



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

**Additional Principal Chief Conservator of Forests & Nodal Officer,**

1st Floor, B Wing, Van Bhavan, Ramgiri Road, Civil Lines, Nagpur- 440 001

Tel.No.: 0712- 2556916 . E-mail: apccfnodal@mahaforest.gov.in

**By E-mail / Speed Post**

No.Desk-17/**FCA-SI/PZD-40748/kolhapur/1189**  
Nagpur - 440 001, Date: **13/08/2024**

**To,**

**The Deputy Director General (Central),  
Ministry of Environment Forest & Climate Change,  
Regional Office, Ground Floor,  
East Wing, New Secretariat Building,  
Civil Lines, Nagpur-01.**

**Sub:** Proposal for diversion of 1.5457 ha. forest land for regularization of lease of Forest land (Before 1980) for use of Holiday Homes with drinking water pipeline, water tank, electricity, internal road, parking & other amenities from survey no. 223/1 at Village - Malcompeth, Tal.-Mahabaleshwar, Dist. Satara in favour of the Central Railway Pune under section 2 (ii) of Forest (Conservation) Act 1980.

**Ref:** 1) Government of India, MoEF&CC, RO, Nagpur letter no.FC-1/276/2022-NGP/ 10036, Dt. 08/07/2022.

2) The Chief Conservator of Forests (T), Kolhapur letter No.D-6/Nosel/Satara/Rail-24-25/569, Dt. 07/08/2024.

**Sir,**

The Government of India vide letter under reference No.1 has raised query on "The instant proposal included prolonged violation of Forest (Conservation) Act, 1980".

Accordingly, the Chief Conservator of Forests (T), Kolhapur vide letter under reference No.2 has submitted the compliance report to this office. The compliance report as desired by the Government of India vide letter dated 08/07/2022 is being submitted as under:

Sr. No	Conditions	Compliance
1	As per the details submitted along proposal included prolonged violation of Forest (Conservation) Act, 1980, accordingly, the State Government is requested to submit detailed violation report naming erring officers along chronological details and subsequent documents.	As per the Compliance submitted by Deputy Conservator of Forest (T), Satara and Forwarded by Chief Conservator of Forests (T), Kolhapur mentioned that the User Agency has submitted the compliance report with the proposal is enclosed as Annexure-1 and following things were mentioned in the report. 1) 5.00 Acres of forest land was taken on lease from the Forest Department for a period of 10 years starting from April 1978 to April 1988 for construction of a Holiday

		<p>Home for with Railway employees. The construction of the Holiday Home was completed prior to 1980 i.e. before the Forest Conservation Act, 1980 (FCA) came into force.</p> <p>2) Immediately on expiry of the lease period in 1988, Railway submitted a proposal to the Forest Department for the extension of the lease and also continued to pay the due lease charges. Thereafter, several times modified proposals were sent as per the advice received from the Forest Department. However, the proposals could not materialize for some reason or the other.</p> <p>3) In view of the above, it may kindly be appreciated that no Railway officer or staff is responsible for not getting the lease extended.</p> <p>4) Further, since the land was taken on lease and the construction of Holiday Home was completed before the Forest (Conservation) Act, 1980 came into force; there has been no violation of the said Act (FCA).</p> <p>The structures were found constructed prior to 1980. However, it was necessary to renew the lease, after its expiry in 1988, for further use of forest land. With respect to the proposal already sent for diversion of 1.5457 ha. forest land by the User Agency and non-renewal of lease for the forest land after its expiry, necessary action may be taken under Van (Sanrakshan Evam Samvardhan) Abhiniyam, 1980.</p>
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In view of the above, it is requested that the Government of India may kindly grant approval under section-2 (ii) of Van (Sanrakshan Evam Samvardhan) Abhiniyam, 1980, at the earliest.

**Encl:** As above

 13/5/24

(Naresh Zurmure)  
Addl. Principal Chief Conservator of  
Forests & Nodal Officer,  
Maharashtra State, Nagpur

**Copy Submitted to** the Principal Secretary (Forests), Revenue & Forest Department, Mantralaya, Mumbai for information.

**Copy forwarded for information to:**

1. The Chief Conservator of Forests (T), Kolhapur.
2. The Deputy Conservator of Forests, Satara Forest Division, Satara.
3. Project Authority, Divisional Engineer, Central Railway, Pune.  
(punesrdenco@gmail.com)





Government of Maharashtra  
Chief Conservator of Forest (T.), Kolhapur  
Raman Mala, Tarabai Park, Kolhapur - 416003

Office - 0231/2653632,  
E-mail ID -  
ccfktkolhapur@mahaforest.gov.in  
ccfktkolhapur@gmail.com

By Speed post

No. D-6/Nosel/Satara/Rail/24-25/569  
Kolhapur - 416003, 7/08/2024

To,

Additional Principal Chief Conservator of Forest  
and Nodal Officer, Maharashtra State, Nagpur.

**Sub** - Proposal for diversion of 1.5457 ha forest land for regularization of lease of Forest land (Before 1980) for use of Holiday Homes with drinking water pipeline, water tank, electricity, internal road & parking & other amenities from survey no 223/1 at village Malcompeth, Tal. - Mhabaleshwar Dist. Satara, to the Central Railway Pune, under section 2 (ii) of Forest (Conservation) Act 1980.

- Ref** - 1. Government of India, Ministry of Environment, Forests, Integrated Regional Office, Nagpur letter F.No.FC-1/276/2022-NGP/10036, Dated 8/07/2022  
2. Your office letter D-17/Nodal/PID-13267/Kolhapur (29)/1058, Dated 28.07.2022  
3. This office letter D-6/Nocell/Satara/Rail/22-23/1271 Dated 23.08.2022  
✓ 4. DCF Satara letter A/D-6/Land/24-25/92 Dt. 22/04/2024  
3. This office letter D-6/Nocell/Satara/Rail/22-23/1271 Dated 23.08.2022  
4. DCF Satara letter A/D-6/Land/24-25/92 Dt. 22/04/2024  
5. This office letter D-6/Nocell/Satara/Rail/24-25/324 Dated 3.05.2024  
✓ 6. DCF Satara letter A/D-6/Land/24-25/151 Dt. 8/05/2024  
7. This office letter D-6/Nocell/Satara/Rail/24-25/365 Dated 10.05.2024  
✓ 8. DCF Satara letter A/D-6/Land/24-25/439 Dt. 19/07/2024  
9. This office letter D-6/Nocell/Satara/Rail/24-25/1079 Dated 31.07.2024  
10. User Agency letter No.PA/W/DB/LM/Holiday Home/35 Dated 2.08.2024  
11. DCF Satara letter A/D-6/Land/24-25/500 Dt. 5/08/2024

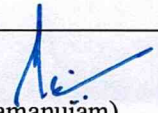
As desired by the Central Government vide letter dated 8.07.2022 under reference 1, DCF Satara vide letter dated 22.04.2024, 8.05.2024 and 19.07.2024. After complying back queries raised by this office, final compliance report was submitted by DCF Satara vide reference 11. Which is furnished as under: -

Sr.No	Query	Compliance
i	As per the details submitted along with the proposal, the instant proposal included prolonged violation of Forest (Conservation) Act, 1980, accordingly, the State Government is requested to submit detailed violation report naming erring officers along with chronological details and subsequent documents	<p>The User Agency has submitted the compliance report which is enclosed as Annexure-I and following things were mentioned in the report.</p> <p>1. 5 Acres of forest land was taken on lease from the Forest Department for a period of 10 years starting from April 1978 to April 1988 for construction of a Holiday Home for Railway employees. The construction of the Holiday Home was completed prior to 1980 i.e. before the Forest Conservation Act, 1980 (FCA) came into force.</p>



		<p>2. Immediately on expiry of the lease period in 1988, Railway submitted a proposal to the Forest Department for the extension of the lease and also continued to pay the due lease charges. Thereafter, several times modified proposals were sent as per the advice received from the Forest Department. However, the proposals could not materialize for some reason or the other.</p> <p>3. In view of the above, it may kindly be appreciated that no Railway officer or staff is responsible for not getting the lease extended.</p> <p>4. Further, since the land was taken on lease and the construction of Holiday Home was completed before the Forest (Conservation) Act, 1980 came into force, there has been no violation of the said Act (FCA).</p> <p>As per the Compliance report submitted by the User Agency, structures were found constructed prior to 1980. However, it was necessary to renew the lease, after its expiry in 1988, for further use of forest land. With respect to the proposal already sent for diversion of 1.5457 ha forest land by the User Agency and non-renewal of lease for the forest land after its expiry, necessary action may be taken under Van (Sanrakshan Evam Samvardhan) Abhiniyam, 1980.</p>
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**Encl:** As above.

  
 (R.M.Ramanujam)  
**Chief Conservator of Forests (T),  
 Kolhapur.**

**Copy submitted to:** DCF, Satara for information and necessary action.

**Copy submitted to:** Project Authority, Divisional Engineer, Central Railway, Pune for information and necessary action.





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**Govt. of Maharashtra**  
**Office of the Deputy Conservator of forest**  
**Satara Forest Division, Satara**  
**'Vanbhavan', Godoli Nursery, Satara-415 001**

Phone No. 02162 - 220059

Email- forest.satara68@gmail.com

No.A/Land/24.25/500

Satara, Dt. 05/08/2024.

To,

Chief Conservator of Forest,  
(T) Kolhapur.

Subject - Proposal for diversion of 1.5457 ha. Forest land for regularisation of lease of forest land (Before 1980) for use of Holiday Home with drinking water pipeline, Water Tank, Electricity, internal road and parking & other amenities for s. no. 223/1 at village Malcompeth, Tal. Mahabaleshwar, Dist. Satara to the Central Railway pune under section 2 (ii) of forest (conservation) act, 1980.

- Ref. - 1. GOI Letter No. FC-I/MH-276/2022-NGP/10036 dt. 8/7/2022.  
2. This office letter No. B/Desk-6/Land/1135 dt. 09/07/2022.  
3. Your Office letter No. Desk-6/Nosel/Rail/Holi.Home/1271 dt. 23/08/2022.  
4. This office letter No. B/Desk-6/Land/1896 dt. 22/09/2022.  
5. User Agency Letter No. PA/W/DB/LM/Holiday Home/M'shwar/35 dt. 16/04/2024.  
6. This office letter No. B/Desk-6/Land/92 dt. 22/04/2024.  
7. Your Office letter No. Desk-6/Nosel/Rail/Holi.Home/324 dt. 03/05/2024  
8. This office letter No. B/Desk-6/Land/151 dt. 08/05/2024.  
9. Your Office letter No. Desk-6/Nosel/Rail/Holi.Home/365 dt. 10/05/2024  
10. This office letter No. B/Desk-6/Land/493 dt. 10/05/2024.  
11. User Agency Letter No. PA/W/DB/LM/Holiday Home/M'shwar/35 dt. 15/07/2024.  
12. This office letter No. B/Desk-6/Land/439 dt. 19/07/2024.  
13. Your Office letter No. Desk-6/Nosel/Rail/Holi.Home/1079 dt. 31/07/2024  
14. User Agency Letter No. PA/W/DB/LM/Holiday Home/M'shwar/35 dt. 02/08/2024.

Vide Central Government letter under reference no. 1 query was raised by the CCF(T) Kolhapur. User Agency has submitted the compliance report vide reference no. 14 to DCF Satara. In the compliance report, User Agency has mentioned the following things:


1. 5 Acres of forest land was taken on lease from the Forest Department for a period of 10 years starting from April 1978 to April 1988 for construction of a Holiday



Home for Railway employees. The Construction of the Holiday Home was completed prior to 1980 i.e. before the Forest Conservation Act, 1980 (FCA) come into force.

2. Immediately on expiry of the lease period in 1988, Railway submitted a proposal to the Forest Department for the extension of the lease and also continued to pay the due lease charges. Thereafter, several times modified proposals were sent as per the advice received from the Forest Department. However, the proposal could not materialize for the same reason or the other.
3. In view of the above, it may kindly be appreciated that no Railway Officer or staff is responsible for not getting the lease extended.
4. Further, since the land was taken on lease and the construction of Holiday Home was completed before the Conservation Act, 1980 come into force, there has been no violation of the said Act, (FCA)

The same has been enclosed for further consideration and necessary action.

  
(Aditi Bhardwaj)  
Dy. Conservator of Forests,  
Satara Forest Division, Satara.

Copy for Information to Project Authority, Divisional Engineer, Central Railway, Pune.



मध्य रेल  
Central Railway



कार्यालय मंडल रेल प्रबंधक (कार्य) पुणे  
Office of the  
Divisional Railway Manager (Works) Pune  
Near Hotel Sheraton Grand, R.B. Mill Road, Pune 411 001  
Ph: (O) +91-020-26059017 (P&T) (Fax)

ई-मेल: [punesrdenco@gmail.com](mailto:punesrdenco@gmail.com)

No. PA/W/DB/LM/Holiday Home/M'shwar/35

Date: 02.08.2024.

**Dy Conservator of Forest,  
Satara**

Sub: - Proposal for diversion forest land 1.5457 ha for regularization of lease of Forest land (Before 1980) for use of Holiday Homes with drinking water pipeline, water tank, electricity, internal road & parking & other amenities from survey no. 223/1 at village Malcompeth, Tal- Mahabaleshwar, Dist- Satara.

- Ref: 1) DCF Satara's letter no. B/class-6/Jamin/23-24/ dt.26.03.2024, 16.11.2023 recd on 22.11.2023, 23.08.2023 recd on 25.08.2023, 05.07.2023 recd on 2.08.2023, 26.05.2023 & 10.05.2024.  
2) Central Railway HQ's Ltr no. W.138.P-640.HM.II dt. 24.03.23.  
3) This office letter even no. dt. 7.2.23, 27.2.23, 15.6.23, 4.8.23, 25.8.23, 15.12.23, 1.4.24 & 16.4.24 & 07.06.2024  
4) DCF Satara's letter no. B/class-6/Jamin/2022-23/2333 dt.17.10.2022.  
5) CCF(T) Kolhapur's letter No. D-6/Nosel/Satara/Rail/24-25/1079 dt. 31.07.2024  
6) DCF Satara's letter No. B/class-6/Jamin/24.25/1624 dt. 01.08.2024

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Vide CCF(T) Kolhapur's letter under reference (5) above, it has been asked to submit a detailed violation report naming the erring officers. In this connection, the facts pertaining to this case are once again put up herewith for your kind consideration please.

5 Acres of forest land was taken on lease from the Forest Department for a period of 10 years starting from April 1978 to April 1988 for construction of a Holiday Home for Railway employees. The construction of the Holiday Home was completed prior to 1980 i.e. before the Forest Conservation Act, 1980 (FCA) came into force.

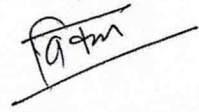
Immediately on expiry of the lease period in 1988, Railway submitted a proposal to the Forest Department for the extension of the lease and also continued to pay the due lease charges. Thereafter, several times modified proposals were sent as per the advice received from the Forest Department. However, the proposals could not materialise for some reason or the other.

In view of the above, it may kindly be appreciated that no Railway officer or staff is responsible for not getting the lease extended.

Further, since the land was taken on lease and the construction of Holiday Home was completed before the Forest Conservation Act 1980 came into force, there has been no violation of the said Act (FCA).

In view of the above, it is once again requested to reconsider the proposal for the extension of lease or for the diversion of forest land for the Holiday Home, as may be deemed appropriate, so as to allow continuance of the Holiday Home facilities.

Further, pending the above, the facilities may kindly be reopened, so as to prevent the furniture and furnishing, etc. from getting spoilt and also to resume the facility at the earliest.



**(Vikas Kumar)**  
**Sr Divisional Engineer (South)**  
**Central Railway Pune.**

- C/- DDG/MoEf(CC), Nagpur- for kind information please.
- C/- CE(G) CR - for kind information please.
- C/- DRM Pune - for kind information please.
- C/- ADRM Pune - for kind information please.
- C/- Sr DEN(Co) Pune - for kind information please.
- C/- ADEN/STR - for information and necessary action.
- C/- SSE(W) GPR - for information and necessary action.



TO

THE PRINCIPLE SECRETARY (FOREST) 17

GOVERNMENT OF MAHARASHTRA

20 SEP 2022  
20/09

Date: 1 Sep 2022

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Adcef (Modaf)  
Pl. verify and purg  
L-20  
pufef (Modaf)  
21/09

**SUBJECT : FALSE INFORMATION SUBMITTED BY DCF-SATARA IN THE PROPOSAL OF FOREST LAND DIVERSION OF CENTRAL RAILWAYS AT MAHABALESHWAR.**

The Central Railways have submitted proposal for forest land diversion at Mahabaleshwar which is under consideration of the State Government, wherein the DCF-Satara has stated that the construction of Holiday home was completed before 1980 in his certificate no 8. (attached as annexure 1). This certificate issued by DCF-Satara is not only false but is also misleading because the Central railway in its earlier correspondence in the year 2019 has stated that the construction was undertaken in the year 1982 (copy attached as annx 2). Now in the revised submission of proposal the central railways says that construction was carried out between 1978 to 1982 ( project note attached as annexure 3) . Kindly note that an earlier proposal was submitted by railways in the year 2019 and now a fresh proposal under an ex forest official as consultant is submitted by central railways.

As you know that the Forest Conservation act came in to force in 1980 and section 2 of the act prohibited any non forest activity on forest land without Central government approval. To avoid the application of Forest conservation act 1980 to this proposal submitted by central railways , the central railways and the DCF-Satara has falsly stated that the construction of holiday home has taken place prior to 1980. Whereas on the contrary the earlier correspondence of Central railways itself has stated that the construction of holiday home took place in 1982.

Kalharwar  
26/9

Sale  
26/9

2652  
26/9/22



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This is an co-joint efforts of central railways and the DCF-Satara to mislead the government.

I have to request you to kindly seek a clarification from DCF-Satara for misleading the Government and take stern action for submission of false information to the Government <sup>as</sup> per law.

Thanking you

*Nana Khamkar*

NANA KHAMKAR

238, RAGHUMOHINI

APARTMENT,

SOMWARPETH,

KARAD 415110

Copy to  
Hon Smt Y.L.P. Rao Sir  
PCCF (NOFF)



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How many of the  
[unclear] [unclear]



## Certificate no. 8

(Certificate of Forest Department Violation/No Violation of Forest (Conservation) Act, 1980 –Certificate of Deputy Conservator of Forests)

Certified that, the work for construction of building of Holiday homes and other amenities has been done as per the lease at s. no 223/1 C. no 77 at village Molcom peth but project authority has not applied for extend lease period or not completed the procedure to regularisation of leased land .

It is true that, the Project authority has submitted proposal under FCA guideline in Year 2007 but due to lack of fulfilment of query raised this proposal had remain pending . Project Authority has submitted online proposal on FCA portal but it's also remain in draft stage for longer time.

Project authority had paid the lease rent as per agreement up to 2007-08  
As the above condition project Authority has done work in Forest Land, before 1980 but do not completed procedure for extend lease period or proposal for regularisation of lease. Hence Violation of Forest (Conservation) Act, 1980 and or its guidelines have been committed.

Place -Satara

Date- / /2022



( M. N. Mohite)

Deputy Conservation of Forests  
Forest Division, Satara





Central Railway



पुणे

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Divisional Railway Manager (Western) Pune  
Near Hotel Sheraton Central Railway Station, Pune - 411 001  
Phone: 020-26123456 Fax: 020-26123457

E-mail: punesrdcwc@gmail.com

No. PA/W/LB/LM/Holiday Home/M'shwar

Date: 14.03.2019

**Dy. Conservator of Forests,**  
**Forest Division, Satara**  
**Dist-Satara.**

Sub:- Submission of application to extent lease of Holiday Home at Mahabaleshwar in prescribed format.

Ref: ADEN/M/PA's Letter no. पुणे-अनु/महाबलेश्वर/ दिनांक 08/09/2018.

In connection with above, it is again informed you that 5 Acres m2 of forest land was allotted to Central Railway for a period of 10 years starting from the year April 1978 for constructing holiday homes for its employees as per the agreement executed with Divisional forest officer, Satara on 22.01.1985 (Copy attached). As already Railway has constructed 4 Suits for officers and 10 Suits for Group 'C' employees in 1982.

As soon as the lease period got over in the year 1988 Railway has consequently applied for extension of lease for a period 35 Years. Meanwhile there are certain changes in the application format which includes a "Dwellers Certificate" to be acquired from Dist Collector, Satara for that Railway continuously have been chasing with District Collector, Satara.

District Collector, Satara have sought reply from you to issue "Dwellers Certificate" as per there letter no. मह/मश्वर/जमीन/कवि-145/2018 दिनांक- 16/02/2018, 17/04/2018, 05/04/2018, 09/09/2018; same is pending from your end.

In the meeting with Railway officials on 29.06.2018, you had advised to submit fresh application for renewal of lease and accordingly a fresh application in the prescribed format has been prepared with all relevant documents and is submitted for further necessary action please.

DA- As above

Received On - 9e 3 12 9e

*[Signature]*  
आवरण निपाक  
मह वन संरक्षक सतरा

9e 3 12 9e  
Clerk to Collector, Satara

*[Signature]*  
(Gautam S Musale)  
DEN (HQ) Pune

Copy to - 1. District Collector/Satara- For information and further necessary action Please.

2. ADEN/M/Pune- For information and further necessary action please.

15 Mahabaleshwar



# PROJECT NOTE



## Project Note by Project Authority

**Name of proposal** - Proposal for diversion of 1.5457 ha forest land for regularisation of lease of Forest land (before 1980) for use of Holiday Homes with drinking water pipeline, water tank, electricity, internal road & internal parking & other amenities from survey no 223/1 at village Malcolm Peth, Tal.- Mahabaleshwar Dist. Satara, to the Central Railway Pune, under section 2 (ii) of Forest (Conservation) Act 1980.

**Proposal submitted by** - The. Divisional Engineer DEN(HQ) Central Railway Pune.

**Cost of Project** - The estimated cost of already construction Holiday homes was Rs. 1.00 Cr and now the employment generate will be.

Type of work	Unskilled	Semi-Skilled	Skilled	Total
During Works Temporary	0	0	0	0
Permanent	5	2	2	9
Total	5	2	2	9

### Justification

Proposal for diversion of 1.5457 ha forest land for regularisation of lease of Forest land (before 1980) for under use of Holiday Homes with drinking water pipeline to, water tank, electricity, internal road & internal parking & other amenities from survey no 223/1 Comp no 77 at village Malcolm Peth, Tal Mahabaleshwar Dist. Satara

The General Manager, Central Railway, V. T. Bombay - 1 was applied to State Govt. of Maharashtra to lease the forest land at Mahabaleshwar for construction of Holiday Homes for Railway staff & officers by letter no 182-P-648/HH, dated 29.3.1978. The Govt. of Maharashtra had sanctioned forest land on lease area 2.00 Acre for Holiday Homes & 3.00 Acre Forest land for plantation by Revenue & Forest Department letter no. FLD.2078/38- F-3 Dt. 18/2/1979 & 22/2/1980. As per the standard agreement form for the lease of forest land, the process of completion of lease agreement was completed between Divisional Forest Officer Satara & Sr. Divisional Engineer, Central Railway, Bombay. On 22/01/1985 for the period of 1978 to 1988.



The construction of Holiday Homes was completed during year 1978 to 1982. Accordingly, Railway has constructed 4 Suits for officers and 16 Suits for Group 'C' and Group 'D' staffs in year 1982. Central Railway has paid the lease amount to forest dept as per agreement. After completion of lease period. Central railway has traded to extend the lease period for further 35 years.

In addition to this Central railway has submitted the new proposal for diversion of forest land for regularisation of lease land in Sept. 2007, to the Dy. C.F. Satara. Dy. Conservator Forest, Satara has also recommended this proposal for approval, but for this no further approval had obtained. Meanwhile the procedure for applying proposal under has change, so Central Railway has uploaded diversion proposal on Forest Clearance Portal and Submitted hard Copies to Forest dept.

After resurvey of leased land has been done and now project Authority has decided land under building & other amenities should be applied for regularisation of lease & remaining forest Lease to be given back to Forest Department.

Details of lease land required to the project Holiday Home is as under

#### Statement Showing Distribution of lease land

Name of Work	Area required of Forest land				Legal Status
	Name of Village	S. no/ Com no	Name of Village	Area in ha.	
Proposal for diversion of forest land for regularisation of lease of Forest land (before 1980) for use of Holiday Homes with . drinking water pipeline ,water tank, electricity , internal road & parking & other amenities at , Tal Mhabaleshwar Dist. Satara , to the Central Railway Pune (Bombay)	Malcom peth	C.no 77, S.No. 223/1	Area under (Quarters) Building	0.1008	R F
			Garden	0.0887	
			Road & Path Parking	0.1218	
			Water Tank & Septic tank	0.0088	
			Water pipeline & Drainage	0.0101	
			Plantation & Open area	1.2155	
	Forest area require			1.5457	

Sr.n	Description	Area in Ha.	Area in Ha.
1	Area allotted in lease for Holiday Homes + Plantation ( 2.00 A. + 3 A. = 5.00 Acres)	2.0234	
2	Area requires for Holiday Homes		1.5457
3	Area to be return to Forest Dept		0.4777
	Total		2.0234



Project Authority submits that the proposed land to be diverted is already diverted & under use of Holiday Homes & work was completed before enforcements of ESZ notification of by MoEF & C C (ESZ) DIVISION by 17Th. Jan 2001 . Hence there is no need to take approval from the "High level monitoring committee (HLMC)appointed by MoEF & CC (ESZ Division) by order no 2/40/2005/ESZ(RE) Part File , Date 14Th March 2017. & also, Heritage Committee for Mahanbleswar & Pachagani Satara municipal area..

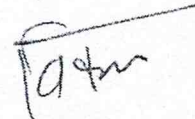
Project Authority submits that the proposed land to be diverted is already diverted & under use of Holiday Homes & work was completed before enforcements the Gram Sabha resolution & Certificate from the Collector Satara under FRA. 2006

As the construction of Holiday Homes already completed , then there is no alternative other than proposed alignment,

Project Authority is submitting proposal for regularisation of lease under F.C.A 1980

Place – Pune

Date – 24/12/2021



(Vikas Kumar )

Divisional Engineer (HQ/ ROB)

Central Railway, Pune

TO

Date: 1 Sep 2022

THE PRINCIPLE<sup>A</sup> SECRETARY(FOREST)  
GOVERNMENT OF MAHARASHTRA

**SUBJECT : FALSE INFORMATION SUBMITTED BY DCF-SATARA IN THE PROPOSAL OF FOREST LAND DIVERSION OF CENTRAL RAILWAYS AT MAHABALESHWAR.**

The Central Railways have submitted proposal for forest land diversion at Mahabaleshwar which is under consideration of the State Government, wherein the DCF-Satara has stated that the construction of Holiday home was completed before 1980 in his certificate no 8. (attached as annexure 1). This certificate issued by DCF-Satara is not only false but is also misleading because the Central railway in its earlier correspondence in the year 2019 has stated that the construction was undertaken in the year 1982 (copy attached as annx 2). Now in the revised submission of proposal the central railways says that construction was carried out between 1978 to 1982 ( project note attached as annexure 3) . Kindly note that an earlier proposal was submitted by railways in the year 2019 and now a fresh proposal under an ex forest official as consultant is submitted by central railways.

As you know that the Forest Conservation act came in to force in 1980 and section 2 of the act prohibited any non forest activity on forest land without Central government approval. To avoid the application of Forest conservation act 1980 to this proposal submitted by central railways , the central railways and the DCF-Satara has falsly stated that the construction of holiday home has taken place prior to 1980. Whereas on the contrary the earlier correspondence of Central railways itself has stated that the construction of holiday home took place in 1982.

Ask  
Report  
from  
DCF (Satara)

2342  
12/8/22



This is an co-joint efforts of central railways and the DCF-Satara to mislead the government.

I have to request you to kindly seek a clarification from DCF-Satara for misleading the Government and take stern action for submission of false information to the Government <sup>as</sup> per law.

Thanking you

*Nana Khamkar*

NANA KHAMKAR

238, RAGHUMOHINI

APARTMENT,

SOMWARPETH,

KARAD 415110

Copy To

Sri Narish Zummur sir,

Based on certificate 8 issued by DCF(Satara) in the proposal, you have responded to letter from Sri Ganesh Jadhav (Matralaya) dated 24/6/2022 vide your letter dated 30/6/2022, wherein you have said that construction of holiday home is completed prior to 1980. Your statement is not only false but is contrary to facts as construction started in 1982. Tenders for construction by Railway were itself floated in 1981. kindly look in to the issue.

*Nana Khamkar*

Annexure - 1

## Certificate no. 8

(Certificate of Forest Department Violation/No Violation of Forest (Conservation) Act, 1980 –Certificate of Deputy Conservator of Forests)

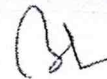
Certified that, the work for construction of building of Holiday homes and other amenities has been done as per the lease at s. no 223/1 C. no 77 at village Molcom peth but project authority has not applied for extend lease period or not completed the procedure to regularisation of leased land .

It is true that, the Project authority has submitted proposal under FCA guideline in Year 2007 but due to lack of fulfilment of query raised this proposal had remain pending . Project Authority has submitted online proposal on FCA portal but it's also remain in draft stage for longer time.

Project authority had paid the lease rent as per agreement up to 2007-08  
As the above condition project Authority has done work in Forest Land, before 1980 but do not completed procedure for extend lease period or proposal for regularisation of lease. Hence Violation of Forest (Conservation) Act, 1980 and or its guidelines have been committed.

Place -Satara

Date- / /2022



( M. N. Mohite)

Deputy Conservation of Forests  
Forest Division, Satara



Central Railway



पुणे-अनु/महाबलेश्वर/दिनांक 08/09/2018

Office of the

Divisional Railway Manager (Woods) Pune

Near Hotel Sheraton, Chhatrapati Shivaji Maharaj, Pune - 411 001

E-mail: punesrdmco@gmail.com

Ph: (020) 26123456, 26123457, 26123458

No. PA/W/DB/EM/Holiday Home/M'shwar

Date: 14.03.2019

**Dy. Conservator of Forests,**  
**Forest Division, Satara**  
**Dist-Satara.**

Sub:- Submission of application to extent lease of Holiday Home at Mahabaleshwar in prescribed format.

Ref: ADEN/M/PA's Letter no. पुणे-अनु/महाबलेश्वर/ दिनांक 08/09/2018.

In connection with above, it is again informed you that 5 Acres m2 of forest land was allotted to Central Railway for a period of 10 years starting from the year April 1978 for constructing holiday homes for its employees as per the agreement executed with Divisional forest officer, Satara on 22.01.1985. Copy attached. As already Railway has constructed 4 Suits for officers and 10 Suits for Group 'C' & 'D' staff in year 1982.

As soon as the lease period got over in the year 1988 Railway has consequently applied for extension of lease for a period 35 Years. Meanwhile there are certain changes in the application format which includes a "Dwellers Certificate" to be acquired from Dist Collector, Satara for that Railway continuously have been chasing with District Collector, Satara.

District Collector, Satara have sought reply from you to issue "Dwellers Certificate" as per there letter no. मह/मश्वर/जमीन/कवि-145/2018 दिनांक- 16/02/2018, 17/04/2018, 05/04/2018, 09/09/201; same is pending from your end.

In the meeting with Railway officials on 29.06.2018, you had advised to submit fresh application for renewal of lease and accordingly a fresh application in the prescribed format has been prepared with all relevant documents and is submitted for further necessary action please.

DA- As above

Received On - 9e 3 12 9e

Clerk to Collector, Satara

Copy to - 1. District Collector/Satara- For information and further necessary action Please.

2. ADEN/M/Pune- For information and further necessary action please.

\* Mahabaleshwar

(Gautam S Musale)  
 DEN (HQ) Pune

9e 3 12 9e

# PROJECT NOTE



## Project Note by Project Authority

**Name of proposal** - Proposal for diversion of 1.5457 ha forest land for regularisation of lease of Forest land (before 1980) for use of Holiday Homes with drinking water pipeline, water tank, electricity, internal road & internal parking & other amenities from survey no 223/1 at village Malcolm Peth, Tal.- Mahabaleshwar Dist. Satara, to the Central Railway Pune, under section 2 (ii) of Forest (Conservation) Act 1980.

**Proposal submitted by** - The. Divisional Engineer DEN(HQ) Central Railway Pune.

**Cost of Project** - The estimated cost of already construction Holiday homes was Rs. 1.00 Cr and now the employment generate will be.

Type of work	Unskilled	Semi-Skilled	Skilled	Total
During Works Temporary	0	0	0	0
Permanent	5	2	2	9
Total	5	2	2	9

### Justification

Proposal for diversion of 1.5457 ha forest land for regularisation of lease of Forest land (before 1980) for under use of Holiday Homes with drinking water pipeline to, water tank, electricity, internal road & internal parking & other amenities from survey no 223/1 Comp no 77 at village Malcolm Peth, Tal Mahabaleshwar Dist. Satara

The General Manager, Central Railway, V. T. Bombay - 1 was applied to State Govt. of Maharashtra to lease the forest land at Mahabaleshwar for construction of Holiday Homes for Railway staff & officers by letter no 182-P-648/HH, dated 29.3.1978. The Govt. of Maharashtra had sanctioned forest land on lease area 2.00 Acre for Holiday Homes & 3.00 Acre Forest land for plantation by Revenue & Forest Department letter no. FLD.2078/38- F-3 Dt. 18/2/1979 & 22/2/1980. As per the standard agreement form for the lease of forest land, the process of completion of lease agreement was completed between Divisional Forest Officer Satara & Sr. Divisional Engineer, Central Railway, Bombay. On 22/01/1985 for the period of 1978 to 1988.



The construction of Holiday Homes was completed during year 1978 to 1982. Accordingly, Railway has constructed 4 Suits for officers and 16 Suits for Group 'C' and Group 'D' staffs in year 1982. Central Railway has paid the lease amount to forest dept as per agreement. After completion of lease period. Central railway has traded to extend the lease period for further 35 years.

In addition to this Central railway has submitted the new proposal for diversion of forest land for regularisation of lease land in Sept. 2007, to the Dy. C.F. Satara. Dy. Conservator Forest, Satara has also recommended this proposal for approval, but for this no further approval had obtained Meanwhile the procedure for applying proposal under has change, so Central Railway has uploaded diversion proposal on Forest Clearance Portal and Submitted hard Copies to Forest dept.

After resurvey of leased land has been done and now project Authority has decided land under building & other amenities should be applied for regularisation of lease & remaining forest Lease to be given back to Forest Department.

Details of lease land required to the project Holiday Home is as under

#### Statement Showing Distribution of lease land

Name of Work	Area required of Forest land				Legal Status
	Name of Village	S. no/ Com no	Name of Village	Area in ha.	
Proposal for diversion of forest land for regularisation of lease of Forest land (before 1980) for use of Holiday Homes with . drinking water pipeline ,water tank, electricity , internal road & parking & other amenities at , Tal Mhabaleshwar Dist. Satara , to the Central Railway Pune (Bombay	Malcom peth	C.no 77, S.No. 223/1	Area under (Quarters)	0.1008	R F
			Building	0.0887	
			Garden	0.1218	
			Road & Path Parking	0.0088	
			Water Tank & Septic tank	0.0101	
			Water pipeline & Drainage	1.2155	
	Forest area require			<u>1.5457</u>	

Sr.n	Description	Area in Ha.	Area in Ha.
1	Area allotted in lease for Holiday Homes + Plantation ( 2.00 A. + 3 A. = 5.00 Acres)	2.0234	
2	Area requires for Holiday Homes		1.5457
3	Area to be return to Forest Dept		0.4777
	Total		2.0234



Project Authority submits that the proposed land to be diverted is already diverted & under use of Holiday Homes & work was completed before enforcements of ESZ notification of by MoEF & C C (ESZ) DIVISION by 17Th. Jan 2001 . Hence there is no need to take approval from the "High level monitoring committee (HLMC)appointed by MoEF & CC (ESZ Division) by order no 2/40/2005/ESZ(RE) Part File , Date 14Th March 2017. & also, Heritage Committee for Mahanbleswar & Pachagani Satara municipal area..

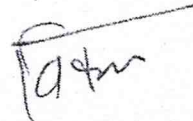
Project Authority submits that the proposed land to be diverted is already diverted & under use of Holiday Homes & work was completed before enforcements the Gram Sabha resolution & Certificate from the Collector Satara under FRA. 2006

As the construction of Holiday Homes already completed , then there is no alternative other than proposed alignment,

Project Authority is submitting proposal for regularisation of lease under F.C.A 1980

Place – Pune

Date – 24/12/2021



(Vikas Kumar )

Divisional Engineer (HQ/ ROB)

Central Railway, Pune