

Sub.: Proposal for diversion of 291.17 hectares of forest land for Punasi Reservoir Project under the Deoghar Forest Division, Jharkhand State-regarding.,

1. The State Government of Jharkhand, Department of Environment, Forests & Climate Change, vide his letter No. Van Bhoomi – 25/2015/1244 dated 03.03.2016 submitted a fresh through Online proposal to obtain prior approval of the Central Government, in terms of the Section-2 of the Forest (Conservation) Act, 1980 for diversion of 291.17 hectares of forest land for Punasi Reservoir Project under the Deoghar Forest Division, Jharkhand State.
2. Details given in the said proposal are as below:

FACT SHEET

1.	Name of the Proposal	Proposal for diversion of 291.17 hectares of forest land for Punasi Reservoir Project under the Deoghar Forest Division, Jharkhand State.
2	Location:	
	State	Jharkhand.
	District	Deoghar.
3.	Particular of Forests	
i	Name of Forest Division	Deoghar Forest Division.
ii	Area of Forest land for Diversion	291.17 hectares (Notified Forest – 254.68 ha and Jungle-Jhari-36.49 ha).
iii	Legal Status of Forest land	Forest Land.
iv	Density of Vegetation	0.2
v	Species-wise (scientific names and diameter class wise enumeration of trees (to be enclosed) in case of irrigation / hydel project enumeration at FRL, FRL – 2 meter and FRL – 4 also be enclosed.	Enumeration List is available at (Pg...../c) . Annexure v.
4.	Brief note on Vulnerability of the forest area to erosion	Prone to erosion.
5	Approximate distance of proposed site for diversion from boundary of forest	The proposed area is itself inside the forest
6.	Whether forms part of National Park, Wildlife Sanctuary, Biosphere	No.

	Reserve, Tiger Reserve, Elephant Corridor etc. (if so, the details of the area the comments of the Chief Wildlife Warden to be annexed)	
7.	Whether any rare/ endangered/ unique species of flora and fauna found in the area if so, details thereof.	Not significant.
8.	Whether any protected archaeological/ heritage site/ defense establishment or any other important monument is located in the area. If so, the details thereof with NOC from competent authority, if required.	No.
9.	Whether the requirement of forest land as proposed by the User Agency in col.2 of Part-I is unavoidable and bare minimum for the project. If no, recommended area item-wise with details of alternatives examined.	Yes.
10.	Whether any work in violation of the Act has been carried out (Yes/ No). If yes, details of the same including period of work done, action taken on erring officials. Whether work in violation is still under progress.	Yes, Earth work in construction of spillway and canals and Earth Filling and Stone Pitching in construction of dam has already been carried out which is in violation of the Forest Conservation Act, 1980. The detail of Forest Land over which the work has been carried out has been given in the site inspection report. A total area of 30.25 ha has already been used by the user agency before getting prior approval from the Government of India in contrary to the provisions of the Forest (Conservation) Act, 1980. Total 7 numbers of Forest Cases has been initiated and 3 (Three) F. I. R lodged against the offenders.
11.	Details of Compensatory Afforestation Scheme:	

(i)	Details of non forest area/degraded forest area identified for compensatory Afforestation its distance from adjoining forest, number of patches, size of each patch.	Total Non-Forest land identified for Compensatory Afforestation is 291.46 Ha. The details of each patches is available at (Pg...../c). Annexure VI.
(ii)	Map showing non forest/degraded forest area identified for compensatory Afforestation and adjoining forest boundaries.	Map enclosed is available at (Pg...../c). as Annexure VII.
(iii)	Detailed compensatory Afforestation scheme including species to be planted implementing agency time schedule, cost structure etc.	Detailed Compensatory Afforestation Scheme is available at (Pg...../c). enclosed as Annexure X.
(iv)	Total financial outlay for compensatory Afforestation scheme.	Rs. 6, 15, 05, 153.00/-
(v)	Certified from competent authority regarding suitability of area identified for compensatory Afforestation and from management point of view (to be signed by the concerned Deputy Conservator of Forest).	This is to certified that the details of area proposed, identified and related to the Compensatory Afforestation over 291.46 hectares of non-forest land suitability certificate Certified from competent authority regarding of area identified for compensatory Afforestation and from management point of view to be signed by the Divisional Forest Officer, Deoghar Forest Division the same is available at (Pg...../c). Annexure IX.
12.	Site Inspection report of The DCF (to be enclosed) especially highlighting facts asked in col.7 (xi), (xii) 8 and 9 above.	The Site Inspection Report Inspect by the Divisional Forest Officer, Deoghar Forest Division and the same is available at (Pg...../c). Annexure XV
12	Documentary evidence in support of settlement of rights in accordance with the provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006	The Deputy Commissioner, Deoghar, Government of Jharkhand has issued two FRA certificate dated 15.06.2014 for diversion of 288.68 hectares and further certified FRA Certificate for diversion of 291.17 hectares dated 10.12.2015 certifying the information in respect of all clauses of the MoEF's advisory dated 5.07.2013

	on the forest land proposed to be diverted enclosed.	<p>(Pg...../c) i.e. diversion of forest land for facilities managed by the Government and safeguarding the rights of Primitive Tribal Group and Pre-Agricultural Communities as required under the Scheduled Tribe and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, discussion on the proposal in meeting of concerned Gram Sabha (s) maintaining the prescribed quorum, etc. The concerned Gram Sabha (s) of Gokhala and parabtui Village under the Deoghar Division.</p> <p>Documentary evidences in support of settlements of rights under the Scheduled Tribe and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 may kindly be seen at (Pg...../c).</p>
13.	Copy of Catchment Area Treatment (CAT) Plan for the project enclosed?	Yes.
14.	Recommendation	
	DFO	Out of 291.17 hectares of forest land, work has already been done over 30.25 hectares of forest land. So this proposals is recommended with provisions of penal N.V.P over already worked area and penal Compensatory Afforestation which Government may deem fit. (Pg...../c) .
	CCF	The work in the project was started more than thirty years back and 30.25 hectares of notified forest land has been put to use so far for non forestry purpose violating the provision of Forest Conservation Act. Since a large Chunk of works have already been carried out upon GM & raiyati land in addition to the 30.25 hectare of forest land, it would be a wise and beneficial step and in the interest of State's and nation's progress that with the penal provision to inflict cost of penal compensatory Afforestation upon 30.25 hectares, the project may be sanctioned. Accordingly recommendation is being made. (Pg...../c) .
	Nodal Officer & Addl. PCCF	Recommended. (Pg...../c) .

	State Govt.	Recommended. (Pg...../c).
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3. The State Government of Jharkhand, Department of Environment, Forests & Climate Change, vide its letter dated 03.03.2016 submitted following additional information pertaining to the proposal:
- (i) The project does not involve diversion of any forest under administrative control of Revenue Department.
 - (ii) NPV of the forest land proposed to be diverted has not been paid by the user agency. The user agency has not been submitted undertaking to make payment of the same.
4. The forest land proposed to be diverted has been inspected by Shri A. N. Sharan, Addl. Chief Conservator of Forests (Central), Regional office (Eastern Central Zone), Ranchi. Additional information furnished in the inspection report submitted by the Regional Office (Eastern Central Zone), Ranchi vide their letter dated 19.04.2016 are as below:

- i. The site inspection of the above project was carried out by the undersigned on 11.04.2016 in the presence Divisional Forest Officer Deoghar, user agency represented by Executive Engineer Er Jai Prakash Choudhary, Er Suresh Chand sah, TA, Er Deveshwar Hansda, AE and other JEs, Range forest officer of Deoghar and other field staff.

Legal status of the forest land proposed for diversion:

The legal status of the forest land is 254.68 ha of Protected Forests (notified), and 36.49 ha of Jungel Jhari.

Item-wise break-up details of the forest land proposed for diversion.

S. No.	Land details	Area(Ha)
1.	Submergence	210.94
2.	Dam	09.23
3.	Spillway	42.27
4.	Canals	28.73
	Total	291.17

Whether proposal involves any construction of buildings (including residential) or not. If yes, details thereof:

Not reported.

Total cost of the project at present rates:

As per record it is Rs 700 crores.

Wildlife:

Whether forest area proposed for diversion is important from wildlife point of view or not:

No rare/endangered species of fauna are found in the area. Proposed area for diversion does not form a part of National Park, Wildlife Sanctuary, and Biosphere/Tiger Reserve.

Vegetation:

The area proposed for diversion seems to be sparsely forested. General topography is undulating to rugged with low ridges and valleys. Surface is rocky with scattered trees. The forest is thin and density of vegetation appears to be less than 0.2 (photos enclosed).

Total number of trees to be felled.

The no. of trees enumerated comes to 545. Trees less than 60 cm girth are 363 in number and more than 60 cms are 182 in number.

Effect of removal of trees on the general ecosystem in the area:

The forest area proposed for diversion is highly deteriorated and prone to soil erosion and devoid of any good vegetation. This project helps in moisture conservation which will enable vegetation to come up profusely.

Compensatory Afforestation:

As reported, DFO Deoghar has identified 291.17 ha of non-forest land 26 patches.

Whether land for compensatory Afforestation is suitable from plantation and management point of view or not:

Suitable as reported by DFO Deoghar.

Whether land for compensatory Afforestation is free from encroachment/ other encumbrances:

As per records land for compensatory Afforestation is free from encroachment/other encumbrances.

Whether land for compensatory Afforestation is important from Religious / Archaeological point of view:

Not reported

Land identified for raising compensatory Afforestation is in how many patches, whether patches are compact or not:

DFO, Deoghar has identified 291.17 ha of non-forest land for raising compensatory Afforestation in 26 patches as under.

S. No.	Name of the Village	Area (in ha).
1	Ashanbani	7.28
2	Achato	19.99
3	Ambatarn	10.12
4.	Badiya	34.92
5	Banghora	4.86
6	Basburia	20.12
7.	Devpahari	11.53
8	Dhanhet	10.00
9	Fathepur	5.26
10	Chormara	24.99
11	Joramoh	3.24
		0.81
12	Khamarbad	10.12
13	Kurwa	16.59
14	Morango	10.00
15	Nakti	10.52
16	Parasbani	4.21
17	Parsodih	2.43

18	Parsiya	27.52
19	Patghri	2.83
20	Poraiya	10.12
21	Sayar Jungle	7.69
22	Sirsiya	16.26
23	Taraband	9.87
24	Tengdhoya	4.45
25	Tilaya	2.02
26	Tilaona	3.71
	Total	291.46

Map with details:

Enclosed in the file.

Total financial outlay:

6.15 crores.

Whether proposal involves violation of Forest (Conservation) Act, 1980 not. If yes, a detailed report on violation including action taken against the concerned officials:

Yes, as per records Earth work in construction of Spillway, canals and stone pitching in construction of dam has already been carried out by the user agency. A total area of 30.25 ha has already been user by the user agency before getting prior approval from the Govt of India. Total 7 cases were initiated nad 3 F.I.Rs were lodged against the offenders (Cases are pending in the local courts).

Whether proposal involves rehabilitation f displaced persons. If yes, whether rehabilitation plan has been prepared by the State Government or not:

As reported around 606 families will be rehabilitated. Out of which 109 families come under Sc and 44 families under St Category. Detailed resettlement and rehabilitation plan has been prepared and submitted.

Reclamation plan:

Not Required.

Details on catchment and command area under the project:

Detailed CAT plan has been prepared and enclosed.

Catchment area treatment plan to prevent siltation of reservoir:

CAT plan has been prepared and enclosed.

Cost benefit ratio:

As reported it is 1:1:29.

Recommendations of the Principal Chief Conservator of Forests/State Government.

Recommended by the PCCF / State Government.

Conservator of Forests)Central) shall give detailed comments on whether there are any alternative routes/alignment for locating the project on the non-forest land:

Annexed separately.

Utility of the project:

This scheme will provide 15384 ha. Kharif & 8907 ha. Rabi irrigation in 4 blocks of Deoghar & Dumka District in Jharkhand namely Deoghar, Mohanpur Sarwan and Saraiyahat. The command area of this scheme is drought pruned, farmers are dependent on the mercy of rainfall for irrigation. Hence this scheme will be proved as a boon for the entire command area. This will also improve socio-economic condition of the people of entire locality. Simultaneously the scheme will generate employment of nearly 1,50,000 person-days as temporary & 50 nos. of persons as permanent/ regular employment.

Numbers of Scheduled Caste/Scheduled Tribes to be benefited by the project:

This project will benefit more than 7.0 lacs population directly out of which SC population includes 13.7 % and ST population includes 10.3 %.

Whether land being diverted has any socio-Cultural / religious value:

Not reported.

Whether any sacred grove or very old growth trees / forests exist in the areas proposed for diversion:

Not reported.

Whether the land under diversion forms part of any unique eco-system:

Not reported.

Situation with respect to any Protected Area:

Proposed area for diversion does not form a part of National Park . Wildlife Sanctuary, Biosphere/ Tiger Reserve.

Any other information relating to the project:

Area proposed for diversion seems to very sparsely vegetated with density less than 0.2 and prone to soil erosion. The area around the reservoir is very much prone to erosion. If it is not treated with proper vegetative means, there is strong possibility of siltation from all around, which may defeat the very purpose of the dam within few years. Therefore, it has to be checked and treated properly. Suitable species of trees, grasses, herbs and shrubs may be planted along the bank of the reservoir and canal in atleast 10 meters strip. This project once constructed will provide water to the agricultural fields and around 15,000 ha of parched agricultural fields in the downstream will be benefitted. This proposal is good for facilitating water for irrigation to the rural areas and will also help in soil moisture conservation and will definitely enable vegetations to come up profusely. The user agency shall have to take all possible precautions for protection of environment and control of pollution while operating in the area.

5. Recommendation of the Addl. Principal Chief Conservator of Forests, Eastern Central Zone, Ranchi has recommended grant of approval under the FC Act for diversion of the forest land for the following reasons:

- i. The instant proposal is for diversion of 291.17 ha of forest land for Punasi Reservoir project under Deoghar Forest Division Deoghar dist of Jharkhand.
- ii. On perusal of records and Site Inspection Report of DCF the following observations are made:
 - a. The legal status of the forest land is 254.68 ha of Protected Forests (Notified) and 36.49 ha of Jungle Jhari.
 - b. The Item-wise break-up of the forest land is as follows:

S. No	Land details	Area(Ha)
1.	Submergence	210.94
2.	Dam	09.23
3.	Spillway	42.27
4.	Canals	28.73
	Total	291.17
 - c. The density of vegetation has been reported to be less than 0.2 in Deoghar Forest Division and the area appears to be dry and sparsely vegetated.
 - d. Total 545 No. of trees area proposed to be filled, out of which 363 trees are below 30 cm girth and 182 trees are above 30 cm girth.
 - e. The Cost Benefit Ratio Is 1:1.29.
 - f. A total area of 30.25 ha has already been used by the user agency before getting prior approval from the Govt of India under Forest Conservation Act, 1980.. Total 7 cases were initiated and 3 F.I.Rs were lodged against the offenders (cases are pending in the local courts).
 - g. This scheme will provide 15384 ha. Kharif & 8907 ha. Rabi irrigation in 4 blocks of Deoghar & Dumka District in Jharkhand namely Deoghar, Mohanpur, Sarwan and Saraiyahat. The command area of this scheme is drought prone and farmers are dependent on the rains for irrigation.
 - h. Keeping in view of the above facts it is recommended that the proposal may be considered for approval with standard conditions along with condition of penal CA.
6. It is proposed that the proposal along with site inspection report received from the Regional Office (Eastern Central Zone), Ranchi may be placed before the FAC in its forthcoming meeting scheduled to be held on 03.05.2016 for its examination and appropriate recommendations.
