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

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Maharashtra State, Nagpur**

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Sub.:- Proposal for diversion of 4.64 ha. of Reserved Forest land under Section - 2 of the Forest (Conservation) Act-1980 for Laterite Mining lease and Road in favour of Shree Malhar Minerals, at Parli and Ambarde, Tal. Shahuwadi, Dist Kolhapur in the State of Maharashtra

No. : Desk-17/NC/II/ID 12681/(26)/1383 /2019-20
Nagpur – 440 001, Dated: 29/11/2019

To ,

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

Ref:- CCF (T) Kolhapur letter No. Desk-6/Nocel/Kop/2018-19/847 dated 23/10/2018

The Shree Malhar Minerals, Kolhapur has submitted proposal for diversion of 4.64 ha. of Reserved Forest land under Section - 2 of the Forest (Conservation) Act-1980 for Laterite Mining lease and Road in favour of Shree Malhar Minerals, at Parli and Ambarde, Tal. Shahuwadi, Dist. Kolhapur in the State of Maharashtra. The details of forest land proposed for diversion is as given below: -

Sr. No.	Item	Village	Taluka& District	Gut No.	Comptt No	Purpose	Area (in ha.)	Legal Status
1	Diversion of 4.64 ha. for Laterite Mining	Parli	Tal- Shahuwadi Distt Kolhapur	223	844	Mining lease area	2.00	Reserved Forest
				223	844	Road	1.09	
				223			0.19	
2		Ambarde		921	1063		1.44	
Total Area (in ha)							4.64	

2. The user agency has highlighted that the location of the Mining Plan is shown in the key plan and a lease sketch (Village map). The proposed forest area contains mainly Laterite and the mining project shall produce Laterite analyzing above 30% Al_2O_3 content which is located mainly in the Reserved Forest land. The District Mining Officer, Collectorate, Kolhapur vide letter No. MIN-Adm/599/2016/369, dt.05/03/2016 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.223 & 921 of village Parli and Ambarde, Tahsil Shahuwadi, Dist. Kolhapur. The project is demarcated on Survey of India Top sheet No. 47 H/13 and the forest area lies within Latitude is 16°50'12.3" and Longitude 73°56'55.4". The Deputy Conservator of Forests, Kolhapur has submitted site inspection report .

3. Chief Conservator of Forests (T) Kolhapur has submitted the proposal vide his letter dated 23/10/2018 in prescribed format alongwith the requisite documents :-

3.1 Chief Conservator of Forest, (T) Kolhapur has certified that :-

- 3.1.1 No alternate alignment is possible and the forest land required is the barest Minimum.
- 3.1.2 The area 2.64 ha of Gut No 921, Vill-Ambarde belongs to Eco Value class-III ,very dense forest and 2.00 ha of Gut No 223, Vill-Parli belongs to Eco -Value Class-III Open Forest.
- 3.1.3 There is no violation of Forest (Conservation) Act 1980,
- 3.1.4 There are 129 trees of various species and girth in the area proposed for diversion. Girth class wise abstract is given as under:-

Tree Girth in Cm.						
31-45	46-60	61-75	76-90	91-105	106-120	Total
56	37	19	14	3	0	129

- 3.1.5 The proposed project is more than 35 km of the boundary of the Protected Area (Sanctuary and National Park).
- 3.1.6 The proposed area does not form part of any existing National Park, Wildlife Sanctuary, and Nature Reserve etc
- 3.1.7 Proposed project is not likely to affect monumental site of cultural, historical, religious, archeological or recreational importance.
- 3.1.8 The area 4.64 ha private Gut no. 296/B & Gut No.280,271 of village- Sonurle Tal. Shahuwadi Dist. Kolhapur Maharashtra State which to be proposed for compensatory afforestation land in lieu of forest land required for Laterite Mining and Road purpose & at village Sunurle, Tal.Shahuwadi, Dist. Kolhapur and it is contiguous, suitable for afforestation work and management and free from encroachment and encumbrances.
- 3.1.9 The non forest area 4.64 ha private Gut no. 296/B & Gut No.280,271 of village- Sonurle Tal. Shahuwadi Dist. Kolhapur Maharashtra State which to be proposed for compensatory afforestation land in lieu of forest land required for proposed Laterite Mining & Road activities 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.

- 3.2 The District Mining Officer, Collectorate, Kolhapur and the Deputy Conservator of Forests, Kolhapur Division, Kolhapur have certified that no alternate alignment is possible and the forest land required is the barest minimum
 - 3.3 The user agency has submitted Mining Plan approved by Directorate of Geology and Mining, Government of Maharashtra and Mine reclamation plan.
 - 3.4 The User Agency has given an undertaking to defray the cost of Net Present Value.
 - 3.5 The User Agency has agreed to defray the cost of compensatory afforestation over 4.64 ha private land.
 - 3.6 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-163/2016, dt.14/12/2016 in prescribed format Form- II and vide letter No.Desk-IV/FRA/SR/169/2018, dt.12/6/2018 in prescribed format I as per Government of India guidelines dated.5/7/2013
 - 3.7 The project has been considered for TOR vide Government of Maharashtra, State Environment Impact Assessment Authority, Maharashtra letter No SEIAA/2016/I/CR-268/TC-3,dt.03/08/2016. 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 Bhosle Marg, Mumbai.
4. The Deputy Conservator of Forests, Kolhapur Division, Kolhapur and the Chief Conservator of Forests (T), Kolhapur Circle have recommended the proposal for diversion of 4.64 ha. of forest land.
5. **In view of this, the proposal is recommended for approval under section 2 (ii) subject the following conditions.**
- 5.1 The legal status of the land required will remain unchanged.
 - 5.2 Compensatory afforestation will be raised at the cost of user agency on 4.64 ha private Gut no. 296/B & Gut No.280, 271 of village Sonurle Tal. Shahuwadi Dist. Kolhapur.
 - 5.3 The user agency will pay the cost of survey, demarcation and erection of the permanent pillars on the compensatory afforestation land project land made available by the Agency.
 - 5.4 The boundary of the diverted forest land, mining lease shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, forward and back bearing and distance from pillar to pillar.
 - 5.5 Construction of temporary dwelling / hutments etc. for labours will not be allowed in the forest areas.
 - 5.6 The user agency shall provide fuels preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;
 - 5.7 Adequate precautions shall be taken to safeguard the adjoining areas from explosives and it shall not be stored in the forest area.

- 5.8 The User Agency will dump the overburden on the revenue land or on adjacent private land owned by agency as per their undertaking and forest land will not be used for dumping.
- 5.9 The user agency will defray the cost of Net Present Value of 4.64 ha. of forest land as per the latest Guideline of Government of India.
- 5.10 The User Agency will defray the additional / revised cost of Net Present Value of Forest land as per the latest Guideline of Government of India.
- 5.11 The area will be reclaimed as per approved Mining Plan and handed over back to the Forest Department.
- 5.12 All extraction works will be done as per mining plan approved by the Government of India.
- 5.13 The User Agency will defray the cost of removal of 129 trees in the proposed area. However, minimum number of trees will be felled.
- 5.14 The Forest area will be reclaimed during the currency of lease, and the area will be handed over to the Forest Department periodically.
- 5.15 The period of diversion of the said forestland under this approval shall be for a period co-terminus with the period of the mining lease proposed to be granted under the Mines and Minerals (Development & Regulating) Act-1957 as amended or Rules framed there under;
- 5.16 The mining activities shall be restricted within an area of 4.64ha. and the user agency shall undertake mining in a phase manner after taking due care for reclamation of the mined over area.
- 5.17 The user agency shall surrender of the mined out and reclaimed forest land in accordance with land surrender schedule submitted along with the compliance report.
- 5.18 Following activities shall be undertaken by the user agency for the management of safety zone:-
- 5.18.1 A safety zone of 7.5 meter will be maintained around mining lease site (7.5 meter strip all along the outer boundary of the mining lease area) where feasible, shall be done at the project cost.
- 5.18.2 User agency shall ensure demarcation of boundary of safety zone and its protection by erecting adequate number of 4 feet high RCC boundary pillars inscribed with DGPS coordinates and deploying adequate number of watchers under the supervision of the State Forest Department.
- 5.18.3 In case of the mining leases adjoining the habitation stretch of the boundary of the safety zone of the lease adjacent to the habitation/roads should be properly fenced by the user agency at the project cost to protect the vegetation/regeneration activities in the safety zone.
- 5.18.4 Safety zone shall be maintained as green belt around the mining lease and to ensure dense canopy cover in the area, regeneration shall be taken in this area by the State Forest Department at project cost.
- 5.18.5 Afforestation on degraded forest land, to be selected elsewhere, measuring one and a half times the area under safety zone shall be done by the State Forest Department at the project cost.

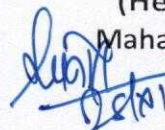
- 5.19 Following activities, if applicable, shall be undertaken by the User Agency at the project cost:-
- 5.19.1 Preparation and implementation of a plan containing appropriate mitigative measures to minimize soil erosion and choking of streams;
 - 5.19.2 Planting of adequate drought hardy plan species and sowing of seeds in the appropriate area within the mining lease to arrest soil erosion;
 - 5.19.3 Construction of check dams, retention/toe walls along the contour to arrest sliding down of the excavated material;
 - 5.19.4 Stabilize the overburden dumps by appropriate grading/benching so as to ensure that that angles of repose at any given place is less than 28° ; and
 - 5.19.5 Strict adherence to the prescribed top soil management
- 5.20 The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986 before final approval.
- 5.21 The User Agency shall provide fuels preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;
- 5.22 The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
- 5.23 The forest land shall not be used for any purpose other than specified in the proposal;
- 5.24 No damage to the flora and fauna of the adjoining area shall be caused;
- 5.25 All other conditions as may be mandatory under relevant Acts, Rules and guidelines shall be complied with by the user agency.

6. It is therefore, requested that Government of Maharashtra may kindly be moved for approving the proposal for diversion of 4.64 ha. of Reserved Forest land for Laterite Mining lease and Road in favour of Shree Malhar Minerals, at Parli and Ambarde, Tal. Shahuwadi, Dist. Kolhapur in the State of Maharashtra, under section 2 (ii) of the Forest (Conservation) Act, 1980.

Encl. :- Proposal 2 copies


(U K Agrawal)

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



Copy to the Chief Conservator of Forests (Territorial) Kolhapur for information.

Copy to the Deputy Conservator of Forests, Kolhapur Forest Division, Kolhapur for information.

Copy to the Shree Malhar Minerals, at Parli and Ambarde, Tal. Shahuwadi, Dist. Kolhapur for information.

PART -IV

**To be filled by 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)

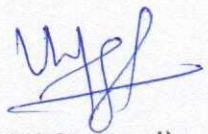
Sub.:- The Shree Malhar Minerals, at Parli and Ambarde, Tal-Shahuwadi, Distt-Kolhapur has submitted the proposal for Laterite Mining and road at Village Parli and Ambarde, Tal-Shahuwadi, Distt-Kolhapur for which 4.64 ha forest land required under Section - 2 (ii) of the Forest (Conservation) Act, 1980 has been proposed by User Agency. The details of the forest land proposed for diversion is as under :-

Sr. No.	Item	Village	Taluka& District	Gut No.	Comptt No	Purpose	Area (in ha.)	Legal Status
1	Diversion of 4.64 ha. for Laterite Mining	Parli	Tal- Shahuwadi Distt Kolhapur	223	844	Mining lease area	2.00	Reserved Forest
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				223			0.19	
2		Ambarde		921	1063		1.44	
Total Area (in ha)							4.64	

Specific recommendation of Principal Chief Conservator of Forests (HoFF) MS Nagpur is attached on page no. 18A.

Date : 28 /11/2019

Place : Nagpur


(U K Agrawal)
Principal Chief Conservator of Forests
(Head of Forest Force)

Maharashtra State, Nagpur

