



वन आणि वन्यजीव संरक्षण काळाची गरज

महाराष्ट्र शासन

दुरध्वनी क्रमांक - २६५१९५९

उप वनसंरक्षक कोल्हापूर वन विभाग कोल्हापूर यांचे कार्यालय

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वनवर्धन इमारत, पोस्ट ऑफीस समोर, ताराबाई पार्क, कोल्हापूर

जा.क्र.ब/वनसंवर्धन/२०२२-२३/२५९३

कोल्हापूर, दिनांक :- ०२/०३/२०२३.

प्रति,
मुख्य वनसंरक्षक (प्रादेशिक),
कोल्हापूर

विषय - Diversion of area 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.

संदर्भ - मा. अपर प्रधान मुख्य वनसंरक्षक (केंद्रस्थ अधिकारी) म.रा. नागपूर यांचेकडील पत्र क्र.कक्ष-१७/नोडल/कोल्हापूर/आयडी-१२८८०/(२८)/२७८८/२०२२-२३, दिनांक १९-०१-२०२३.

उपरोक्त संदर्भिय पत्रान्वये विषयांकित प्रकरणी त्रुटी अहवाल पुर्तता करणेसाठी या कार्यालयास पाठविण्यात आलेला होता. त्याअनुषंगाने उपस्थित मुद्यांची त्रुटी पुर्तता करून खालीलप्रमाणे पुर्तता अहवाल सादर करण्यात येत आहे.

Sr. No.	Particulars	Compliances
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.	The correct KML file of proposed 63.091 ha. Forest land at Kagal is enclosed here with The same is uploaded Online in Parivesh Portal..
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.	No such road is being used in the Proposed 63.091 ha. area for the existing Mine. The road which is being used is outside the proposed Forest land.
iii)	The correct KML file of proposed diversion area, Survey of India (Sol) topo-sheet map & the DGPS Map showing the forest land under diversion shall be uploaded on PARIVESH portal online.	The correct KML file of proposed area, survey of India topo-sheet map and DGPS map showing Forest land under diversion is 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.	The correct KML file of 159.30 ha. Is enclosed here with The KML file for the same is uploaded online on Parivesh Portal.

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.	This is to clarify that 159.30 ha. became inviolate with the relocation of Nivale Village. Though the notification dated 21/08/2012 declaring Chandoli National Park mentions 284.58 ha. as non-forest land, as per the actual acquisition of rights the non-forest area acquired is 159.30 ha. only.
vi)	The basis of calculation of the total area getting vacated has not still not been provided which is required to be given.	The basis of calculation of the total area getting vacated is given below 1. Gaothan area & Agriculture area – total 159.30 ha.
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 A-fforestation land/area of the project for which the proposed CA land was acquired.	63.091 ha. forest land proposed for diversion is the compensatory afforestation land taken for Patgaon irrigation project. compensatory afforestation was taken in the year 2003-04, spending 8,06,057/- for the same. Major species planted was glirecidia. No alternate land is available near by the proposed site for relocation purpose. No suitable non forest / Revenue land is also available near by. Hence the beneficiaries have selected this site since it is convenient for them for agricultural purpose. Since State Government is getting inviolate area of 159.30 ha. against 63.091 ha. and the same will be declared as Reserve Forest there is no need to compensate the loss of CA 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.	The R&R plan and the area required for 73 displaced families is enclosed here with. Annexure -1. The village relocation is since done in the year 1999. They have been already given nereby Revenue Land for Gaothan Purpose.
ix)	It has been observed that 16 ha revenue land in Village Galgale, Taiuka -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.	Total of 53.45 ha. is necessary for agricultural purpose for 73 PAP's the list is enclosed. Annexure -2. In order to minimise the diversion of forest land, available 16 ha. revenue Land in village Galgale was identified for part of the PAP's. Due to Hon'ble High Court orders the same was returned back to original land holders. Since the proposed site will suffice the total demand of 53.45 ha. agricultural land for entire 73 PAP's with additional approach roads to their farm lands, the same is proposed in the said proposal.

x)	<p>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.</p>	<p>All 73 PAP's from Nivale village were rehabilitated in the year 1999 as per the notification. The Maharashtra project affected persons rehabilitation Act, 1999 and Government of Maharashtra GR dated 17th July 2000 issued for villages relocated from sanctuary / National park. Annexure -3.</p> <p>As per the guidelines the PAP's were supposed to be given alternate agricultural land either forest land / revenue land in near by area where they were relocated. The land to be given was decided based on these said policy since then no agricultural land has been given to all 73 PAP's due to non-availability of suitable land. It is Justified to divert 63.091 ha. forest land for agricultural purpose against the land acquired inside Chandoli National Park. Copy of 17th July 2000 GR is enclosed. Annexure -4.</p>
xi)	<p>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.</p>	<p>There is absolutely no violation of FCA 1980 Revenue land in Gaagale village, Kagal Taluka is given for gaathan purpose for 73 PAP's in 1999. No forest land is used for this purpose since then.</p>



(जी गुरुप्रसाद)

उप वनसंरक्षक

कोल्हापूर वनविभाग, कोल्हापूर