPa as per guideline. The user agency has deposited total amount Rs. 5,04,12,190/- in Ad-hoc Campa account No. Ad-hoc Campa Maharashtra account No. 150785737261438 Union Bank of India Bengaluru IFCS code UBIN0996335 through NEFT vide dated 15/01/2023 which include Rs. 2,73.92.508/- towards the cost of N.P.V. Annexure-V-a (Page No.26)</p>
	<p>b) Additional amount of NPV of the diverted forest land, if any, becoming due after finalizations of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee. Shall be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect.</p>	<p>The user agency has submitted an undertaking enclosed as Annexure-V-b (Page No.26)</p>
vi	<p>The cost of felling of trees shall be deposited by the User Agency with the State Forest Department. Further, State Government and the User Agency shall insure that the trees available between Full Reservoir Level (FRL) and FRL-4 meters are not felled;</p>	<p>The User Agency has deposited an amount of Rs.27,950/- toward the cost of Tree felling in Deputy Conservator of Forests, East Nashik Account No. 11292063033 on date 09/02/2023 . Annexure- VI (Page No. 27)</p>
vii	<p>Copy of approved Catchment Area Treatment (CAT) Plan shall be submitted in accordance to Para no 4.8 (i) of Forest (Conservation) Act, 1980 Handbook, if applicable;</p>	<p>The user agency has submitted an undertaking enclosed as Annexure-VII (Page No.28)</p>
viii	<p>The User Agency shall provide free water to the all forestry related activities taken up by the State Forest Department;</p>	<p>The user agency has submitted an undertaking enclosed as Annexure-VIII (Page No.29)</p>
ix	<p>The User Agency shall undertake plantation of native forest tree species along the periphery of the reservoir;</p>	<p>The user agency has submitted an undertaking enclosed as Annexure-IX (Page No.30)</p>
x	<p>The User Agency shall undertake comprehensive Soil and Moisture Conservation measure at the project cost in consultation with the State Forest Department. A 10 years Soil and Moisture Conservation plan shall be prepared and</p>	<p>The user agency has submitted an undertaking enclosed as Annexure-X (Page No.31& 31-Ato C)</p>

	submitted along with the compliance report of the Stage-I approval;																									
xi	To control crop damage and reduce man-animal conflict, a Wildlife Conservation Plan for 10 years shall be prepared at the cost of User Agency and submitted to IRO, Nagpur along with the compliance report of the Stage-I approval;	The user agency has submitted an undertaking enclosed as Annexure-Xi (Page No.32 & 32-A to E)																								
xii	All the funds received from the User Agency under the project, shall be transferred/ deposited to CAMPA fund only through e-portal (https://parivesh.nic.in/);	<p>The User Agency has deposited total amount of Rs 5,04,12,190/- in Ad-hoc Campa Maharashtra account No. 150785737261438, dated 18/01/2023 . The copy of the Ad-hoc CAMPA Performa is enclosed herewith as (Annexure No. XII.) (Page No. 5 – 6 & 33)</p> <table><tr><th>Sr. No</th><th>Items Name</th><th>Years</th><th>Rate</th><th>Area</th><th>Total Rs</th></tr><tr><td>1.</td><td>C.A</td><td>2023-24</td><td>804884/-</td><td>28.60</td><td>2,30,19,682/-</td></tr><tr><td>2.</td><td>N.P.V</td><td>2022-23</td><td>957780/-</td><td>28.60</td><td>2,73,92,508/-</td></tr><tr><td colspan="5">Total Rupees</td><td>5,04,12,190/-</td></tr></table>	Sr. No	Items Name	Years	Rate	Area	Total Rs	1.	C.A	2023-24	804884/-	28.60	2,30,19,682/-	2.	N.P.V	2022-23	957780/-	28.60	2,73,92,508/-	Total Rupees					5,04,12,190/-
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xiii	State Government, Maharashtra/Nodal Officer (FCA), Maharashtra shall ensure settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (No. 2 of 2007) Before issuing an order for handing over of forest land to the User Agency as per Rule-9 (6) (b) (ii) of Forest (Conservation) Rules, 2022 dated 28.06.2022.	The user agency has submitted an undertaking enclosed as Annexure-XIII (Page No. 34 and 47)																								
xiv	To improve the Forest/Tree cover and to reduce pollution in the State, as mandated in National Forest Policy, 1988 and Environment al (Protection) Act, 1986 respectively, the User Agency with involvement of Joint Forest Management Committees (JFMC's) and in consultation with local DCF shall raise at least 15,000 seedlings of forestry species along with bamboo, fruit bearing, medicinal, ornamental and indigenous/ local for 10 years. At least 50 % of seedlings shall be planted in the vicinity of project area and remaining 50% of seedlings shall be distributed among villagers as per choice of villagers. The concerned JFMC's shall maintain record of plantation /seedling distribution of villagers;	The user agency has submitted an undertaking enclosed as Annexure-XIV (Page No. 35)																								
xv	Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF&CC Guideline F. No.11-42/2017-FC dt. 29/01/2018;	The user agency has submitted an undertaking enclosed as Annexure-XV (Page No.36)																								

xvi	Any other condition that the Ministry of Environment , Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forest & wildlife;	The user agency has submitted an undertaking enclosed as Annexure- XVI (Page No.37)
xvii	The compliance report shall be uploaded on e- portal (https://parivesh.nic.in/);	The user agency has submitted an undertaking enclosed as Annexure- XVII (Page No. 38)

The above shortcomings compliance is submitted along with Annexure, Therefore, kindly may be forwarded to the Central Government for further consideration of the Proposal.

Encl:-2 copies.

 26/4/23

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

Copy for information:-

1. The Chief Conservator of Forests (T), Nashik.
2. The Deputy Conservator of Forests, East Nashik Forest Division.
3. The District Water Conservation Officer Soil & Water Conservation Division Nashik.