



भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FORESTS &
CLIMATE CHANGE

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F. No. FC-I/MH-26/2016-NGP/3641

Dated: 05 May, 2018

To

✓ The Secretary,
Govt. of Maharashtra,
Revenue & Forest Department,
Mantralaya, Mumbai-400032

Sub: Diversion of 0.53 ha Reserved Forest land in favour of Sub-Divisional Officer, Bhor for construction of Cement road, paving blocks & platforms (around the trees) for Datta Temple Eco Tourism center at Bhambwade in Pune District of Maharashtra - regarding

Sir,

I am directed to refer to the Addl. PCCF & Nodal Officer (FCA), Government of Maharashtra's letter no. Desk-17/NC/III/D.12427/(16)/2293/15-16 dated 11/03/2016 on the above subject seeking prior approval of the Central Government under Section – 2 of the Forest (Conservation) Act, 1980 and Addl. PCCF & Nodal Officer (FCA), Government of Maharashtra's letter dated no. 17/NC/III/D.12427/(16)/1268/16-17 dated 14.10.2016, letter no. Desk-17/NC/III/D.12427/(16)/1876/16-17 dated 11.01.2017 and letter no. Desk-17/NC/III/D.12427/(16)/1243/17-18 dated 23.08.2017 forwarding additional information on the proposal as sought by the Regional Office vide its letters of even number dated 12.04.2016, 21.11.2016 and 3.03.2017, respectively. After careful examination of the proposal of the State Government, 'in-principle' approval was accorded by the Central Government vide its letter of even number dated 5.09.2017 subject to fulfilment of certain conditions prescribed therein. The Addl. PCCF & Nodal Officer (FCA), Government of Maharashtra has now submitted a report on the compliance of conditions stipulated in the 'in-principle' approval and requested the State Government to grant final approval to the proposal.

In this connection, I am directed to say that on the basis of compliance report submitted by the Addl. PCCF & Nodal Officer (FCA), Government of Maharashtra vide his letter no Desk-17/NC/III/D.12427/(16)/2267/2017-18 dated 21.12.2017, Desk-17/NC/III/D.12427/(16)/2954/2017-18 dated 6.03.2018 and letter no. Desk-17/NC/III/D.12427/(16)/202/2018-19 dated 21.12.2017, the Central Government hereby accords final approval under Section – 2 of the Forest (Conservation) Act, 1980 for diversion of 0.53 ha Reserved Forest land in favour of Sub-Divisional Officer, Bhor for construction of Cement road, paving blocks & platforms (around the trees) for Datta Temple Eco Tourism center at Bhambwade in Pune District of Maharashtra subject to following conditions:

- i. Legal status of the diverted forest land shall remain unchanged;
- ii. Compensatory afforestation, over degraded forest land double in extent to the forest land being diverted, shall be raised by the State Forest Department from the funds already provided by the User Agency;
- iii. Special protection measures, as provided in the CA scheme, shall be implemented in the land identified for CA to protect CA land from likely encroachment in future;
- iv. Compensatory afforestation shall be raised as per approved CA scheme from the funds already provided by the User Agency. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years;

- v. The State Government has realized the Net Present Value (NPV) of the forest land being diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 28.03.2008, 24.04.2008 and 09.05.2008 in Writ Petition (Civil) No. 202/1995 and the guidelines issued by this Ministry vide its letter No. 5-3/2007-FC dated 05.02.2009 in this regard. The User Agency shall pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
- vi. The User Agency shall pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
- vii. Funds, if any, to be realized from the user agency under the project in future, except the funds realized for regeneration/ demarcation of safety zone, shall be transferred to Ad-hoc CAMPA, through e-challan, in the Saving Bank Account pertaining to the State concerned;
- viii. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- ix. The boundary of the diverted forest land, shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, forward and back bearing and distance from pillar to pillar;
- x. No labour camp shall be established on the forest land;
- xi. The User Agency shall provide fuels preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;
- xii. The forest land shall not be used for any purpose other than that specified in the proposal;
- xiii. The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
- xiv. The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government;
- xv. No damage to the flora and fauna of the adjoining area shall be caused;
- xvi. Any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;
- xvii. The State Government shall ensure that process of settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 has been completed in accordance with the Guidelines issued by the MoEF&CC in this regard;
- xviii. The user agency in consultation with the State Government shall create and maintain alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project. Bird's nests artificially made out of eco-friendly material shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project;
- xix. Construction activities will be taken up as per the components proposed in the proposal and area under construction activity should not exceed 0.53 ha. No activities, other than what is proposed in the proposal, shall be allowed in the forest area being diverted;
- xx. The user agency shall submit the half yearly self compliance report in respect of the above conditions on 31st July and 31st December every year to the State Government and to the concerned Regional Office of the Ministry regularly.
- xxi. The State Government shall ensure compliance of the above mentioned conditions and an annual report on the same shall be submitted on 31st December every year.



- xxii. Any other condition that the concerned Regional Office of this Ministry may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife; and
- xxiii. The User Agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project.

Yours faithfully,



(Charan Jeet Singh)
Scientist 'C'

Copy to:

1. The PCCF, Government of Maharashtra, Nagpur
2. The Nodal Officer FCA, O/o of the PCCF, Government of Maharashtra, Nagpur.
3. The Director (ROHQ), MoEF&CC, Indira Paryavaran Bhawan, Jorbagh Road, Aliganj, New Delhi.
4. User Agency.
5. Guard File.



(Charan Jeet Singh)
Scientist 'C'