

Government of Maharashtra

By Speed Post

No. FLD-2322/C.R.73/F-10
Revenue and Forest Department,
Mantralaya, Mumbai- 400 032.
Date:- 17.10.2023

To,
The Secretary,
Ministry of Environment, Forests & Climate Change,
Government of India,
New Delhi.

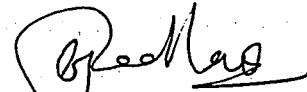
Sub.-:Forest Land - Kolhapur

Diversion of 63.091 ha. forest land under Forest (Conservation) Act, 1980 for disforestation of forest land at Village-Kagal, Taluka-Kagal, District-Kolhapur for rehabilitation of Village Nivale in Chandoli Wildlife Sanctuary of the State of Maharashtra.(FP/MH/REHAB/121398/2021)

- Ref:** 1. Your Office Letter No. 8-07/2022-FC, Dt.19.06.2023.
2. APCCF & Nodal Officer Letter No. Desk-17/FCA-S1/PID-121398 /Kolhapur/2110, Dt.13.10.2023

Ministry of Environment, Forest and Climate Change (Forest Conservation Division), Government of India has sought information with respect to proposal for diversion of 63.091 ha. forest land under Forest (Conservation) Act, 1980 for disforestation of forest land at Village-Kagal, Taluka-Kagal, District-Kolhapur for rehabilitation of Village-Nivale in Chandoli Wildlife Sanctuary of the State of Maharashtra, vide letter under reference No.1.

2. Additional Principal Chief Conservator of Forests & Nodal Officer, Maharashtra State, Nagpur has submitted compliance report to the Government of Maharashtra vide letter under reference no.2, Compliance Report submitted by the APCCF & Nodal Officer is attached herewith for further necessary action in the matter.



(Ganesh Jadhao)

Under Secretary to

the Government of Maharashtra
Under Secretary

Revenue and Forests Department
Hutatma Rajguru Chowk
Madam Cama Road, Mantralaya
Mumbai 400 032

Encl : As above.

Copy to:

- 1) Principal Chief Conservator of Forests (HoFF), Maharashtra State, Nagpur.
- 2) Additional Principal Chief Conservator of Forests and Nodal Officer, Nagpur.
- 3) Chief Conservator of Forests (T), Kolhapur.
- 4) Deputy Conservator of Forests, Kolhapur.



**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

No.Desk-17/ **FCA-57/PJD-121398/Kolhapur/2110**
Nagpur, Date: **13/10/2023**

To,
**Principal Secretary (Forests),
Revenue and Forest Department,
Mantralaya, Mumbai-32.**

Sub: Proposal for the diversion of of area 63.091 ha forest land under Forest (Conservation) Act, 1980 for disforestation of forest land at village Kagal Tal. Kagal, Dist. Kolhapur for rehabilitation of Village Nivale in Chandoli Wildlife Sanctuary of the State of Maharashtra.

Ref: 1. Government of India, MoEF&CC, Integrated Regional Office, Nagpur letter No.8-07/2022- FC, dt.19/06/2023.
2. The CCF (T), Kolhapur Letter no.Desk-6/Nocell/Laxmi Tekadi/ID-12880/1069, Dt. 09/10/2023.

Sir,

Government of India, Ministry of Environment, Forest and Climate Change, IRO, Nagpur vide letter under reference No.1 has raised query on 08 points. Accordingly, the Chief Conservator of Forests (T.), Kolhapur vide letter under reference No.2 has submitted the compliance reports on 08 points to this office. The compliance report on 08 points as desired by the Government of India vide letter dated 19/06/2023 is being submitted as under:

Sr. No.	Points	Remark
i	It has been observed that a forest patch near Kagal town is also sought for diversion as per the DGPS map. However, the KML file of the same has not been submitted/ uploaded. This needs clarification.	As per the Compliance submitted by Deputy Conservator of Forest (T.), Kolhapur and Forwarded by Chief Conservator of Forests (T.), Kolhapur mentioned that the revised KML file as well as revised DGPS Map showing the exact Forest gat No. 200, 201, 202, 203, 204, 205 & 181 is submitted. Attached as Annexure- I & II. The revised KML of the same is also uploaded on parivesh portal.
ii	An approach road connecting the existing mine can be seen through the satellite imagery as per new KML file of proposed diversion uploaded online. This needs clarification.	As per the Compliance submitted by Deputy Conservator of Forest (T.), Kolhapur and Forwarded by Chief Conservator of Forests (T.), Kolhapur mentioned that the approach road connecting the mines falls in gat No. 536 which is outside the boundary of the forest area. The revised KML is uploaded on parivesh portal.
iii	The shape & extent of the proposed area KML file is not matching with the shape & extent of the proposed diversion as	As per the Compliance submitted by Deputy Conservator of Forest (T.), Kolhapur and Forwarded by Chief Conservator of Forests (T.), Kolhapur

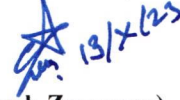
	reflected in the DGPS map & Sol map. Therefore, the correct DGPS map & Sol map in accordance with KML file of proposed diversion shall be submitted/uploaded.	mentioned that the revised KML file as per the revised DGPS map and Sol map is enclosed here with. The same is uploaded in the online portal. Attached as Annexure- II.
iv	The KML file of 159.30 ha of forest village 'Nivale' which is proposed to be relocated has not been found uploaded on PARIVESH portal. The same shall be submitted/ uploaded.	As per the Compliance submitted by Deputy Conservator of Forest (T.), Kolhapur and Forwarded by Chief Conservator of Forests (T.), Kolhapur mentioned that the KML file of 159.30 ha. of forest village 'Nivale' is enclosed as Annexure I.
v	The DCF, Kolhapur in its Site Inspection Report has mentioned that the proposed forest area is CA land and the said area was transferred to Forest Department under Patgaon Irrigation project for Compensatory Afforestation. Also the State Government vide their letter dated 06.12.2022 has submitted that at village Galgale in Kagal, 64.50 ha. land was given to forest department as alternate land for Patgaon irrigation project and same land was planted during year 2003-2004 and expenditure made was Rs. 8,06,057/-. Therefore, the User Agency has to provide the cost of plantation to be carried out on double the degraded forest land along with fresh CA Scheme.	As per the Compliance submitted by Deputy Conservator of Forest (T.), Kolhapur and Forwarded by Chief Conservator of Forests (T.), Kolhapur mentioned that the proposed land for diversion for village Galgale in Kagal 64.50 ha. is CA land obtained against diversion of forest land for patgaon irrigation project. In the year 2003-04, the area was planted with Gliricidia tree spending Rs. 8,06,057/- The proposed area has not much ecological value since the area is covered with Gliricidia trees. Inturn forest department will get 154 ha. area inside the Chandoli National Park which is more than the double area (238%) proposed for diversion, and is totally inviolate for wildlife purpose. Further, the inviolate 64.50 ha. forest land is proposed only for relocation purpose. Hence it is requested to waiveoff the requirement of plantation in double the degraded forest land as the forest department has already got 154 ha. inviolate area inside the Chandoli National Park.
vi	The State Government has submitted the project resettlement plan of Village Nivale. However, 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 i.e. Kagal Forest area. Therefore, the State Govt. needs to provide 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.	As per the Compliance submitted by Deputy Conservator of Forest (T.), Kolhapur and Forwarded by Chief Conservator of Forests (T.), Kolhapur mentioned that the project resettlement plan is enclosed herewith as Annexure-III. 73 No. of families were relocated from Nivale village located in, Chandoli National Park to Galgale village in Kagal taluka. The village / gavthan is provided in gat no. 536 revenue land. Out of 73 shifted families. 70 families are land holders for which 53.45 ha. Agricultural land is required. 9.35 ha. is for internal approach road and 0.261 ha is for one main approach road.
vii	Further, since it is being reported that a total of 73 no. of families are to be displaced from the area proposed for diversion which was notified as forest and part of CA compliance of Patgaon Irrigation project. The State Government may clarify whether the settlements of these families in this forest land is post notification of said land as forest and why this shall not be treated as violation of FC Act, 1980 & violation of conditions for CA stipulated while	As per the Compliance submitted by Deputy Conservator of Forest (T.), Kolhapur and Forwarded by Chief Conservator of Forests (T.), Kolhapur mentioned that the 73 families from Nivale village taluka Shahuwadi inside Chandoli National Park were shifted to Galgale village of Kagal taluka. The village/Gaonthan is located on revenue land gat no. 536. No forest land is involved for gaonthan purpose. The forest land is proposed only for agricultural land purpose. There is no violation of FC Act, 1980 as on date.

	granting approval for the irrigation project. Further, the State Govt. may provide the details of action taken for violation if any, in this regard.	Through the proposed site falling in Forest gat no. 200, 201, 202, 203, 204, 205 & 181 measuring 63.091 ha. is obtained as CA land against Patgaon Irrigation Project and the same was afforested with Gliricidia in the year 2003.-04, the proposed site is not of much importance from ecology biodiversity point of view. Futher 154 ha. private land of Nivale village inside Chandoli National Park will be taken as forest land, post relocation of village. Hence it is requested to consider this proposal as special case as mentoned above.
viii	The State Government shall submit the reason/justification for increasing the land under agriculture for the 73 PAP's.	As per the Compliance submitted by Deputy Conservator of Forest (T.), Kolhapur and Forwarded by Chief Conservator of Forests (T.), Kolhapur mentioned that there is no increase in proposed agricultural land for 73 PAP's. Only 63.091 ha. in Forest gat no. 200, 201, 202, 203, 204, 205 & 181 is proposed for agricultural land purpose which includes main approach road and internal approach road. (Agricultural land - 53.45 ha. Main approach road - 0.261 ha. Internal approach road 9.38 ha.

In view of the above, it is requested that the Government of Maharashtra may kindly be moved for approval under section-2 (ii) of Forest Conservation Act, 1980, at the earliest.

Encl: As above-2 Copies

Yours sincerely,

 13/12/23

(Naresh Zurmure)

Addl. Principal Chief Conservator of Forests
& Nodal Officer

Copy forwarded for information to:

1. The Chief Conservator of Forests (T.), Kolhapur.
2. The Deputy Conservator of Forests, Kolhapur Forest Division, Kolhapur.



कार्यालय - ०२३१/२६५३६३२,

E-mail ID -

ccftkolhapur@mahaforest.gov.in

ccftkolhapur@gmail.com



महाराष्ट्र शासन

मुख्य वनसंरक्षक (प्रादेशिक) कोल्हापूर यांचे कार्यालय

"वनवर्धन", ताराबाई पार्क, कोल्हापूर - ४१६ ००३

256

By Speedpost

No.D-6/Nocell/Laxmi Tekadi/ID-12880/23-24/1069

Kolhapur - 416003, 9/10/2023

To,

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

Sub: - Proposal for the diversion of of area 63.091 ha forest land under Forest (Conservation) Act, 1980 for disforestation of forest land at village Kagal, Tal. Kagal, Dist. Kolhapur for rehabilitation of Village Nivale in Chandoli Wildlife Sanctuary of the State of Maharashtra.

Ref: - 1. GOI, MOEF&CC, (FC Division), New Delhi letter No.8-22/2022-FC Dated 19.06.2023.
2. DCF, Kolhapur letter No.A/Nodal/2023-24/865 Dated 4.10.2023.

GOI, MoEF&CC, (FC Division), New Delhi vide letter dated 19.06.2023 raised few queries. DCF Kolhapur vide reference 2 submitted the query compliance, as shown below

Sr. No.	Points	Remark
i	It has been observed that a forest patch near Kagal town is also sought for diversion as per the DGPS map. However, the KML file of the same has not been submitted/ uploaded. This needs clarification.	The revised KML file as well as revised DGPS Map showing the exact Forest gat No. 200, 201, 202, 203, 204, 205 & 181 is submitted. Attached as Annexure- I & II. The revised KML of the same is also uploaded on parivesh portal.
ii	An approach road connecting the existing mine can be seen through the satellite imagery as per new KML file of proposed diversion uploaded online. This needs clarification.	The approach road connecting the mines falls in gat No. 536 which is outside the boundary of the forest area. The revised KML is uploaded on parivesh portal.
iii	The shape & extent of the proposed area KML file is not matching with the shape & extent of the proposed diversion as reflected in the DGPS map & Sol map. Therefore, the correct DGPS map & Sol map in accordance with KML file of proposed diversion	The revised KML file as per the revised DGPS map and Sol map is enclosed here with. The same is uploaded in the online portal. Attached as Annexure- II.

	shall be submitted/uploaded.	
iv	The KML file of 159.30 ha of forest village 'Nivale' which is proposed to be relocated has not been found uploaded on PARIVESH portal. The same shall be submitted/ uploaded.	The KML file of 159.30 ha. of forest village 'Nivale' is enclosed as Annexure- I .
v	The DCF, Kolhapur in its Site Inspection Report has mentioned that the proposed forest area is CA land and the said area was transferred to Forest Department under Patgaon Irrigation project for Compensatory Afforestation. Also the State Government vide their letter dated 06.12.2022 has submitted that at village Galgale in Kagal, 64.50 ha. land was given to forest department as alternate land for Patgaon irrigation project and same land was planted during year 2003-2004 and expenditure made was Rs. 8,06,057/-. Therefore, the User Agency has to provide the cost of plantation to be carried out on double the degraded forest land along with fresh CA Scheme.	The proposed land for diversion for village Galgale in Kagal 64.50 ha. is CA land obtained against diversion of forest land for patgaon irrigation project. In the year 2003-04, the area was planted with Gliricidia tree spending Rs. 8,06,057/- The proposed area has not much ecological value since the area is covered with Gliricidia trees. Inturn forest department will get 154 ha. area inside the Chandoli National Park which is more than the double area (238%) proposed for diversion, and is totally inviolate for wildlife purpose. Further, the inviolate 64.50 ha. forest land is proposed only for relocation purpose. Hence it is requested to waive off the requirement of plantation in double the degraded forest land as the forest department has already got 154 ha. inviolate area inside the Chandoli National Park.
vi	The State Government has submitted the project resettlement plan of Village Nivale. However, 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 i.e. Kagal Forest area. Therefore, the State Govt. needs to provide 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 project resettlement plan is enclosed herewith as Annexure-III . 73 No. of families were relocated from Nivale village located in, Chandoli National Park to Galgale village in Kagal taluka. The village / gavthan is provided in gat no. 536 revenue land. Out of 73 shifted families. 70 families are land holders for which 53.45 ha. Agricultural land is required. 9.35 ha. is for internal approach road and 0.261 ha is for one main approach road.
vii	Further, since it is being reported that a total of 73 no. of families are to be displaced from the area	The 73 families from Nivale village taluka Shahuwadi inside Chandoli National Park were shifted to Galgale village of Kagal taluka. The village/Gaonthan is located

	<p>proposed for diversion which was notified as forest and part of CA compliance of Patgaon Irrigation project. The State Government may clarify whether the settlements of these families in this forest land is post notification of said land as forest and why this shall not be treated as violation of FC Act, 1980 & violation of conditions for CA stipulated while granting approval for the irrigation project. Further, the State Govt. may provide the details of action taken for violation if any, in this regard.</p>	<p>on revenue land gat no. 536. No forest land is involved for gaonthan purpose. The forest land is proposed only for agricultural land purpose. There is no violation of FC Act, 1980 as on date.</p> <p>Through the proposed site falling in Forest gat no. 200, 201, 202, 203, 204, 205 & 181 measuring 63.091 ha. is obtained as CA land against Patgaon Irrigation Project and the same was afforested with Gliricidia in the year 2003.-04, the proposed site is not of much importance from ecology biodiversity point of view. Futher 154 ha. private land of Nivale village inside Chandoli National Park will be taken as forest land, post relocation of village. Hence it is requested to consider this proposal as special case as mentoned above.</p>
viii	<p>The State Government shall submit the reason/justification for increasing the land under agriculture for the 73 PAP's.</p>	<p>There is no increase in proposed agricultural land for 73 PAP's. Only 63.091 ha. in Forest gat no. 200, 201, 202, 203, 204, 205 & 181 is proposed for agricultural land purpose which includes main approach road and internal approach road. (Agricultural land - 53.45 ha. Main approach road - 0.261 ha. Internal approach road 9.38 ha.)</p>

Encl: As above.

(R.M.Ramanujam)

**Chief Conservator of Forests (T),
Kolhapur.**

Copy submitted to: CF & Field Director, STR, Kolhapur for information & necessary action.

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



वन आणि वन्यजीव संरक्षण काळाची गरज

दुरध्वनी क्रमांक - २६५१९५९

E-mail-dycfkop2007@gmail.com



महाराष्ट्र शासन

उप वनसंरक्षक कोल्हापूर वन विभाग कोल्हापूर यांचे कार्यालय

वनवर्धन इमारत, पोस्ट ऑफीस समोर, ताराबाई पार्क, कोल्हापूर

जा.क्र.अ/वनसंवर्धन/८६५/२०२३-२४.

कोल्हापूर, दिनांक :- ०४/१०/२०२३.

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 - भारत सरकार, पर्यावरण, वन आणि हवामान बदल मंत्रालय (वन संरक्षण विभाग) नवी दिल्ली यांचेकडील पत्र दिनांक १९ जून २०२३.

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

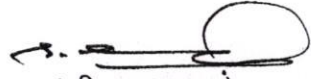
Sr. No.	Particulars	Compliances
i)	It has been observed that a forest patch near Kagal town is also sought for diversion as per the DGPS map. However, the KML file of the same has not been submitted/ uploaded. This needs clarification.	The revised KML file as well as revised DGPS Map showing the exact Forest gat No. 200, 201, 202, 203, 204, 205 & 181 is submitted. Attached as Annexure- I & II. The revised KML of the same is also uploaded on parivesh portal.
ii)	An approach road connecting the existing mine can be seen through the satellite imagery as per new KML file of proposed diversion uploaded online. This needs clarification.	The approach road connecting the mines falls in gat No. 536 which is outside the boundary of the forest area. The revised KML is uploaded on parivesh portal.
iii)	The shape & extent of the proposed area KML file is not matching with the shape & extent of the proposed diversion as reflected in the DGPS map & Sol map. Therefore, the correct DGPS map & Sol map in accordance with KML file of proposed diversion shall be submitted/ uploaded.	The revised KML file as per the revised DGPS map and Sol map is enclosed here with. The same is uploaded in the online portal. Attached as Annexure- II.
iv)	The KML file of 159.30 ha of forest village 'Nivale' which is proposed to be relocated has not been found uploaded on PARIVESH portal. The same shall be submitted/ uploaded.	The KML file of 159.30 ha. of forest village 'Nivale' is enclosed. Attached as Annexure- I.

V)	<p>The DCF, Kolhapur in its Site Inspection Report has mentioned that the proposed forest area is CA land and the said area was transferred to Forest Department under Patgaon Irrigation project for Compensatory Afforestation. Also the State Government vide their letter dated 06.12.2022 has submitted that at village Galgale in Kagal, 64.50 ha. land was given to forest department as alternate land for Patgaon irrigation project and same land was planted during year 2003-2004 and expenditure made was Rs. 8,06,057/-. Therefore, the User Agency has to provide the cost of plantation to be carried out on double the degraded forest land along with fresh CA Scheme.</p>	<p>The proposed land for diversion for village Galgale in Kagal 64.50 ha. is CA land obtained against diversion of forest land for patgaon irrigation project. In the year 2003-04, the area was planted with Gliricidia tree spending Rs. 8,06,057/-. The proposed area has not much ecological value since the area is covered with Gliricidia trees. Inturn forest department will get 154 ha area inside the Chandoli National Park which is more than the double area (238%) proposed for diversion, and is totally inviolate for wildlife purpose. Further, the inviolate 64.50 ha forest land is proposed only for relocation purpose. Hence it is requested to waveoff the requirement of plantation in double the degraded forest land as the forest department has already got 154 ha inviolate area inside the Chandoli National Park.</p>
vi)	<p>The State Government has submitted the project resettlement plan of Village Nivale. However, 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 i.e. Kagal Forest area. Therefore, the State Govt. needs to provide 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.</p>	<p>The project resettlement plan is here with enclosed 73 No. of families are relocated from Nivale village inside Chandoli National Park to Galgale village in Kagal taluka. The village / gavthan is provided in gat no. 536 revenue land. Out of 73 shifted families. 70 families are land holders for which 53.45 ha. Agricultural land is required. 9.35 ha is for intered approach road and 0.261 ha is for one main approach road.</p> <p>Attached as Annexure- III.</p>
vii)	<p>Further, since it is being reported that a total of 73 no. of families are to be displaced from the area proposed for diversion which was notified as forest and part of CA compliance of Patgaon Irrigation project. The State Government may clarify whether the settlements of these families in this forest land is post notification of said land as forest and why this shall not be treated as violation of FC Act, 1980 & violation of conditions for CA stipulated while granting approval for the irrigation project. Further, the State Govt. may provide the details of action taken for violation if any, in this regard.</p>	<p>The 73 families from Nivale village taluka Shahuwadi inside Chandoli National Park is shifted to Galgale village of Kagal taluka. The village / Gaonthan is located on revenue land gat no. 536. No forest land is involved for gaonthan purpose. The forest land is proposed only for agricultural land purpose. There is no violation of FC Act, 1980 as on date.</p> <p>Through the proposed site falling in Forest gat no. 200, 201, 202, 203, 204, 205 & 181 measuring 63.091 ha. is obtained as CA land against Patgaon Irrigation Project and the same was afforested with glyrecedia in the year 2003.-04, the proposed site is not of much importance from ecology biodiversity point of view. Futher 154 ha. Private land of Nivale village inside Chandoli National Park will be taken as forest land post relocation of village. Hence it is requested to consider this proposal as special case basic as mentoned above.</p>

252

viii)	The State Government shall submit the reason/justification for increasing the land under agriculture for the 73 PAP's.	There is no increase in proposed agricultural land for 73 PAP's. Only 63.091 ha. in Forest gat no. 200, 201, 202, 203, 204, 205 & 181 is proposed for agricultural land purpose which includes main approach road and internal approach road. (Agricultural land - 53.45 ha. Main approach road - 0.261 ha. Internal approach road 9.38 ha.)
-------	--	---

251



(जी गुरुप्रसाद)

उप वनसंरक्षक

कोल्हापूर वनविभाग, कोल्हापूर