



भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE
Regional Office, Ground Floor, East Wing,
New Secretariat Building Civil Lines, Nagpur - 440001,
apccfcetral-ngp-mef@gov.in



F.No. FC-II/MH-160/2021-NGP/13571
20.09.2024

Date:

To,

The Principal Secretary (Forests),
Revenue and Forest Department,
Hutatma Rajguru Chowk
Madam. Cama Marg, Mantralaya, Mumbai - 400032.

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.

Sir,

The undersigned is directed to refer to the State Government of Maharashtra's letter no. FLD-1522/CR-28/F-10 dated 10.03.2022 and APCCF & Nodal Officer (FCA), Maharashtra's letter no. Desk-17/Nodal/Nashik/ID-12918/2086/2021-22 dated 13.01.2022 on the above subject seeking prior approval of the Central Government under Section-2 of **Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980**. After careful examination of the proposal of the State Government, 'in-principle' approval was accorded by the Central Government vide its letter of even number dated 25.09.2022. The State Government of Maharashtra vide letter no. FLD-1520/C.R.21/F-10 dated 04.05.2023 and The Addl. PCCF and Nodal Officer (FCA), Government of Maharashtra, vide his letter no. Desk-17/2/Nodal/Nashik/ID-12746(15)/291/2023-24 dated 26.04.2023, The PCCF (HoFF) vide letter no. Desk-17/2/Nodal/Nashik/PID-12746(15)/3328/2023-24 dated 01.03.2024 and The Addl. PCCF and Nodal Officer (FCA), Government of Maharashtra, vide his letter no. Desk-17/Nodal/PID-12746/Nashik/1374/2024-25 dated 10.09.2024 submitted compliance report and requested to grant final approval to the proposal.

After careful consideration of the proposal and compliance report, I am directed to convey the Central Government's 'final approval' under Section- 2 of the **Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980** for 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 subject to the fulfilment of the following conditions:

- Legal status of the forest land shall remain unchanged;
- The User Agency shall carryout demarcation of the diverted forest at appropriate paces in consultation with the DCF concerned at the cost of the project;
- Compensatory afforestation shall be taken up by the Forest Department over

28.60 ha of non-forest land at 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 species of Nashik District shall be planted and monoculture of any species may be avoided. Atleast 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 tanks/ stop dams are available and needs desilting/ repair; same shall be carried out to meet the water requirement of wild animals throughout the year;

- iv. 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 RO, MoEF&CC;
- v. **The non-forest land identified for Compensatory Afforestation which is claimed to be transferred and mutated in the name of Forest Department shall be notified as RF/PF prior to issuance of Stage-II approval by the State Government and in any case, the forest area shall not be handed over to the User Agency for non forestry purpose before notification of the CA area as RF/PF. 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 shall be submitted to this office for record purpose;**
- vi. Additional amount of the Net Present Value (NPV) of the diverted forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future, shall be charged by the State Government from the User Agency;
- vii. 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;
- viii. Catchment Area Treatment (CAT) plan shall be implemented at the project cost and implementation of such approved CAT plan by the PCCF (HoFF) shall be monitored by the Committee as per the Ministry Guideline and submit progress report to this Office for record purpose;
- ix. The User Agency shall provide free water to the all-forestry related activities taken up by the State Forest Department;
- x. The User Agency shall undertake plantation of native forest tree species along the periphery of the reservoir;
- xi. The State Forest Department shall undertake comprehensive Soil and Moisture Conservation measures from the amount which has already been realized from the User Agency;
- xii. To control crop damage and reduce man-animal conflict, approved Wildlife Conservation Plan. Shall be implemented from the amount which has already

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been realized from the User Agency;

- 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, 2002 dated 28.06.2022;
- xiv. To improve the Forest/ Tree cover and to reduce pollution in the State, as mandated in National Forest Policy, 1988 and Environmental (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 5,000 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 to villagers;
- xv. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;
- xvi. The layout plan of the proposal shall not be changed without prior approval of Central Government;
- xvii. No labour camp shall be established on the forest land;
- xviii. Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel;
- xix. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;
- xx. The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less;
- xxi. The forest land shall not be used for any purpose other than that specified in the project proposal;
- xxii. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department, or person without prior approval of Govt. of India;
- xxiii. Violation of any of these conditions will amount to violation of VSSA, 1980 and action would be taken as per the provision of VSSA, 1980 and Rules / Guidelines framed thereunder;

This order issues with the approval of DDGF(C), Regional Office, MOEF&CC, Nagpur.


Yours faithfully,




(C.B. Tashildar)
AIGF (Central)

Copy to:

- i. The IGF (RoHQ), MoEF&CC, Indira Paryavaran Bhawan, Jorbagh Road, Aliganj, New Delhi- 110003.
- ii. The PCCF (HoFF), Government of Maharashtra, Nagpur.
- iii. User Agency.
- iv. Guard File.


(C.B. Tashildar)
AIGF (Central)