

HEAD OF (FOREST FORCE), MAHARASHTRA STATE, NAGPUR

ADDITIONAL PRINCIPAL CHIEF CONSERVATOR OF FORESTS AND NODAL OFFICER,
MAHARASHTRA STATE, NAGPUR,

First Floor, 'B' Wing, Van Bhavan, Civil Lines, Nagpur-440001.

Tel no. (0712) 2530166, 2556916, Fax no. (0712) 2550675 E-mail- apccfnodal@mahaforest.gov.in

No. Desk-17/Nodal/ Nashik/ID-12746(15)/1233/2021-2022

Nagpur - 440 001, Date : 22/10/21

To,

The Deputy Director General (Central),
Government of India, Ministry of Environment,
Forest & Climate Change, Integrated Regional Office (WCZ),
Ground Floor, East Wing, New Secretariat Building,
Civil Lines, Nagpur-440001.

Sub:- Diversion of 28.60 ha. Forest land in favour of Soil & Water Conservation Division, Nashik for construction of Mamdapur Storage Tank Mamdapur at Village-Mamdapur Taluka.Yeola, District-Nashik in the State of Maharashtra.

Ref:- 1. Government of India, Ministry of Environment, Forests and Climate Change, Regional Office, Nagpur vide letter No.FC-II/MH-160/2021-NGP/8154, Dt. 14/06/2021

2. The Chief Conservator of Forest(T),Nashik letter No.CCF(T)/Desk-2/land/C.N.02/19.20 /456/2021-22, Dt. 27/08/2021

P-109

P-173

Sir,

The Government of India, Ministry of Environment, Forests and Climate Change, Regional Officer, Nagpur vide letter under reference No.1 has sought compliance on 07 points. Accordingly the Chief Conservator Forest (T), Nashik has submitted query compliance to this office. The same query compliance as desired by Central Government on 14/06/2021 is as under.

Sr. No.	Conditions	Compliance
i.	Examination of underlying documents in proposal file revealed that the Nodal Officer through PCCF (HoFF) and its recommendation have forwarded the instant proposal to State Government vide letter dated 09.12.2019; however, State Government have forwarded proposal to Central Government after lapse of more than a year, vide letter dated 25.03.2021. As per provisions under FCA, 1980, in case State Government agrees in-principle to divert, forest land for non-forest purpose shall submit complete proposal to Central Government within thirty days. The cogent justification for delay in submission of proposal along with chronological details of event may be submitted.	The Chronological of events submitted by User Agency. is enclose herewith (Annexure No. I)
ii.	As reported by the State Government, instant project falls inside the Mamdapur Conservation Reserve; accordingly, the wildlife clearance from standing committee of NBWL is obligatory. The State Government need to submitted approval of standing committee of NBWL.	Minutes of the 16 th meeting of the State Board for wildlife (SBWL) dated 4 th December, 2020 is enclosed herewith as (Annexure No. II) <i>Agenda No. 6.1.</i>

<p>iii. The Project falls inside the Mamdapur Conservation Reserve; the possible adverse impacts, if any and mitigation measures thereof due to instant proposal have howhere been mentioned in proposal of the State Government, the part-II, III, IV and V are silent^h on the issue. Specific comments of Chief Wildlife Warden in this regard need to be submitted.</p>	<p>The remarks of the PCCF (WL) & CWLW are as under:- The Mamdapur village tank (Storage Tank) is stipulated in Compartment No.531 which is part of Mamdapur Conservation Reserve. The Notification of Maharashtra Government dated 24/06/2014 which Mamdapur Conservation Reserve is notified. Whole area of Compt. 531 i.e. 282.565 ha. is Reserve Forest and include in Mamdapur Conservation Reserve. There is no doubt about location of Mamdapur Storage Tank and is confirmed to be in Compt No.531. <i>“ As the activity is inside conservation Reserve. As per revised Guidline of MoEF&CC, GOI dated 19/12/2012 para 3.4 “activities to be taken up inside a conservation Reserve can also be death with in Standing Committee of NBWL. Therefore procedure indicated under para 4 needs to be followed for planning and executing any activity inside conservation Reserve also”</i> <i>So in view of the location of project which fall 100% inside conservation reserve boundaries, wildlife clearance from Standing Committee of the NBWL is obligatory.</i></p>
<p>iv. CA Scheme is submitted only for 7 years. As per advisory issued under Para 2.8 (ii) (e) of Handbook of Forest (Conservation) Act, 1980; the CA scheme should be submitted with 10 years maintenance. Revised CA Scheme with provisions for 10 years maintenance including provisions for chain link fencing shall be prepared and submitted along with KML and shape files of same.</p>	<p>C.A. scheme for 10 years including cost of chain links and fencing along with KML files is enclosed herewith as (Annexure III)</p>
<p>v. Examination of cost benefit analysis revealed that cost benefit analysis has not been calculated as per MoEF&CC advisory issued under Annexure-III of Handbook of Forest (conservation) Act, 1980. The revised cost benefit analysis calculated after duly considering all the parameters as provided under above mentioned MoEF&CC advisory need to be submitted.</p>	<p>The copy of the cost benefit ratios enclosed herewith as (Annexure No. IV). The cost benefit ratio calculated as per Handbook of FCA, 1980 issued as 28/03//2018 is 4.10.</p>
<p>vi. Copy of approved Catchment Area Treatment (CAT) Plan, if applicable needed to be submitted as per provisions laid down under para 9.2 of Handbook of Forest Conservation Act, 1980, published in March, 2019.</p>	<p>The said proposal is miner Irrigation projected as per Handbook published in the year 2004 para 4.8 mentioned that the MIT proposal not required for CAT plan.</p>

vii. State Government has mentioned in its covering letter that 93 trees are involved in the implementation of the project. Whereas. PCCF (HoFF) has mentioned in his specific recommendation that User Agency shall defray the cost of removal of 51 trees. The State Government may revisit the number of project affected trees and exact numbers if project affected trees need to be submitted.	There are 93 tree of various and girth class in the area proposed for diversion. Out of these 51 (Dam Seat = 9+FRL to FRL 2-15, FRL-2M to FRL-4M=27 below FRL-4) are required to be felled. Girth wise details of trees are as under:-								
	Item	Girth in cms						Above 106	Total
		Below 30 cms	31-45	46-60	61-75	76-90	91-105		
	Dam Seat	00	06	03	00	00	00	09	
	FRL to FRL 2 M	03	06	06	00	00	00	15	
	FRL-2 to FRL-4 m	09	11	03	03	00	01	27	
	Submergence below FRL 4 M	21	13	04	04	00	00	42	
Total	33	36	16	07	00	01	93		

In view of the above, it is requested that the Government of India may kindly be moved for approval under section-2 (ii) of the Forest (Conservation) Act, 1980 at the earliest.

Encl. : As above.

Yours sincerely

(Naresh Zurmure)

Addl. Principal Chief Conservator of Forests
& Nodal Officer

Copy the submitted to the Principal Secretary (Forests), Revenue and Forest Department, Mantralaya Mumbai-32 for information.

Copy the submitted to the Chief Conservator of Forests (T) Nashik for information.

Copy the Submitted to the Deputy Conservator of Forests, (T) Nashik for information.

Copy the submitted to the District Water Conservation Officer Soil & Water Conservation Division Nashik for information.