

Sub.:- Forest Land- Kolhapur

Proposal for diversion of 4.40 Ha. of Protected Forest Land under Section-2 of the Forest (Conservation) Act, 1980 for Laterite Mining in favour of Shree Malhar Minerals, Kolhapur at Village-Ghungur, Tal.Shahuwadi, Dist.Kolhapur.

PART - V

(To be filled up by the Secretary In charge of Forest Department or by any other authorized officer of the State Government not below the rank of an Under Secretary)

**1. Recommendation of the
State Government**

The proposal is recommended
vide Government letter

No.FLD-2317/ CR-233/ F-10

Dated: 08/10/2018



(Virendra Tiwari)

Additional Principal Chief Conservator of Forests
(Mantralaya)

VIRENDRA TIWARI

Additional Principal

Chief Conservator of Forests (Mantralaya)

Revenue and Forest Department

Mantralaya, Mumbai 400 032

Place : Mumbai

Date : 08/10/2018

Government of Maharashtra

By Speed Post

No.FLD-2317/ C.R.233/ F-10
Revenue and Forest Department,
Room No.456/461 Annex,
Hutatma Rajguru Chowk,
Madam Cama Marg,
Mantralaya, Mumbai- 400 032.
Date: - 08/10/2018

To,

The Additional Principal Chief Conservator of Forests (Central),
Government of India,
Ministry of Environment, Forests & Climate Change,
Regional Office, West Central Region,
Ground Floor, East Wing,
New Secretariat Building, Civil Lines,
Nagpur- 440 001,

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Sir,

Shree Malhar Minerals, Kolhapur has submitted the proposal for diversion of 4.40 Ha. of Protected Forest Land under Section-2 of the Forest (Conservation) Act, 1980 for Laterite Mining at Village-Ghungur, Tal.Shahuwadi, Dist.Kolhapur. The details of forest land proposed for diversion are as given below:-

Sr. No.	Item	Village	Tehsil	District	Gut No.	Area in Ha.	Legal Status
1	Diversion of forest land for Laterite mining	Ghungur	Shahuwadi	Kolhapur	685	4.40	Protected Forest
Total Area						4.40	

2. The proposal for Laterite Mining has been initiated by Shree Malhar Minerals, Kolhapur for diversion of 4.40 ha. forest land under Forest (Conservation) Act, 1980. Shree Malhar Minerals mines is located at village Ghungur, Tahsil-Shahuwadi in Kolhapur District of Maharashtra State. The location of the Mining Plan is shown in the key plan and a lease sketch (Village map). The proposed area contains mainly Laterite and the mining project shall produce Laterite analysing above 30% Al_2O_3 content which is located mainly in the forest land. The Mining projects in Kolhapur district are site-specific and most of the Laterite deposits are located in the forest area. Thus there are no alternatives and the forest land required as proposed by the user agency is the barest minimum. The District Mining Officer, Collectorate, Kolhapur, vide letter No.Office/6A/RR/241/RR/2016, dated 25/01/2016 has

certified that the all other alternate for the purpose of mining activities have been explored and demand of the forest area is barest minimum area for scientific exploitation of deposit located in the proposed forest land in Gut. No. 685 of village Ghungur, Tahsil Shahuwadi, Dist. Kolhapur. The project is demarked on Survey of India Top sheet No. 47 H/13 and the forest area lies within Latitude 16°49'27.7" and Longitude 73°59'11.7". The site inspection report of the Deputy Conservator of Forests, Kolhapur Division, Kolhapur is enclosed with the proposal.

3. The area belongs to Eco-value class-III and having density less than 0.4 of Open Forest category.
4. The Deputy Conservator of Forests, Kolhapur Division, Kolhapur has certified that no alternate alignment is possible and the forest land required is the barest minimum.
5. There are 11 trees of various species and girth in the area proposed for diversion.
6. The Deputy Conservator of Forests, Kolhapur Division, Kolhapur has certified that the proposed project is more than 35 km of the boundary of the Protected Area (Sanctuary and National Park).
7. The proposed area does not form part of any existing National Park, Wildlife Sanctuary, and Nature Reserve etc. as certified by the Deputy Conservator of Forests, Kolhapur Division, Kolhapur.
8. The Deputy Conservator of Forests, Kolhapur Division, Kolhapur has certified that proposed project is not likely to affect monumental site of cultural, historical, religious, archaeological or recreational importance.
9. The project has been considered for TOR, vide Government of Maharashtra, State Environment Impact Assessment Authority, Maharashtra letter No SEIAA/2016/I/CR-3/TC-3, Dated 07/01/2016. The aforesaid project has been discussed in the 123th meeting of State Level Expert Appraisal Committee-1 held on 11th & 12th March, 2016 at MEDC, 3rd floor, Y.B.Chavan Centre, Gen.Jagannathrao Bhosale Marg, Mumbai.
10. The User Agency has submitted Mining Plan approved by Directorate of Geology and Mining, Government of Maharashtra and mine reclamation plan.
11. The Deputy Conservator of Forest, Kolhapur Forest Division, Kolhapur has given suitability certificate for 4.40 Ha. private Gut no. 317/E of village Sonurle, Tal. Shahuwadi Dist. Kolhapur which to be proposed for compensatory afforestation land in lieu of forest land required for Laterite Mining at village Ghungur, Tal.Shahuwadi, Dist. Kolhapur and it is contiguous, suitable for afforestation work and management and free from encroachment and encumbrances.
12. The Deputy Conservator of Forests, Kolhapur Division, Kolhapur has certified that, 4.40 Ha. private Gut no. 317/E of village Sonurle Tal. Shahuwadi Dist. Kolhapur which to be proposed for compensatory afforestation land in lieu of forest land required for Laterite Mining at village Ghungur, Tal.Shahuwadi, Dist.Kolhapur is not acquired under the Maharashtra Private Forest (Acquisition) Act, 1975 by application of section 35 of Indian Forest Act 1927 is not recognized as deemed Reserved Forest nor it has been identified as "Forest" as envisaged in the interim order given by the Hon'ble Supreme Court, dated 12/12/1996.

13. There is no violation of Forest (Conservation) Act 1980, as certified by the Deputy Conservator of Forests, Kolhapur Division, Kolhapur.
14. The User Agency has given an undertaking to defray the cost of Net Present Value.
15. The User Agency has agreed to defray the cost of compensatory afforestation over 4.40 Ha. private land.
16. The User Agency has submitted the certificates of Collector, Kolhapur under Schedule Tribes and Other Traditional Forest Dweller's (Recognition of Forest Rights) Act, 2006 issued, vide letter No.Desk-IV-FRA-SR-162/2016, dt.09/12/2016 in prescribed format Form-II as per Government of India guidelines, dated 5/7/2013.
17. The Deputy Conservator of Forests, Kolhapur Division, Kolhapur and the Chief Conservator of Forests (T), Kolhapur Circle have recommended the proposal for diversion of 4.40 ha. of forest land.
18. The Principal Chief Conservator of Forests (HoFF), Maharashtra State, Nagpur has recommended the proposal subject to the conditions, given in his specific recommendations, under Section-2 (ii) of the Forest (Conservation) Act, 1980. His specific recommendations are enclosed in the proposal.
19. In the circumstances explained in above paragraphs and enclosures, the State Government recommends that the said forest land may be allowed to be diverted for the non-forestry use on the conditions proposed by the Principal Chief Conservator of Forests (HoFF), Maharashtra State, Nagpur. The matter may kindly be placed before Government of India for its approval under Section-2 (ii) of the Forest (Conservation) Act, 1980 and the same may please be obtained and communicated to this Government at earliest.

Yours faithfully,



(Virendra Tiwari) 8/10
Additional Principal Chief Conservator of Forests
(Mantralaya)

Encl: A) Set of case papers

b) The following documents are enclosed:-

1. Prescribed form as per Rules
2. Certificate regarding minimum demand for forest land for the project
3. Area Statement
4. Index map of suitable scale
5. Commitment from the Applicant for defraying the cost of exploitation as well as cost of compensatory plantation
6. User Agency has given an undertaking of Net Present Value
7. Brief note of the project from the project authority
8. Map of non-forest land for compensatory afforestation
9. Site Inspection Report
10. Certificate that there is no violation of Forest (Conservation) Act, 1980
11. Certificate in Part-V

Copy to:

1. Principal Secretary, Environmental Department, Mantralaya, Mumbai.
2. Principal Secretary (Tribal), Tribal Development Department, Mantralaya, Mumbai.
3. Additional Principal Chief Conservator of Forests and Nodal Officer, Maharashtra State, Nagpur.
4. Additional Principal Chief Conservator of Forests (CAMPA), Maharashtra State, Nagpur.
5. Chief Conservator of Forests (T), Kolhapur.
6. Collector, Kolhapur.
7. Deputy Conservator of Forests, Kolhapur.
8. Shree Malhar Minerals, Kolhapur, S.No.109/B, Plot No.15, C-Ward, Seeta Colony, Kolhapur-416002.
9. Select File F-10.