

PART - V

(To be filled up by the Secretary Incharge of Forest Department or by any other authorized officer of the State Government not below the rank of an Under Secretary)

**1. Recommendation of the
State Government**

The proposal is recommended
vide Government letter
No.FLD-1915/CR-115/F-10
Dated: 31/03/2015



(Virendra Tiwari)

Chief Conservator of Forests (Mantralaya)

Chief Conservator of Forests (Mantralaya)

Revenue and Forest Department

Mantralaya, Mumbai 400 032

Place : Mumbai

Date : 31/03/2015

Government of Maharashtra

By Speed Post

No.FLD-1915/CR-115/F-10
Revenue and Forest Department,
Mantralaya, Room No.456/461
Annex, Hutatma Rajguru
Chowk, Madam Cama Marg,
Mumbai-400 032
Dated: 31/03/2015

To
Additional Principal Chief Conservator of Forests (C),
Government of India,
Ministry of Environment, Forests & Climate Change,
Regional Office, West Central Region,
Nagpur.

Sub.:- Forest Land- Pune

Diversion of 19.90 ha. of Reserved Forest land for processing and disposal of Garbage (Municipal Solid Waste) in Pune district.

The Joint Municipal Commissioner, Solid Waste Management, Pune Municipal Corporation, Pune has submitted a proposal for diversion of 19.90 ha. of Reserved Forest land for processing and disposal of garbage (Municipal Solid Waste) in Pune district. The details of land proposed for diversion is as under-

Village	Taluka	Dist	Survey / Gut. No.	Legal Status	Area in Ha.
Pimpri Sandas	Haveli	Pune	493	Reserved Forest	19.90 Ha.

2. The project is approved by Collector, Pune vide order No.PMF/CR/134/2010, dated 08/06/2010. In Pune Municipal area, the quantity of solid waste generation is about 1300 to 1400 TPD (tonnes per day). As per Municipal Solid Waste (Management and Handling) Rules it has been made mandatory to process & dispose the garbage as per rules & clauses contained therein. Implementation Schedule for the compliance criteria is also specified in the Rules. Pune Municipal Corporation requires land to process and dispose this quantity of garbage. As per the implementation schedule time specified for setting up the waste processing & disposal facilities was 31/05/2010. Thus land is required by PMC urgently. PMC proposes to process & disposal the garbage by different composting methods i.e. Mechanical / Vermicomposting and Sanitary land filling of the garbage. By this method it will be ensured that no environment pollution or no ground water pollution will be there due to the leachate and gases developed in the garbage. This land is approved firstly by State Pollution Control Board as per their stringent criteria and subsequently by the Site Clearance Committee, constituted for this purpose as per the Rules.

3. The Deputy Conservator of Forests, Pune has certified that no alternate alignment is possible and the forest land required is the barest minimum. Collector, Pune has informed that no alternate non forest land is available for the project and proposed land is barest minimum.

4. The project involves felling of 4637 trees of various species and girth classes in the area falling in diversion. Girth wise break up is as under-

BELOW 30	30-45	45-60	60-75	Total
3323	1134	100	80	4637

5. There is no violation of Forest (Conservation) Act 1980 as certified by the Deputy Conservator of Forests, Pune.
6. The User Agency has submitted certificate of Collector, Pune in Form-II prescribed vide letter No.11-9/98-FC(pt), dated 05/07/2013 regarding completion of the process of identification and settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Rights) Act, 2006. Gram Sabha has not given consent for the diversion.
7. The project area belongs to Eco-Value class III and open forest.
8. The User Agency has submitted an undertaking to defray the cost of Net Present Value of the forest land proposed for diversion.
9. The Deputy Conservator of Forests, Pune has certified that the proposed project is beyond 10 Km of the boundaries of the Protected Area.
10. The area involved does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc.
11. The Deputy Conservator of Forests, Pune has certified that proposed area is not likely to affect any monuments site of cultural, historical, religious archeological or recreational importance.
12. The Deputy Conservator of Forests, Pune has recommended the proposal for approval and stated that-

“Local villagers are against the proposal, the proposal is recommended for acceptance on large public interest as the land required is used for the process and disposal of the garbage collected in the Pune Municipal Corporation. The area diverted is not sensitive for erosion. All the other alternatives for the purpose have been explored and the required area is the barest minimum demand for the forest land.
13. The Deputy Conservator of Forests, Pune has certified that 19.90 ha. non forest land in Gut No.64pt at village Tulapur, Tal.Haveli, Dist. Pune proposed for compensatory afforestation is contiguous & suitable for afforestation and management purpose and also free from encroachment.
14. The Deputy Conservator of Forests, Pune has certified that the private area / non forest area proposed for compensatory afforestation is neither deemed Reserve Forest under the Maharashtra Private Forests (Acquisition) Act, 1975 nor it has been identified as “Forests” as envisaged in the interim order given by the Honorable Supreme Court dated 12/12/1996.
15. As per Ministry of Environment and Forest, notification dated 14th September 2006, Schedule 7 (i), Common Municipal Solid Waste Management Facility (CMSWMF) is included in category ‘B’ of list of projects or activities which require prior Environment Clearance. For category ‘B’ items prior environment clearance of the State level SEIAA (State Environment Impact Assessment Authority) is required. User Agency will be required to submit Environment Clearance before final approval.
16. Being a non linear project, consent of Gram Sabha is also required along with Collector’s Certificate under FRA-2006. User Agency has not attached Gram Sabha consent. There appears to be opposition to the project by local villagers.

17. The Principal Chief Conservator of Forests (HoFF), Maharashtra State, Nagpur has recommended the proposal subject to the conditions, given in his specific recommendations, under Section-2 (ii) of the Forest (Conservation) Act, 1980. His specific recommendations are enclosed in the proposal.

18. In the circumstances explained above paragraphs and enclosures, the State Government recommends that the said forest land may be allowed to be diverted for the non-forestry use on the conditions proposed by the Principal Chief Conservator of Forests (HoFF), Maharashtra State, Nagpur. The matter may kindly be placed before Government of India for its approval under Section-2 (ii) of the Forest (Conservation) Act, 1980 and the same may please be obtained and communicated to this Government at earliest.

Yours faithfully

Virendra Tiwari

(Virendra Tiwari) 31/03/15
Chief Conservator of Forests (Mantralaya)

39-3-92

6/c

Chief Conservator of Forests (Mantralaya)
Revenue and Forest Department
Mantralaya, Mumbai 400 032

Encl: A) Set of case papers

- b) **The following documents are enclosed :-**
1. Prescribed form as per Rules.
 2. Certificate regarding minimum demand for forest land for the project
 3. Area Statement
 4. Index map of suitable scale
 5. Commitment from the Applicant for defraying the cost of exploitation as well as cost of compensatory plantation.
 6. User Agency has given an undertaking of Net Present Value.
 7. Brief note of the project from the project authority
 8. Map of non forest land for compensatory afforestation
 9. Site Inspection Report by Deputy Conservator of Forests, Pune
 10. Certificate that there is no violation of Forest (Conservation) Act, 1980
 11. Certificate in Part V.

Copy to:

- 1) Secretary (Tribal), Tribal Development Department, Mantralaya, Mumbai.
- 2) Additional Principal Chief Conservator of Forests and Nodal Officer, Maharashtra State, Nagpur with reference to his letter Desk-17/NC/II/ID.12375/(15)/2186/14-15, dated:16/03/2015.
- 3) Additional Principal Chief Conservator of Forests (CAMPA), Maharashtra State, Nagpur
- 4) Chief Conservator of Forests (T), Pune
- 5) Collector, Pune.
- 6) Deputy Conservator of Forests, Pune
- 7) Joint Municipal Commissioner, Solid Waste Management, Pune Municipal Corporation, Pune
- 8) Select File F-10.