

**Government of India**  
**Ministry of Environment, Forest and Climate Change**  
**(Forest Conservation Division)**

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**Indira Paryavaran Bhawan,**  
Jor Bag Road, Aliganj,  
New Delhi – 110003  
**Dated: As per E-sign**

To,

**The Principal Secretary (Forests),**  
Government of Maharashtra,  
Mumbai.

**Subject: Proposal for seeking prior approval of the Central Government under section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 263.5406 ha forest land under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for construction of Sambarkund Irrigation Project at Village Mahan, Taluka Alibag, District Raigad in the State of Maharashtra (Online No. FP/MH/IRRIG/142819/2021) regarding.**

Madam/Sir,

I am directed to refer to the Government of Maharashtra's letter No. FLD 2022/C.R-294/F-10 dated 18.11.2022 on the above mentioned subject, seeking prior approval of Central Government under Section-2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, and to say that the proposal has been examined by the Advisory Committee constituted by the Central Government under Section-3 of the aforesaid Act. After careful consideration of the proposal by the Advisory Committee and with due approval of the competent authority, *in-principle approval* for the above subject proposal was granted vide this Ministry's letter of even number dated 02.08.2024, subject to fulfilment of certain conditions.

2. In this connection, I am directed to say that on the basis of the compliance report furnished by the Government of Maharashtra vide letter No. FLD-2022/C.R294/F-10 dated 10.02.2025 and Additional Principal Chief Conservator of Forests & Nodal Officer, Government of Maharashtra vide letter No. Desk-17/Nodal/S1/PID-142819/Thane/306/2023-24 dated 13.05.2025 '**Final approval**' of the Central Government is hereby accorded under Section 2 (1) (ii) of the Van (Sanrakshan

Evam Samvardhan) Adhiniyam, 1980 for diversion of 263.5406 ha forest land for construction of Sambarkund Irrigation Project at Village Mahan, Taluka Alibag, District Raigad in the State of Maharashtra, subject to the fulfilment of following conditions:

- i. Legal status of the diverted forest land will remain unchanged;
- ii. The State Govt. shall ensure that the recommendations of the State Dam Safety Organisation (SDSO) and as concurred by the National Dam Safety Authority (NDSA) will be implemented by the user agency to avoid any possible unforeseen conditions;
- iii. The Compensatory Afforestation shall be raised on identified non-forest land and the work for compensatory afforestation shall start within a period of two years from the date of issue of Final approval and maintained thereafter in accordance with the approved scheme at the cost of the user agency;
- iv. The non-forest land transferred and mutated in favour of the State Forest Department or the revenue forest land, as the case may be, shall be notified by the State Government under the Indian Forest Act, 1927 or under the relevant section(s) of the local Forest Act, before handing over the forest land to the user agency;
- v. The State Government has realized the NPV of the forest area diverted under this proposal from the User Agency, as per the orders dated 28.03.2008, 24.04.2008 and 09.05.2008 passed by the Hon'ble Supreme Court of India in Writ Petition (Civil) No. 202/1995 and the guidelines given under para 3 of the Chapter -3 of the Consolidate Guidelines and Clarifications issued under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and Van (Sanrakshan Evam Samvardhan) Rules, 2023 published by the Ministry on 29.12.2023, the user agency shall pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
- vi. The approved Catchment Area Treatment (CAT) Plan shall be implemented at the cost of user agency;
- vii. The State Govt. shall ensure that the minimum water flow will be maintained in the downstream of river as per the conditions stipulated in the approval accorded by the Water Resource Department, Government of Maharashtra;
- viii. The State Govt. shall ensure that the user agency shall carry out muck disposal at pre-designated sites in such a manner so as to avoid its rolling down;
- ix. The State Govt. shall ensure that the dumping area for muck disposal shall be stabilized and reclaimed by planting suitable species by the user agency at the cost of project under the supervision of State Forest Department.

Retaining walls and terracing shall be carried out to hold the dumping material in place;

- x. The State Govt. shall ensure that the user agency shall provide free water for the forestry related projects;
- xi. The State Govt. shall ensure that the forest land will be handed over only after required non-forest land in the project is obtained by the user agency;
- xii. The State Govt. shall ensure that the felling of trees shall be restricted to FRL-4 meter only. Number of trees to be removed shall be kept at barest minimum during the execution of the project;
- xiii. The State Govt. shall ensure that the User Agency shall restrict the felling of trees to minimum numbers in the diverted forest land and trees shall be felled under strict supervision of the State Forest Department;
- xiv. The user agency shall explore the possibility of translocation of maximum number of trees identified to be felled and shall ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;
- xv. The R&R Plan shall be implemented as per the R&R Policy of State Government in consonance with National R&R Policy, Government of India before the commencement of the project work and implementation. The said R&R Plan will be monitored by the State Government/Regional Office of MoEF&CC along with indicators for monitoring and expected observable milestones;
- xvi. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- xvii. The User Agency shall undertake afforestation along the periphery of the reservoir;
- xviii. No labour camp shall be established on the forest land and 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;
- xix. The boundary of the diverted forest land, shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS coordinates;
- xx. The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government;
- xxi. No damage to the flora and fauna of the adjoining area shall be caused;
- xxii. The layout plan of the proposal shall not be changed without the prior

- approval of the Central Government;
- xxiii. No additional or new path will be constructed inside the forest area for the execution of this project;
  - xxiv. 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;
  - xxv. The user agency in consultation with the State Government shall create and maintain alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project. Bird's nests artificially made out of eco-friendly material shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project;
  - xxvi. The concerned Divisional Forest Officer, will monitor and take necessary mitigative measures to ensure that there is no adverse impact on the forests in the surrounding area;
  - xxvii. The User Agency shall submit the annual self -compliance report in respect of the above stated conditions to the State Government, concerned Regional Office and to this Ministry by the end of March every year regularly;
  - xxviii. The user agency shall comply all the provisions of the all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and NGT Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project;
  - xxix. 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 ;
  - xxx. Violation of any of these conditions will amount to violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and action would be taken as prescribed in para 1.16 of consolidated guidelines and clarifications issued under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 as issued by this Ministry on dated 29.12.2023;
  - xxxi. The State Government and user agency shall ensure compliance to all conditions stipulated in the 'In-principle' approval letter of even no. dated 02.08.2024 for which undertakings have been obtained from the user agency and also the provisions of the all Acts, Rules, Regulations and Guidelines, relevant Hon'ble Court Order (S) and NGT Order (S), if any, for the time being in force, including compliance of the Schedule Tribes and Other Traditional Forest Dwellers (Recognition of Forests Rights) Act, 2006;
  - xxxii. As per Sub-rule 7 of Rule 11 of Van (Sanrakshan Evam Samvardhan) Rules, 2023 the State Govt. after receiving the 'Final' approval of the Central Government under sub-section (1) of section 2 of the Van (Sanrakshan Evam

Samvardhan) Adhiniyam, 1980 and after fulfilment and compliance of the provisions of all other Acts and rules made thereunder, as applicable including ensuring settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (2 of 2007), shall issue order for diversion of forest land.

Yours sincerely,

Digitally signed by  
SUNEET BHARDWAJ  
Date: 03-06-2025  
17:55:13

Sd/-

(Suneet Bhardwaj)

**Assistant Inspector General of Forests**

**Copy to:**

1. The PCCF (HoFF), Department of Forest, Government of Maharashtra, Nagpur;
2. The Dy. DGF (Central), Regional Office, MoEF&CC, Nagpur;
3. The Nodal Officer, Department of Forest, Government of Maharashtra, Nagpur;
4. User Agency;
5. Monitoring Cell, FC Division, MoEF&CC, New Delhi for uploading on PARIVESH.