

PART -IV

Nodal Officer or Principal Chief Conservator of Forests (Head of Forest Force)


(Detailed opinion and specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks)

Sub.:- Deputy Conservator of Forests (T), Sangli submitted the proposal for Rehabilitation of PAP's of Village Dicholi, Tal-Patan, Distt-Satara due to Koyana Wildlife Sanctuary in Reserved Forest Gut No 422/1 at village Khambale Bhalavni, Tal-Khanapur, Distt-Sangali for which 20.00 ha Reserved forest land required under Section - 2 (ii) of the Forest (Conservation) Act, 1980 has been proposed by User Agency. The details of the forest land proposed for diversion is as under :-

Item	Village	Tal & District	Gut No	Area in ha.	Legal Status
Rehabilitation of Village Dicholi, Tal-Patan, Distt-Satara due to Koyana Wildlife Sanctuary in village Khambale Bhalavni, Tal-Khanapur, Distt-Sangali	Khambale Bhalavni	Tal-Khanapur Distt-Sangli	422/1	20.00	Reserved Forest (In charge of Forest Department)
Total				20.00	

Specific recommendation of Principal Chief Conservator of Forests (HoFF) M.S. Nagpur is attached on page no. 8A

Date : 28 /01/2019
Place : Nagpur


(G Sai Prakash)
Additional Principal Chief Conservator of Forests
& Nodal Officer, Maharashtra State, Nagpur

Proposal for Rehabilitation of Village Dicholi, Tal-Patan, Distt-Satara due to Koyana Wildlife Sanctuary in village Khambale Bhalavni, Tal-Khanapur, Distt-Sangali ,

Specific Recommendation of Principal Chief Conservator of Forests (Head of Forest Force), Maharashtra State with regards to acceptance or otherwise of the proposal supported by reasons.

The proposal is for Rehabilitation of PAP's of Village Dicholi, Tal-Patan, Distt-Satara due to Koyana Wildlife Sanctuary in Reserved Forest Gut No 422/1 at village Khambale Bhalavni, Tal-Khanapur, Distt-Sangali ,in the state of Maharashtra. Details of forest land is as under :-

Item	Village	Tal & District	Gut No	Area in ha.	Legal Status
Rehabilitation of Village Dicholi, Tal-Patan, Distt-Satara due to Koyana Wildlife Sanctuary in village Khambale Bhalavni, Tal-Khanapur, Distt-Sangali	Khambale Bhalavni	Tal-Khanapur Distt-Sangli	422/1	20.00	Reserved Forest (In charge of Forest Department)
Total				20.00	

The project has been initiated by Deputy Conservator of Forests (T), Sangli for Rehabilitation of PAP's of Village Dicholi, Tal-Patan, Distt-Satara due to Koyana Wildlife Sanctuary in Reserved Forest Gut No 422/1 at village Khambale Bhalavni, Tal-Khanapur, Distt-Sangali ,in the state of Maharashtra.

Rehabilitation of Vill-Dicholi, Tal-Patan, Distt-Satara due to Koyna sanctuary and Sahyadri , Rehabilitation was done on 85.00 ha. of disforested area of village Babarmachi, Tal-Karad, Distt-Satara. But after carrying survey work of that land it is observed that 24 ha. land is hilly area and not suitable for farming or any other purpose for project affected persons. 1 acre agriculture land is available for each of 63 Khatedar and remaining 1 acre of agriculture land is given to Khatedar from villages Wagheri and Karavdi, Tal-Karad.

To give remaining half acres of agriculture land to PAP's, Project affected khatedar selected the land from village- Khambale (Bhalavni), Tal-Khanapur, Distt-Sangali. As per report of Assistant Conservator of Forest (Wildlife) Koyna/Project Officer ,Rehabilitation Koyna Sanctuary, the said land is handed to Social Forest Department in 2015 for Bio-diversity project . Chief Conservator of Forests (T) Kolhapur has ordered the work on bio-diversity project should stop and it is ordered that the land disforestation proposal of village Khambale (Bhalavni) should be submitted.

As per direction of Chief Conservator of Forests (T), Kolhapur, Deputy Conservator of Forests (T), Sangli submitted the proposal for Rehabilitation of PAP's of Village Dicholi, Tal-Patan, Distt-Satara due to Koyana Wildlife Sanctuary in Reserved Forest Gut No 422/1 at village Khambale Bhalavni, Tal-Khanapur, Distt-Sangali .

Chief Conservator of Forests (T) Kolhapur vide letter dated 19/01/2018 and 17/10/2018 has submitted the proposal along with the following documents as prescribed in Government Circular, Revenue and Forest Department No.FLD-1081/2041/(A)/F-3, dated 20/03/1982 as well as per Government of India's instructions issued from time to time .

- 1) Deputy Conservator of Forests, Sangli has certified that no suitable alternate non forest land is available for the purpose of Rehabilitation of Dicholi Village of Koyana Wildlife Sanctuary and demand for the required forest land is lowest minimum demand. P/20-2
- 2) Deputy Conservator of Forests, Sangli has certified that this proposal is additional rehabilitation of village-Dicholi, Koyana Wildlife Sanctuary hence Compensatory afforestation is not applicable. P/23
- 3) Deputy Conservator of Forests, Sangli has certified that there is no violation of Forest (Conservation) Act 1980 or its guidelines in the present project. P/24
- 4) The Deputy Conservator of Forests, Sangli has submitted the Site Inspection Report dated 23/11/2017 on page No 15 to 17. P/15-17
- 5) The Deputy Conservator of Forests, Sangli has certified that the area involved does not form part of any existing National Park, Wildlife Sanctuary and Nature Reserve etc. P/31
- 6) The Deputy Conservator of Forests, Sangli has certified that the proposed project is not within 10 Km of the boundaries from the Wildlife Sanctuary/National Park . P/32
P/60
- 7) The Deputy Conservator of Forests, Sangli has certified that proposed project is not likely to affect any monuments site of cultural, historical, religious, archeological or recreational importance. P/30
- 8) The Deputy Conservator of Forests, Sangli has certified that the project is Rehabilitation of Dicholi villages of Koyana Wildlife Sanctuary hence Net Present Value is not applicable in this project. P/33
- 9) The Deputy Conservator of Forests, Sangli has certified that the alternatives examined is not applicable. P/66

- 10) There are 867 trees of various species and girth class in the area proposed for diversion. Girth wise break up is as under-

Tree Girth in Cm								Total
16.25	26-35	36-45	46-60	61-75	76-90	91-105	106 above	
215	224	239	139	44	05	01	00	867

P/37
1/45A

- 11) The Deputy Conservator of Forests, Sangli has certified that forest land covered under the project for additional rehabilitation of Village-Dicholi Koyna WL Sanctuary are not under the provision of section 35 of the Maharashtra Private Forest (Acq) Act 1975 and not recognized deemed reserved forest as well as not included in the area identified as "Forest" as per the dictionary meaning of Forest as intimated to the Expert Committee appointed under interim judgment of Hon'ble Supreme Court 12/12/1996. P/29
- 12) The Deputy Conservator of Forests, Sangli has certified that the project is Rehabilitation of Dicholi villages of Koyna Wild Life Sanctuary hence Forest Department is fully agrees to bear the cost of 867 trees clearance/removal of the vegetation growth form the forest land. P/36
- 13) The Deputy Conservator of Forests, Sangli has certified that the project area is not included in the Maharashtra Private Forest (Acquisition) Act 1975 under the provision of Section 22(A) . P/63
- 14) The Deputy Conservator of Forests, Sangli has certified that the project area is not involved in the enquiry under the Maharashtra Private Forest (Acq) Act 1975. P/64
- 15) The user agency **has not submitted** the compliance under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Rights) Act 2006.
- 16) The Deputy Conservator of Forests, Sangli has submitted the No objection Certificate of Khambale-Bhalwani Gram Panchayat which mentioned following :-
"Land measuring 102 ha. of Vill- Khambale-Bhalwani has been acquired for Bio-diversity project, there are 47 landless families in village, hence opposes for giving land for the project." P/67
P/68
- 17) The Deputy Conservator of Forests, Sangli has certified that the proposed land for diversion is outside the Scheduled Tribe area. P/61
- 16) The Deputy Conservator of Forests, Sangli has recommended the proposal P/6
- 18) Chief Conservator of Forests (T) Kolhapur recommended the proposal. P/7

In view of this, the proposal is recommended as a special case for approval under section - 2 (ii) of Forest (Conservation) Act, 1980 subject to the following conditions-

- i) The legal status of the land required will remain unchanged.
 - ii) Net Present Value will not be charged from user agency as NPV has been exempted for the relocation of the villages from National Parks / Sanctuaries as per MoEF, New Delhi letter No. 5-3/2007-FC, Dt. 05/02/2009.
 - iii) The forest land shall not be used for any purposes other than specified in the project.
 - iv) The user agency will defray the cost of removal of 867 trees in the area. However, barest minimum number of trees will be felled. In situations where felling of trees is avoidable and such trees could be transplanted, all efforts to transplant such trees at a pre designated site will be taken and additional expenditure, if any, in such cases shall be at the cost of the user agency.
 - v) The State Government will pay for the survey, demarcation and fixing of pillars on the boundaries of the newly allotted areas to PAP vis-a-vis the forest land.
 - vi) The user agency shall fulfill the complete compliance under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Rights) Act 2006 before In-principal approval.
-
- vii) The diversion of forest land will confine to an area of 20.00 ha. only.
 - viii) All other conditions as may be mandatory under relevant Acts, Rules and Guidelines shall be complied with by the user agency.
 - ix) All necessary approvals required for the project as per prevailing laws of the land would be obtained by the user agency before statutory sanction.


Principal Chief Conservator of Forests
(Head of Forest Force)
Maharashtra State, Nagpur


22/11/19





Certified by ISO
9001:2015

Office of the Principal Chief Conservator of Forests (Head of Forest Force), Maharashtra State

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) 2556916, Fax no. (0712) 2550675

E-mail- apccfnodal@mahaforest.gov.in Website: www.mahaforest.gov.in

Sub.:- Diversion of 20.00 ha. Reserved Forest land for Rehabilitation of Vill-Dicholi, Tal-Patan, Distt-Satara due to Koyana Wildlife Sanctuary in Gut No 422/1 Village Khambale Bhalavni, Tal-Khanapur Distt- Sangli in the State of Maharashtra.

No. : Desk-17/NC/II/ID 12581/(26)/ 2017/2018-19
Nagpur – 440 001, Dated: 28/01/2019

To ,

The Secretary (Forests),
Revenue and Forests Department,
Mantralaya, Mumbai-32

Ref:- Chief Conservator of Forests (T), Kolhapur letter No Desk-6/Nocell/SWD/17-18/372 dated 19/01/2018.

The proposal is for Rehabilitation of PAP's of Village Dicholi, Tal-Patan, Distt-Satara due to Koyana Wildlife Sanctuary in Reserved Forest Gut No 422/1 at village Khambale Bhalavni, Tal-Khanapur, Distt-Sangali ,in the state of Maharashtra. Details of forest land is as under :-

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Rehabilitation of Village Dicholi, Tal-Patan, Distt-Satara due to Koyana Wildlife Sanctuary in village Khambale Bhalavni, Tal-Khanapur, Distt-Sangali	Khambale Bhalavni	Tal-Khanapur Distt-Sangli	422/1	20.00	Reserved Forest (In charge of Forest Department)
Total				20.00	

The project has been initiated by Deputy Conservator of Forests (T), Sangli for Rehabilitation of PAP's of Village Dicholi, Tal-Patan, Distt-Satara due to Koyana Wildlife Sanctuary in Reserved Forest Gut No 422/1 at village Khambale Bhalavni, Tal-Khanapur, Distt-Sangali ,in the state of Maharashtra.

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As per direction of Chief Conservator of Forests (T), Kolhapur, Deputy Conservator of Forests (T), Sangli submitted the proposal for Rehabilitation of PAP's of Village Dicholi, Tal-Patan, Distt-Satara due to Koyana Wildlife Sanctuary in Reserved Forest Gut No 422/1 at village Khambale Bhalavni, Tal-Khanapur, Distt-Sangali .

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- 2) Deputy Conservator of Forests, Sangli has certified that this proposal is additional rehabilitation of village-Dicholi, Koyna Wildlife Sanctuary hence Compensatory afforestation is not applicable.
- 3) Deputy Conservator of Forests, Sangli has certified that there is no violation of Forest (Conservation) Act 1980 or its guidelines in the present project.
- 4) The Deputy Conservator of Forests, Sangli has submitted the Site Inspection Report dated 23/11/2017 on page No 15 to 17.
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- 16) The Deputy Conservator of Forests, Sangli has recommended the proposal
- 18) Chief Conservator of Forests (T) Kolhapur recommended the proposal.

In view of this, the proposal is recommended as a special case for approval under section - 2 (ii) of Forest (Conservation) Act, 1980 subject to the following conditions-

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- ii) Net Present Value will not be charged from user agency as NPV has been exempted for the relocation of the villages from National Parks / Sanctuaries as per MoEF, New Delhi letter No. 5-3/2007-FC, Dt. 05/02/2009.
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- vii) The diversion of forest land will confine to an area of 20.00 ha. only.
- viii) All other conditions as may be mandatory under relevant Acts, Rules and Guidelines shall be complied with by the user agency.
- ix) All necessary approvals required for the project as per prevailing laws of the land would be obtained by the user agency before statutory sanction.

It is therefore requested that the Government of Maharashtra may kindly be moved to approve diversion of 20.00 ha. Reserved Forest Land for Rehabilitation of PAP's of Village Dicholi, Tal-Patan, Distt-Satara due to Koyana Wildlife Sanctuary in Reserved Forest Gut No 422/1 at village Khambale Bhalavni, Tal-Khanapur, Distt-Sangali, in the state of Maharashtra under section 2 (ii) of the Forest (Conservation) Act 1980.

Encls : As above


(G Sai Prakash)

Additional Principal Chief Conservator of Forests
& Nodal Officer, Maharashtra State, Nagpur

Copy to Chief Conservator of Forests (T) Kolhapur

Copy to Chief Conservator of Forests & Field Director Sahyadri Tiger Reserve, Kolhapur

Copy to Deputy Conservator of Forests, Sangli