

Government of Maharashtra

By Speed Post

No. FLD-20221/C.R.291/F-10
Revenue and Forest Department,
Mantralaya, Mumbai- 400 032.
Date: 06/09/2023

To,

The Secretary,
Ministry of Environment, Forests & Climate Change,
Government of India,
Indira Paryavaran Bhawan
Jorbagh Road, New Delhi – 110 003

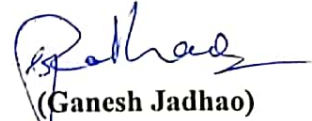
Sub.:- Diversion of 315.74 ha Forest land under Forest (Conservation) Act, 1980 for renovation of Asolamendha Irrigation Project in division Bramhapuri, central chanda and chandrapur forest division, saoli, mul and pombhurna talukas of chandrapur district in the state of Maharashtra.

Ref: 1. Your Office Letter No. File No. 8-33/2022-FC, dated. 01.12.2022.

2. Additional Principal Chief Conservator of Forests & Nodal Officer Nagpur letter No. Desk-17/FCA-S1/PID-39591/Chandrpur/23-24/1720, Nagpur Dated : 01/09/2023.

MoEF&CC, Government of India has sought additional information with respect to diversion of 315.74 ha Forest land under Forest (Conservation) Act, 1980 for renovation of Asolamendha Irrigation Project in division Bramhapuri, central chanda and chandrapur forest division, saoli, mul and pombhurna talukas of chandrapur district, vide letter under reference No.1.

2. Additional Principal Chief Conservator of Forests & Nodal Officer, Maharashtra State, Nagpur has submitted compliance report to the Government of Maharashtra vide letters under reference no.2, Compliance Report submitted by the APCCF & Nodal Officer is self-explanatory and attached herewith for further necessary action in the matter.



(Ganesh Jadhao)

**Under Secretary to
the Government of Maharashtra
Under Secretary**

Revenue and Forests Department
Hutatma Rajguru Chowk

Manlagar Road, Mantralaya
Mumbai 400 032

Encl : As above.

Copy to:

- 1) Principal Chief Conservator of Forests (HoFF), Maharashtra State, Nagpur.
- 2) Additional Principal Chief Conservator of Forests and Nodal Officer, Nagpur.
- 3) Chief Conservator of Forests (T), Chandrapur.
- 4) Deputy Conservator of Forests, Bramhapuri/Central Chanda.
- 5) Divisional Forest Officer, Chandrapur.



सत्यमेव जयते
महाराष्ट्र शासन

**Office of The Principal Chief Conservator of Forest, (HoFF) Maharashtra State,
Ramgiri Road, Civil Lines, Nagpur 440 001.**

**The Additional Principal Chief Conservator of Forests And Nodal Officer, Maharashtra State,
Ramgiri Road, Civil Lines, Nagpur 440 001.**

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Speed Post/Email

No. Desk-17/FCA-S1/PID-39591/Chandrapur/23-24/1720
Nagpur – 440 001 Dated 01/09/2023.

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

Sub: Proposal for Diversion of 315.74 ha. of forest land for under Forest (Conservation) Act, 1980 for renovation of Asolamendha Irrigation Project in Division Bramhapuri, Central Chanda and Chandrapur Forest Division, Saoli, Mul and Pombhurna talukas of Chandrapur Dist in the State of Maharashtra-Regarding.

Ref:1. Govt. of India's letter no. File no. 8-33/2022-FC, dtd.1st December 2022.

2. Chief Conservator of Forests (T) Chandrapur letter no. Desk-3(1)/Land/Sr.No.570/23-24/210, dtd.17.05.2023.

The Govt. of India vide letter under reference 1 has raised 16 points on the proposal for Diversion of 315.74 ha. forest land for renovation of Asolamendha Irrigation Project under Forest (Conservation) Act, 1980. Accordingly the User Agency has submitted the compliance of conditions through Divisional Forest Officer (T) Chandrapur and Chief Conservator of Forests (T) Chandrapur vide letter under reference 2 to this office. The details of conditions and remarks of the User Agency and Chief Conservator of Forests (T) Chandrapur are as follows:-

Sr. No.	Condition	Compliance
i	The CF in his Site Inspection Report has mentioned that the proposed area is important from wildlife point of view and also reported the presence and movement of Tiger & Leopard in proposed forest land. Further, as per DSS analysis, the Tadoba-Indravati Tiger Corridor is located at a distance of 3.60 Km. The comments of CWLW in this regard needs submission.	<p>The Principal Chief Conservator of Forests (Wildlife) M. S. Nagpur vide office note no.1556, dtd.18.08.2023 has informed their comments on this point. The copy of the office note is enclosed as ready reference.</p> <p>As per the compliance submitted by the Divisional Forest Officer (T) Chandrapur and submitted by the Chief Conservator of Forests (T) Chandrapur mentions that the user agency has submitted the compliance as follows we are agreeing with.</p> <p>The distance of the Eastern Vidarbha Tiger Corridor varies from 13.24 km to 30.48 km for any forest patch proposed for diversion. Details of all the KML files showing distance from the Tiger Corridor is given in Page No. 4 to 14, column No.</p>

		<p>12.</p> <p>The user agency has submitted Wildlife Mitigation Plan to Forest Academy, Chandrapur vide letter No. 384/F.P./Mitigation Plan/2023, dated 28/03/2023 for approval.</p> <p>Therefore undertaking as regards implementation of all the wildlife mitigation measures and bearing its cost is given by User Agency. The undertaking is attached herewith on Page No. 15.</p>
ii	<p>The CF in its Site Inspection Report has mentioned that the Wildlife Mitigation measures are required in case the area is diverted. In this regard the detail of mitigation measures required along with the undertaking from the user agency to bear the cost needs submission.</p>	<p>The Principal Chief Conservator of Forests (Wildlife) M. S. Nagpur vide office note no.1556, dtd.18.08.2023 has informed their comments on this point. The copy of the office note is enclosed as ready reference.</p> <p>As per the compliance submitted by the Divisional Forest Officer (T) Chandrapur and submitted by the Chief Conservator of Forests (T) Chandrapur mentions that the user agency has submitted the compliance as follows we are agreeing with.</p> <p>As mentioned in CCF inspection report, User Agency has already informed Forest Academy, Chandrapur vide letter No. 2563, dated 18/11/2022 (copy attached) to give Wildlife Mitigation measures.</p> <p>Further Forest Academy, Chandrapur has already started the work on preparation of Wildlife Mitigation Measures and letter in this regard is attached herewith.</p> <p>User Agency has also made the Fund provision for Tiger passes for the year 2022-23 (Approval letter dated 27/05/2022, copy attached). User Agency has given the undertaking to bear the cost of all Mitigation Measures proposed by Forest Academy.</p> <p>The undertaking for implementing all the wildlife mitigation measures and bear its cost is given by User Agency. The undertaking is attached herewith on Page No. 15.</p>
iii	<p>As per Site inspection report, the total number of trees to be felled is 117224, whereas the State Govt. has intimated that only 7501 trees are required to be felled. This needs clarification.</p>	<p>As per the compliance submitted by the Divisional Forest Officer (T) Chandrapur and submitted by the Chief Conservator of Forests (T) Chandrapur mentions that the user agency has submitted the compliance as follows we are agreeing with.</p> <p>As per the Part-III of the CCF, Chandrapur. No. of Trees to be cut is 117224.</p> <p>Under Renovation of Asolamendha Project, it is proposed to raise the height of dam by 2.7 m. to</p>

		<p>increase the storage capacity of Dam. Further it is also proposed to feed the Dam by Feerer Canal off taking from Right Bank Canal of Gosikhurd Project.</p> <p>Since the Dam is to fed from source other than Rain water, Dam will be full for major period of time and therefore the trees in the submergence area will be under water. As per CCF Part-III suggestions Total trees to be cut are 117224, out of which 7501 trees are along the canal.</p> <p>It is further mentioned in Part-III of CCF, Chandrapur, that since the Forest Proposal was prepared in the year 2018-19 i.e. 3 to 4 years back, the re-marking of trees is to be done for all the trees to be cut.</p>
iv	It has been mentioned that present proposal of 315.74 ha. forest land involves 71.99 ha. reserved forest managed by Forest Development Corporation of Maharashtra Limited. The copy of NOC from FDCM is required to be submitted.	<p>As per the compliance submitted by the Divisional Forest Officer (T) Chandrapur and submitted by the Chief Conservator of Forests (T) Chandrapur mentions that the user agency informed that (undertaking) the process of obtaining NOC from FDCM is under process. Letter copy is attached herewith on Page No. 25.</p>
v	The approved copy of Catchment Area Treatment Plan as per provisions contained in Handbook of guidelines dated 28.03.2019 needs submission.	<p>As per the compliance submitted by the Divisional Forest Officer (T) Chandrapur and submitted by the Chief Conservator of Forests (T) Chandrapur mentions that the user agency informed that (undertaking) the CAT plan is in process. Copy is attached herewith on Page No. 26.</p>
vi	The State Govt. has not submitted the copy of revenue documents indicating that the area proposed for CA is Non-forest land and free from all encumbrances.	<p>As per the compliance submitted by the Divisional Forest Officer (T) Chandrapur and submitted by the Chief Conservator of Forests (T) Chandrapur mentions that the user agency has submitted the compliance as follows we are agreeing with.</p> <p>Area proposed for CA is non-forest land which is already in possession of Water Resources Department Maharashtra. All the 7/12 documents in the name of Water Resources Department have been submitted with the Forest proposal.</p> <p>Further suitability certificate of concerned DFO is attached with the Forest proposal along with the CA plan for 10 years.</p> <p>7/12 documents of CA land is resubmitted here with separate file.</p> <p>Land free from all encumbrances suitability certificate of Dy.C.F., Yawatmal is attached herewith on Page No. 27 to 28.</p>

vii	As per DSS analysis, the calculated area (as per KML file) of forest land proposed for diversion is 365.336 ha instead of 315.74 ha as given in proposal. This needs clarification and uploading of correct KML file accordingly.	As per the compliance submitted by the Divisional Forest Officer (T) Chandrapur and submitted by the Chief Conservator of Forests (T) Chandrapur mentions that the The user agency has submitted corrected KML same is submitted herewith in CD.
viii	As per DSS analysis, it has been observed that at many places the forest patches sought for diversion under Chandrapur & Central Chanda Forest Division are away from the existing canal. Therefore the correct KML file as per proposal is required to be uploaded.	As per the compliance submitted by the Divisional Forest Officer (T) Chandrapur and submitted by the Chief Conservator of Forests (T) Chandrapur mentions that the user agency has uploaded corrected KML same is submitted herewith in CD.
ix	Satellite imagery shows the presence of Roads, Agriculture land and Plantation activities within the proposed forest area in Chandrapur and Central Chanda forest division. This needs clarification.	As per the compliance submitted by the Divisional Forest Officer (T) Chandrapur and submitted by the Chief Conservator of Forests (T) Chandrapur mentions that the user agency has uploaded corrected KML same is submitted herewith in CD.
x	Satellite imagery shows the widening of the canal has taken place around the year 2007 under the Chandrapur Forest Division and Central Chanda Forest Division. This needs clarification and necessary action in case violation of FCA, 1980 is involved.	As per the compliance submitted by the Divisional Forest Officer (T) Chandrapur and submitted by the Chief Conservator of Forests (T) Chandrapur mentions that as per MoEF letter dated 01/12/2022 inspected the site of Chandrapur Forest Division is attached herewith on Page No. 37 . There is no violation of FCA 1980.
xi	Satellite imagery shows that the canal was constructed within forest patch comprising 0.42 ha area located under the Central Chanda Forest Division during 2018-19. The said forest patch is now sought for diversion. This needs clarification and necessary action in case violation of FCA, 1980 is involved.	As per the compliance submitted by the Divisional Forest Officer (T) Chandrapur and submitted by the Chief Conservator of Forests (T) Chandrapur mentions that the Letter cum certificate of Dy.C.F., Central Chanda Forest Division is attached herewith on Page No. 38 . There is no violation of FCA 1980.
xii	The complete DGPS map and Survey of India topo-sheet map showing the forest land under diversion is not uploaded online. The State Govt. needs to upload the DGPS map showing the component wise utilization of forest land under diversion and the latest Survey of India topo-sheet map showing the proposed forest land for diversion on PARIVESH.	As per the compliance submitted by the Divisional Forest Officer (T) Chandrapur and submitted by the Chief Conservator of Forests (T) Chandrapur mentions that the user agency has uploaded corrected DGPS map and Survey of India topo-sheet map same is submitted herewith on Page No. 34 to 36 & soft copy in CD.

xiii	The State Govt. has not provided the KML file of the Non-forest land (NFL) proposed for diversion in the instant proposal. The same is required to be provided.	As per the compliance submitted by the Divisional Forest Officer (T) Chandrapur and submitted by the Chief Conservator of Forests (T) Chandrapur mentions that the user agency submitted Non forest land KML same is submitted herewith in CD.
xiv	Satellite imagery shows the presence of Roads and Agriculture land within the proposed CA sites which indicate that the area is not free from all encumbrances. The State Govt. shall ensure that the area free from all encumbrances is provided for the purpose of Compensatory Afforestation.	As per the compliance submitted by the Divisional Forest Officer (T) Chandrapur and submitted by the Chief Conservator of Forests (T) Chandrapur mentions that the user agency has submitted the compliance as follows we are agreeing with. Satellite imagery shows the presence of Roads and Agriculture land within the proposed CA sites which were used by the villages gone under submergence of the Bembla Project, and are now rehabilitated elsewhere. Now these roads are abandoned and are not in much use now. Land free from all encumbrances will be handed over to forest department at the time of diversion of land and undertaking of same is already submitted.
xv	The State Govt. shall upload the correct DGPS map and the Survey of India topo-sheet map showing the proposed CA site on PARIVESH portal as the maps uploaded at present are not in conformity with the KML file of the CA land.	As per the compliance submitted by the Divisional Forest Officer (T) Chandrapur and submitted by the Chief Conservator of Forests (T) Chandrapur mentions that the user agency uploaded DGPS Map & Topo-sheet Map of proposed CA Land on PARIVESH portal. Same is submitted herewith on Page No. 34 to 36 and soft copy submitted in CD.
xvi	The Cost benefit analysis has not been submitted as per the prescribed format given in the Handbook of guidelines dated 28.03.2019.	As per the compliance submitted by the Divisional Forest Officer (T) Chandrapur and submitted by the Chief Conservator of Forests (T) Chandrapur mentions that As per the instruction the user agency submitted cost benefit analysis same is submitted herewith on Page No. 29 to 33 .

This office agrees to the compliance submitted by the User Agency and forwarded by Chief Conservator of Forests (T) Chandrapur vide letter under reference 2. The two (2) copies of compliance are enclosed herewith for further necessary action.

Encl: Two copies of compliance.

Star
11/9/23

(Naresh Zurmure)

Addl. Principal Chief Conservator of Forests And Nodal Officer
Maharashtra State, Nagpur

dc MLL
11/9/23