



भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FORESTS
& CLIMATE CHANGE

Regional Office
Ground Floor, East Wing
New Secretariat Building
Civil Lines, Nagpur - 440001
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F.No. FC-I/MH-358/2023-NGP /12837

Date: 12.02.2024

To,

The Principal Secretary (Forests),
Revenue and Forest Department,
Hutatma Rajguru Chowk
Madam Cama Marg
Mantralaya, Mumbai - 400032.

Sub: Diversion of 3.7835 ha of forest land in favour of SAIO Infra, Kolhapur for Mahapratap Ropeway Mahabaleshwar of Village Kumbharoshi, Jawali, Haroshi and Malkampeth in Mahabaleshwar District Satara in the State of Maharashtra- regarding.

Sir,

The undersigned is directed to refer to the Government of Maharashtra's letter no. FLD-2022/CR-147/F-10 dated 06.09.2023 and the APCCF & Nodal Officer (FCA), Maharashtra Letter No. Desk-17/Nodal/Kolhapur/(29)/ID-13253/2717/2021-22 dated 16.03.2022 on the above subject seeking prior approval of the Central Government under Section-2 of **Van (Sanrakshan Evam Samvardhan) Adhiniyam 1980**, and the APCCF & Nodal Officer (FCA), Government of Maharashtra's letter no. Desk-17/FCA-S1/PID-38655/Kolhapur/2991 dated 23.01.2024 forwarding additional information as sought vide this office letters of even number dated 31.10.2023 and to say that the said proposal has been examined in the Regional Office in light of the relevant provisions of **Van (Sanrakshan Evam Samvardhan) Adhiniyam 1980** and Guidelines issued there under.

After careful examination of the proposal and on the basis of the recommendation of State Government, Maharashtra, the Central Government hereby accords '**in-principle**' under Section - 2 of **Van (Sanrakshan Evam Samvardhan) Adhiniyam 1980** for diversion of 3.7835 ha of forest land in favour of SAIO Infra, Kolhapur for Mahapratap Ropeway Mahabaleshwar of Village Kumbharoshi, Jawali, Haroshi and Malkampeth in Mahabaleshwar District Satara in the State of Maharashtra subject to the fulfilment of the following conditions

- i. Legal status of the forest land shall remain unchanged;
- ii. The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer;
- iii. Forest land will be handed over only after required non-forest land for the project is handed over by the user agency;
- iv. **Compensatory afforestation**
 - a. Compensatory afforestation shall be taken up by the Forest Department over

3.80 ha. Non- forest Land at Village- Chaturbet, Taluka- Mahabaleshwar, District- Satara. The said area has more than 60% tree cover, Hence plantation has been proposed over 3.80 ha. degraded forest land in Gut no. 233/3, Compartment no. 821, at Village- Nirgudi, Taluka- Phaltan at the cost of the User Agency. As far as possible, a mixture of local indigenous species along with 10% RET species of Satara District shall be planted and monoculture of any species may be avoided;

- b. The non-forest land proposed for CA shall be transferred and mutated in the name of Forest Department and notified as RF/PF prior to Stage-II approval. A copy of the original notification declaring the non-forest land under Section 4 or Section 29 of the Indian Forest Act, 1927, or under the relevant section of the State Forest Act as the case may be, will be submitted by the State Government prior to Stage-II approval;
- c. As per Rule 13 (1) of the Van (Sanrakshan Evam Samvardhan) Rules, 2023, *"Provided further that if the non-forest land being made available for compensatory afforestation already bears vegetation of 0.4 canopy density or more, there shall not be an additional requirement of planting of trees on such land but a programme for improvement of the forest crop shall be implemented by the Forest Department in a time-bound manner"*;
- v. The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars if required on the CA land shall be deposited in advance with the Forest Department by the project authority. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years;
- vi. **NPV:**
 - a. The State Government shall charge the Net Present Value (NPV) for the 3.7835 ha forest area to be diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 30/10/2002, 01/08/2003, 28/03/2008, 24/04/2008 and 09/05/2008 in IA No. 566 in WP (C) No. 202/1995 and as per the guidelines issued by the Ministry vide letters No. 5-1/1998-FC (Pt.II) dated 18/09/2003, as well as letter No. 5-2/2006-FC dated 03/10/2006 and 5-3/2007-FC dated 05/02/2009 in this regard;
 - b. Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect;
- vii. User agency shall restrict the felling of trees to minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the User Agency with the State Forest Department. Further, maximum numbers of trees upto 60 cm girth shall be translocated at the cost of project;
- viii. All the funds received from the User Agency under the project shall be transferred/ deposited to CAMPA fund only through e-portal (<https://parivesh.nic.in/>);



- ix. The State Government, Maharashtra/ Nodal Officer (FCA), Maharashtra shall ensure settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (No. 2 of 2007) before issuing an order for handing over of forest land to the User Agency as per Rule- 9 (6) (b) (ii) of Forest (Conservation) Rules, 2022 dated 28.06.2022;
 - x. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;
 - xi. No Forest area shall be used temporary/permanent for any public utilities like parking area etc. and all such non-site-specific components shall be proposed outside forest;
 - xii. The layout plan of the proposal shall not be changed without prior approval of Central Government;
 - xiii. No labour camp shall be established on the forest land;
 - xiv. Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel;
 - xv. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;
 - xvi. The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less;
 - xvii. The Forest land shall not be used for any purpose other than that specified in the project proposal and **diverted forest area shall not exceeds 3.7835 ha**;
 - xviii. The Forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India;
 - xix. Violation of any of these conditions will amount to violation of **Van (Sanrakshan Evam Samvardhan) Adhiniyam 1980** and action would be taken as per the provision of **Adhiniyam** and rules /guidelines issued there under;
 - xx. Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife;
 - xxi. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>);
- After receipt of a report on the compliance of conditions no iv (b), v, vi (a), viii, ix and undertakings, duly authenticated by the competent authority in the State Government, in respect of all other conditions, from the State Government, formal approval will be considered in this regard under Section-2 of **Van (Sanrakshan Evam Samvardhan) Adhiniyam 1980**.

This issues with the approval of Regional Officer (Central), Integrated Regional Office, MoEF & CC, Nagpur.

Yours faithfully,


(C.B. Tashildar)
AIGF (Central)

Copy to:

- i. The PCCF (HoFF), Government of Maharashtra, Nagpur.
- ii. The Addl. PCCF & Nodal Officer (FCA), Government of Maharashtra, Nagpur.
- iii. User agency.
- iv. Guard file.


(C.B. Tashildar)
AIGF (Central)