

**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: 13th January, 2023**

To

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

**Subject: Diversion of 63.091 ha forest land at Kagal, Taluka-Kagal, District Kolhapur under Forest (Conservation) Act, 1980 for rehabilitation of Village Nivale in Chandoli Wildlife Sanctuary, Maharashtra State (Online No. FP/MH/REHAB/121398/2021) - regarding.**

Madam/Sir,

I am directed to refer to the Government of Maharashtra letter no. FLD-2322/C.R.73/F-10 dated 06.12.2022 uploaded on PARIVESH portal on dated 16.12.2022 on the above cited subject. In this regard following shortcomings have been observed in the information submitted by the State Govt.:-

- i. The calculated area of KML file of forest land proposed for diversion is found to be 93.560 ha instead of 63.901 ha as per proposal. Therefore, the correct KML file of the area needs to be uploaded online.
- ii. High-resolution satellite imagery shows that the road proposed for diversion in the instant proposal is already being used for an existing Mine. This needs clarification.
- iii. The correct KML file of proposed diversion area, Survey of India (SoI) topo-sheet map & the DGPS Map showing the forest land under diversion shall be uploaded on PARIVESH portal online.
- iv. As per the kml file submitted by the state, the total area of forest village 'Nivale' which is proposed to be relocated is found to be 1396.015 ha instead of 159.30 ha reported by the State Govt. Therefore, the correct KML file of 159.30 ha needs to be submitted and uploaded on PARIVESH.
- v. The State Govt. vide their letter dated 08.08.2022 mentioned that relocation of village Nivale will make available an area of 159.30 ha inviolate. Now the State Govt. vide letter dated 06.12.2022 has mentioned that after rehabilitation of village Nivale non forest area

of 158.81 ha will be made available to forest department. Moreover the notification dated 21.08.2012 mentions that the total forest area of Village Nivale in District Kolhapur is 649.80 ha. There is ambiguity in the information submitted which needs clarification.

- vi. The basis of calculation of the total area getting vacated has not still not been provided which is required to be given.
- vii. It has been observed that 63.091 ha forest land proposed for diversion is the Compensatory Afforestation land for Patagaon Irrigation project. The detail of alternatives examined by the State to avoid the use of CA land is therefore required to be given. The State Govt. shall also submit a plan to compensate the loss of Compensatory Afforestation land/area of the project for which the proposed CA land was acquired.
- viii. The State Govt. has not provided the clarification in view that as in online part-I it has been reported that a total of 73 no. of families are to be displaced from the area proposed for diversion along with detailed R&R Plan. The same needs submission.
- ix. It has been observed that 16 ha revenue land in Village Galgale, Taluka -Kagal was originally identified by the revenue department for agriculture purpose for 73 PAP's which was later returned back to original land holder as per the Hon'ble High Court order. However now for the same no. of PAP's i.e. 73, the State Govt. has submitted a proposal for diversion of 63.091 ha out of which 53.45 ha is for agriculture purpose. Therefore the reason for increasing the land under agriculture for the 73 PAP's needs submission.
- x. It has been mentioned that all 73 families from Village Nivale were rehabilitated in the year 1999, which implies that the village has already been relocated in the year 1999 itself. The relocation in the year 1999 might have been done keeping in view the prevalent situation, rules/guidelines in force. The justification for seeking benefit of present Village relocation policy in case of a village which has already been relocated in the year 1999 is not clear.
- xi. Since the village has been relocated in the year 1999, the State Govt shall examine and ensure that there is no violation of FCA, 1980 in the proposal.

Accordingly, it is requested to furnish the above mentioned information to this Ministry for further consideration of the proposal.

Yours sincerely,

Sd/-

(Suneet Bhardwaj)

**Assistant Inspector General of Forests**

**Copy to:**

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