

PART -IV

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.:- Shri Prakash Patil, Eiffel Hills and Dells Pvt Ltd., Dnyeshwar Paduka Chowk, FC Road, Pune has submitted a proposal for diversion of 2.4288 ha of reserved forest land for construction of approach road, electric line & retaining wall etc in Pune district. The details of land proposed for diversion is as under-

| Village | Taluka | Dist. | Comptt. No | Legal Status | Area in Ha. |
|---------|--------|-------|------------|-----------------|-------------|
| Kesnand | Haveli | Pune | 293 | Reserved Forest | 2.4288 |

Specific recommendation of Principal Chief Conservator of Forests (HoFF) MS Nagpur is attached on page no. 14A


**Additional Principal Chief Conservator of Forests
& Nodal Officer, Maharashtra State, Nagpur.**

Date:
Place: Nagpur

Construction of approach road, electric line & Retaining wall (Shri Prakash Patil)
Specific Recommendation of Principal Chief Conservator of Forests (Head of Forest Force) Maharashtra State with regards to acceptance or otherwise of the proposal supported by reasons.

- 1) The proposal is for diversion of 2.4288 ha of reserved forest land for construction of approach road, electric line & retaining wall in Pune district. The details of land proposed for diversion is as under.

| Village | Taluka | Dist. | Comptt. No | Legal Status | Area in Ha. |
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The project has been initiated by Shri Prakash Patil, Biffel Hills and Dells Pvt Ltd, Dnyeshwar Paduka Chowk, FC Road, Pune for construction of approach road, electric line & retaining wall in Pune district. Total non-forest area involved in the proposal is 4.516 ha. There is no road facility available for transporting of essential & required material for special township project in private land Gut No. 173, 110, 111 of village Kesnand Tal. Haveli Dist Pune. As the need of proposed activities, agency decided to construct approach road from private land to existing Zilla Parishad Road which is approximately 2.0 Km away from our land. The proposed 24 mtrs wide approach road is essential as it fitted in norms under Maharashtra Regional & Town Planning Act, 1966, State Government Published Resolution vide dated 21/11/2005 which is applicable for this type of proposed Special Township Projects. There is no developments are done by Government & Local agencies. Due to proposed non forest activities will increase the local villagers and workers annual income & will also help to increase the level of their life. However, it would help to achieve the National Productivity User Agency has further stated that the such forestlands comes under purview of the provisions of the Forest (Conservation) Act, 1980, making it incumbent on the State Government to obtain prior approval of the Government under the provisions of the said act. Hence, this proposal is being submitted.

- 2) The Deputy Conservator of Forests, Pune has stated that no alternate alignment is possible and the forest land required is the barest minimum.
- 3) There are 73 trees of various species and girth class standing in the area proposed for diversion. Girth wise break up of trees is as under-


| Below 30 | 31/45 | 46/60 | 61/75 | Total |
|----------|-------|-------|-------|-------|
| 19 | 44 | 7 | 3 | 73 |

- 4) There is no violation of Forest (Conservation) Act 1980 as certified by the Deputy Conservator of Forests, Pune.
- 5) The area involved does not form part of any existing National Park, Wildlife Sanctuary and the Nature Reserve etc. as certified by the Deputy Conservator of Forests, Pune.
- 6) The User Agency has submitted the compliance of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Right) Act 2006.
- 7) The proposed 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 Deputy Conservator of Forests, Pune has certified that the proposed area is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance.
- 11) Site Inspection Report of Deputy Conservator of Forests, Pune is enclosed in the proposal on page no. 21 to 22.
- 12) The Deputy Conservator of Forests, Pune has proposed non forest area 2.50 ha from Gut No. 829 of village Wadebolai, Tal. Haveli, Dist. Pune. The Deputy Conservator of Forests has certified that it is contiguous & suitable for afforestation & management purpose and also free from encroachment and encumbrances.
- 13) The Deputy Conservator of Forests, Pune has certified that the private area / non forest area which is to be acquired for the project 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.
- 14) The Deputy Conservator of Forests, Pune has certified that the private area / non forest area which is to be 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) Three alternatives have been explored by the User Agency and the proposed alignment involves least forest area.

- 16) The Deputy Conservator of Forests, Pune has recommended the proposal for approval
- 17) The Chief Conservator of Forests, Pune has recommended the proposal for approval subject to following conditions –
- i. It will be mandatory for the company to enclose the township area with proper fencing
 - ii. Company should plant atleast 2000 tall plants on the inner side of the township boundary
 - iii. Company should also provide funds for at least planting of 2-3 rows of tall trees on the outer side of township boundary on forest land.
 - iv. Company shall provide funds for planting tall trees on both sides of the road
 - v. Company shall establish their own waste or garbage treatment plant.
 - vi. No untreated drainage water will be released in to forest area by the township.

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

- i. The legal status of the land required will remain unchanged.
- ii. Compensatory afforestation will be raised at the cost of the User Agency on 2.50 ha non forest land made available by the User Agency.
- iii. The forest land shall not be used for any purposes other than specified in the project.
- iv. The User Agency will defray the cost of Net Present Value of 2.4288 Ha. of forest land as per the latest guideline of Government of India.
- v. The User Agency will defray the additional / revised cost of Net Present Value of forest Land as per the latest Guideline of Government of India.
- vi. The User Agency will pay the cost for raising road side plantation on both sides of the forest land proposed for diversion.
- vii. The User Agency will defray the cost of removal of 73 trees in the area. However, barest minimum number of trees will be felled.
- viii. Any other conditions stipulated by Government at the time of submission of the proposal will be binding to User Agency.
- ix. Provisions of all Acts, Rules made thereunder and guidelines applicable to the project shall have to be strictly followed.


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



**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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Tel no. (0712) 2556916, Fax no. (0712) 2550675**



E-mail- apccfnodal@mahaforest.gov.in

Website: www.mahaforest.gov.in

Sub.:- Diversion of 2.4288 ha of reserved forest land for construction of approach road, electric line & retaining wall etc in Pune district.
Shri Prakash Patil

No. : Desk-17/NC/II/ID 12470/(16)/1552 /16-17
Nagpur – 440 001, Dated: 22/11/2016

To
Secretary (Forests),
Revenue and Forest Department,
Mantralaya Mumbai

Shri Prakash Patil, Eiffel Hills and Dells Pvt Ltd., Dnyeshwar Paduka Chowk, FC Road, Pune has submitted a proposal for diversion of 2.4288 ha of reserved forest land for construction of approach road, electric line & retaining wall etc in Pune district. The details of land proposed for diversion is as under-

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the such forestlands comes under purview of the provisions of the Forest (Conservation) Act, 1980, making it incumbent on the State Government to obtain prior approval of the Government under the provisions of the said act. Hence, this proposal is being submitted.

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

- 1) Prescribed form dated 10/01/2003.
- 2) The Deputy Conservator of Forests, Pune has stated that no alternate alignment is possible and the forest land required is the barest minimum.
- 3) There are 73 trees of various species and girth class standing in the area proposed for diversion. Girth wise break up of trees is as under-

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- iii. The forest land shall not be used for any purposes other than specified in the project. ✓
- iv. The User Agency will defray the cost of Net Present Value of 2.4288 Ha. of forest land as per the latest guideline of Government of India. ✓

- v. The User Agency will defray the additional / revised cost of Net Present Value of forest land as per the latest Guideline of Government of India.
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- vii. The User Agency will defray the cost of removal of 73 trees in the area. However, barest minimum number of trees will be felled.
- viii. Any other conditions stipulated by Government at the time of submission of the proposal will be binding to User Agency.
- ix. Provisions of all Acts, Rules made thereunder and guidelines applicable to the project shall have to be strictly followed.

It is therefore, requested that the Government of Maharashtra may kindly be moved for diversion of 2.4288 ha of reserved forest land for construction of approach road, electric line & retaining wall etc in Pune district, under section 2(ii) of the Forest (Conservation) Act, 1980.

Encl.:- As above


**Additional Principal Chief Conservator of Forests
& Nodal Officer, Maharashtra State, Nagpur.**


Copy to Chief Conservator of Forests (T), Pune for information.

Copy to Deputy Conservator of Forests, Pune for information.

Copy to Shri Prakash Patil, Eiffel Hills and Dells Pvt Ltd., Dnyeshwar Paduka Chowk, FC Road, Pune for information.

