

**OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS (HEAD OF
FOREST FORCE), MAHARASHTRA STATE, NAGPUR**
ADDITIONAL PRINCIPAL CHIEF CONSERVATOR OF FORESTS AND NODAL OFFICER, MAHARASHTRA STATE, NAGPUR,
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Sub:- Proposal for diversion of 0.99 ha. Reserved Forest land under section-2 of the Forest (Conservation) Act, 1980 for construction of Warehouse Building and Ancillary Structures under Rashtriya Krishi Vikas Yojna (RKVY) scheme 2017-18 in village Shirshuphal, Tal. Baramati, Dist. Pune in the State of Maharashtra (FP/MH/Others/44963/2020)

No. : Desk-17/Nodal/Pune /I.D-12976(23)/**583** /2022-23
Nagpur – 440 001, Dated **09/06/2022**

To,
The Principal Secretary (Forests),
Revenue & Forest Department,
Mantralya, Mumbai – 400032

The Regional Manager, Maharashtra State Warehouse Corporation, Pune has submitted proposal for diversion of 0.99 ha. Reserved Forest land under section-2 of the Forest (Conservation) Act, 1980 for construction of Warehouse Building and Ancillary Structures under Rashtriya Krishi Vikas Yojna (RKVY) scheme 2017-18 in village Shirshuphal, Tal. Baramati, Dist. Pune in the State of Maharashtra. The details of forest land proposed for diversion is as given below: -

Sr. No	Item work purpose	District	Taluka	Name of Village	Gut No.	Length & Width	Area (in ha)	Legal Status
1	Construction of Warehouse	Pune	Baramati	Shirsuphal	792	Irregualar Shape	0.1924	Reserved Forest
	Office Building						0.3403	
	Internal WBM Road						0.1634	
	Service Yard						0.2939	
Total Forest Land (in ha.)							0.99	

2.0 The Maharashtra State Warehousing Corporation (MSWC) has approved a project of construction of warehouse along with ancillary structures at Village Shirsuphal of Baramati Tehsil, District Pune under Rashtriya Krishi Vikas Yojna (RKVY) in 2017-18 to facilitate storage of Food Grains, fertilizers, industrial goods, cotton bales, cement etc. The project involved construction of Warehouse (Pre-engineered) having capacity of 3600 MT, Office Building, Internal WBM Roads, etc.. Almost about 80% of the project has been completed at the proposed Forest land. No prior approval of the Central Government was obtained for diverting the use of Forest Land for non-forest purpose.

3.0 Following documents as prescribed in Government Circular, Revenue and Forest Department No.FLD-1081/2041/(A)/F-3, dated 20/03/1982 and according to Government of India's instructions issued from time to time are enclosed in two copy.

3.1 Prescribed form dated 10/01/2003.

3.2 Certificate regarding minimum demand of forest land for the project,

- 3.3 Area Statement,
3.4 Index map in suitable scale

- 4) The copy of the technical approval accorded by the General Manager (ENGG.) is enclosed herewith on page no.45 to 48.
- 5) The site inspection report of the Deputy Conservator of Forests, Pune Forest Division, Pune is enclosed on page no.141 to 145.
- 6) No alternate alignment is possible and the forest land required is barest minimum.
- 7) The area belongs to Eco-value class-III having density is 0.01 (Open Forest).
- 8) There is no tree felling involved in the proposal.
- 9) The area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc.
- 10) Proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance.
- 11) There is violation of Forest (Conservation) Act 1980. The detail violation report is enclosed herewith on page No. 49 to 54.
- 12) Proposed project is beyond 10 kms from the boundary of the Wildlife Sanctuary/National Park and Eco-Sensitive Zone.
- 13) Proposed Compensatory Afforestation over 2.00 ha. degraded Forest land in Gut /Survey No.792 at Village Shirsuphal, Tal. Baramati, Dist. Thane it is contiguous, suitable for afforestation and management purpose and it is free from encroachment and an encumbrances.
- 14) The User Agency has submitted an undertaking to defray the cost of Net Present Value
- 15) The User Agency has submitted an undertaking to defray the cost of Compensatory Afforestation.
- 16) The User Agency has submitted an undertaking regarding the compliance under the Scheduled Tribes and Other Traditional forest Dwellers (Recognition of Forest Rights) Act, 2006 has been applied and is under process and shall be submitted before formal approval as per Government of India vide letter No.11-43/2013-FC, dt.3/12/2018.
- 17) The Deputy Conservator of Forests, Pune Forest Division, Pune and Chief Conservator of Forest (T), Pune have recommended the proposal for diversion of 0.99 ha. of Reserved forest land.

2.00 In view of this, the proposal is recommended for approval under the section -2 (ii) of the Forest (Conservation) Act, 1980 subject to the following conditions: –

2.1 The legal status of the forest land required will remain unchanged.

2.2 Compensatory Afforestation :-

- a) Compensatory afforestation shall be taken up by the Forest Department over 2.00 ha. degraded Forest land in Gut /Survey No.792 at Village Shirsuphal, Tal. Baramati, Dist. Thane at the cost of the user agency. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided.

2.3 The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars if required on the CA land shall be deposited in advance with the Forest Department by the project authority. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.

2.4 NPV:-

- a) The State Government shall charge the Net Present Value (NPV) for the 0.99 ha. forest area to be diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 30/10/2002, 01/08/2003, 28/03/2008, 24/04/2008 and 09/05/2008 in IA No.566 in WP (C) No.202/1995 and as per the guidelines issued by the Ministry vide letters No.5-1/1998-FC (Pt.II), dated 18/09/2003 as well as letter No.5-

2/2006-FC, dated 03/10/2006 and 5-3/2007-FC, dated 05/02/2009 & File No.5-3/2011-FC(Vol-I), Dated 06/01/2022 in this regard.

- b) Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect.
- 2.5 No trees shall be felled during implementation of the project. In case tree felling is required the User Agency shall restrict the felling of trees to minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the User Agency with the State Forest Department.
- 2.6 All the funds received from the user agency under the project shall be transferred/deposited to CAMPA fund only through e-portal (<http://parivesh.nic.in/>)
- 2.7 Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.
- 2.8 The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.
- 2.9 The forest land shall not be used for any purpose other than that specified in the project proposal.
- 2.10 The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Government of India.
- 2.11 Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.
- 2.12 The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>)
- 8.00 It is therefore, requested that Government of Maharashtra may kindly be moved for approving the proposal for diversion of 0.99 ha. Reserved Forest land under section-2 of the Forest (Conservation) Act, 1980 for construction of Warehouse Building and Ancillary Structures under Rashtriya Krishi Vikas Yojna (RKVY) scheme 2017-18 in village Shirshuphal, Tal. Baramati, Dist. Pune in the State of Maharashtra under section 2 (ii) of the Forest (Conservation) Act, 1980.

Encl. :- Proposal 2 copies


(Naresh Zurmure)

**Addl. Principal Chief Conservator of Forests
& Nodal Officer**

Copy to the Chief Conservator of Forests (Territorial) Pune for information.

Copy to the Deputy Conservator of Forests, Pune Forest Division, Pune for information.

Copy to the Regional Manager, Maharashtra State Warehouse Corporation, Pune for information

PART -IV

**(To be filled by Nodal Officer or Principal Chief Conservator of Forests
(Head of Forest Force))**

(Detailed opinion and specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks)

Sub:- Proposal for diversion of 0.99 ha. Reserved Forest land under section-2 of the Forest (Conservation) Act, 1980 for construction of Warehouse Building and Ancillary Structures under Rashtriya Krishi Vikas Yojna (RKVY) scheme 2017-18 in village Shirshuphal, Tal. Baramati, Dist. Pune in the State of Maharashtra (FP/MH/Others/44963/2020). The details of land proposed for diversion is as under-

Sr. No	Item work purpose	District	Taluka	Name of Village	Gut No.	Length & Width	Area (in ha)	Legal Status
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Total Forest Land (in ha.)							0.99	

Specific recommendation of Principal Chief Conservator of Forests (HoFF) Maharashtra State, Nagpur is attached on page no.

 3/6/22

**(Naresh Zurmure)
Additional Principal Chief Conservator of Forests
& Nodal Officer**

Date: 09/06/2022

Place: Nagpur

Proposal is for diversion of 0.99 ha. Reserved Forest land under section-2 of the Forest (Conservation) Act, 1980 for construction of Warehouse Building and Ancillary Structures under Rashtriya Krishi Vikas Yojna (RKVY) scheme 2017-18 in village Shirshuphal, Tal. Baramati, Dist. Pune in the State of Maharashtra (FP/MH/Others/44963/2020)

Specific Recommendation of Principal Chief Conservator of Forests, Maharashtra State (Head of Forest Force) Maharashtra State, Nagpur with regards to acceptance or otherwise of the proposal supported by reasons.

- 1) The proposal is for diversion of 0.99 ha. Reserved Forest land under section-2 of the Forest (Conservation) Act, 1980 for construction of Warehouse Building and Ancillary Structures under Rashtriya Krishi Vikas Yojna (RKVY) scheme 2017-18 in village Shirshuphal, Tal. Baramati, Dist. Pune in the State of Maharashtra in the State of Maharashtra has been initiated by the Regional Manager, Maharashtra State Warehouse Corporation, Pune for seeking approval under Forest (Conservation) Act, 1980.
- 2) The Maharashtra State Warehousing Corporation (MSWC) has approved a project of construction of warehouse along with ancillary structures at Village Shirshuphal of Baramati Tehsil, District Pune under Rashtriya Krishi Vikas Yojna (RKVY) in 2017-18 to facilitate storage of Food Grains, fertilizers, industrial goods, cotton bales, cement etc. The project involved construction of Warehouse (Pre-engineered) having capacity of 3600 MT, Office Building, Internal WBM Roads, etc.. Almost about 80% of the project has been completed at the proposed Forest land. No prior approval of the Central Government was obtained for diverting the use of Forest Land for non-forest purpose.
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(Dr.Y.L.P Rao)

**Principal Chief Conservator of Forests
(Head of Forest Force)
Maharashtra State, Nagpur**