

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

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 non-forestry use of 46.06 ha Forest Land under Forest (Conservation) Act, 1980 of Village Bopegaon, Tal. Wai, Dist. Satara for rehabilitation of Village Deur, Tal. Jaoli, Dist. Satara from Koyana Wildlife Sanctuary in the State of Maharashtra (Online No. FP/MH/REHAB/139268/2021) – regarding.

Madam/Sir,

I am directed to refer to the Government of Maharashtra letter No. FLD-2022/CR-87/F-10 dated 11.05.2022 on the above subject seeking prior approval of the Central Government under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. After careful examination and recommendation of the proposal by the Advisory Committee, constituted under Section-3 of the aforesaid act and with due approval of the competent authority *Stage-I/In-principle* approval for the above mentioned proposal was granted vide this Ministry's letter of even no. dated 21.12.2023 subject to fulfillment of certain conditions.

In this connection, I am directed to say that on the basis of the compliance report furnished by the State Government vide letter No. FLD-2022/C.R.87/F-10 dated 06.02.2024, letter No. FLD-2022/C.R.87/F-10 dated 31.05.2024 and email dated 15.06.2024 '**Stage-II/Final approval**' of the Central Government is hereby accorded under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for non-forestry use of 46.06 ha Forest Land under Forest (Conservation) Act, 1980 of Village Bopegaon, Tal. Wai, Dist. Satara for rehabilitation of Village Deur, Tal. Jaoli, Dist. Satara from Koyana Wildlife Sanctuary in the State of Maharashtra subject to fulfillment of the following conditions:

- i. Legal status of the diverted forest land may be changed to non-forest land by the State in accordance with Hon'ble Supreme Court order dated 28.01.2019 in IA No. 3924 of 2015 in WP(C) 202/1995 and Ministry's Guidelines dated 20.05.2019;
- ii. The State Government shall ensure to include the forest patch left out

- between the already existing agricultural land and the area proposed for diversion in the proposed diversion proposal as per the revised boundary of 46.06 ha area submitted;
- iii. The 2140.19 ha area including 34.36 ha private land and 119.71 ha of revenue land which is being vacated due to proposed village relocation shall be notified as Reserve Forest;
 - iv. The State Government shall ensure that proposed forest land i.e. 46.06 ha shall be handed over to the user agency only when the user agency has acquired the required non-forest land, if any, for the project;
 - v. The State Govt. shall ensure the complete compliance of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Rights) Act, 2006 and settlement of rights as prescribed under the said Act ;
 - vi. The State Government shall ensure that the area under the Deur Village becomes inviolate and no families are left within this village for further relocation. The area to be made available as inviolate on account of relocation of village Deur will be used for Wildlife conservation;
 - vii. The State Government shall take effective steps to ensure that the villagers who are relocated do not return to the area;
 - viii. The Forest Department should encourage rehabilitated families in relocated forest area for improvement of their livelihood based on tree/ forest based economic opportunities by providing appropriate training and imparting skill sets in ecotourism, Bamboo and Medicinal plants and other NTFPs through sustainable collection, processing, value addition and marketing etc. to help in conservation of forest area around rehabilitation;
 - ix. The State Government shall ensure that the land vacated in the protected area due to relocation of Village will be developed as per approved Wildlife Management Plan/NTCA Guidelines;
 - x. The State Government shall ensure that the relocation package is implemented with due regard to specific court orders and Government norms in this regard;
 - xi. The State Government shall ensure that no fragmentation of forests should take place due to the relocation project;
 - xii. The State Govt. shall ensure that the details of relocation shall be provided to the NTCA for onward legal action/ compliance in IA No. 3924 of 2015 in WP(C) 202/1995;
 - xiii. 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;
 - xiv. The State Govt. shall ensure that as far as possible naturally growing trees are retained along the roads, in the school, other Government / public utility complexes around the boundaries of the proposed village, as natural groves;
 - xv. 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 the supervision of the State Forest Department;
 - xvi. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
 - xvii. The forest land shall not be used for any purpose other than that specified in

- the proposal;
- xviii. 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;
 - xix. No damage to the flora and fauna of the adjoining area shall be caused;
 - xx. 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;
 - xxi. Any other condition that the concerned Regional Office of this Ministry may stipulate with the approval of competent authority in the interest of conservation, protection and development of forests & wildlife;
 - xxii. 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;
 - xxiii. 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 Chapter 1 of the Consolidated Guidelines and Clarifications on Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 as issued by this Ministry's letter dated 29.12.2023;
 - xxiv. The State Government and user agency shall ensure compliance to all conditions stipulated in the 'Stage-I/In-principle' approval letter dated 21.12.2023 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, or the time being in force, including compliance of the Schedule Tribes and Other Traditional Forest Dwellers (Recognition of Forests Rights) Act, 2006, before handing over the forest land to the user agency.

Yours sincerely,

(Dr. Dheeraj Mittal)

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 (FCA), Department of Forest, Government of Maharashtra, Nagpur;
4. User Agency;
5. Monitoring Cell, FC Division, MoEF&CC, New Delhi for uploading on PARIVESH portal.