

**Full title of the Project:** Construction of Link Road between two Defence Complexes (ARDE Pune, DRDO).

**File No.:** FP/ MH/ROAD/144314/2021

**Date of Proposal:** 02/07/2021

## APPENDIX (SEE RULE 6)

### FORM - 'A'

#### FORM FOR SEEKING PRIOR APPROVAL UNDER SECTION 2 (ii) OF THE FOREST (CONSERVATION) ACT, 1980

#### THE PROPOSAL BY THE STATE GOVERNMENTS AND OTHER AUTHORITIES

### PART-II

(TO BE FILLED BY THE CONCERNED DY. CONSERVATOR OF FORESTS)

State Serial No. of the Proposal:

7. Location of the Project/ Scheme:

- |       |   |                 |
|-------|---|-----------------|
| (i)   | State/ Union Territory:   | Maharashtra     |
| (ii)  | District:   | Pune            |
| (iii) | Forest Division:  | Pune (T)        |
| (iv)  | Area of Forest Land proposed for diversion (In Ha.):  | 0.4620 Ha.      |
| (v)   | Legal status of Forest:   | Reserved Forest |
| (vi)  | Density of vegetation:  | 0.1             |
| (vii) | Species- wise (Scientific Names) and diameter class- wise enumeration of trees (to be enclosed. In case of irrigation/ hydel projects enumeration at FRL, FRL-2 m and FRL-4 m also to be enclosed): |                 |

The proposed land is devoid of trees. Hence, no tree felling is involved.

(viii) Brief note on vulnerability of the Forest area to erosion:

The Forest Land proposed for diversion is not vulnerable to erosion on account of its location, topographical & geomorphological features and other climatic factors.



- (ix) Approximate distance of proposed site for diversion from boundary of forest:

The project is situated within the boundary of Reserved Forest having Gut No 102 of Kothrud, Pune.

- (x) Whether forms part of National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor, etc.? (If so, the details of the area and comments of the Chief Wildlife Warden to be annexed):

No.

- (xi) Whether any rare/ endangered/ unique species of flora and fauna found in the area? (If so, the details thereof):

No any conspicuous flora and fauna observed or reported so far.

- (xii) Whether any protected archaeological/ heritage site/ defense establishment or any other important monument is located in the area? (If so, details thereof with NOC from the Competent Authority, if required):

No any protected archaeological/ heritage site/ defense establishment or any other important monument is located in the area proposed for diversion.

8. Whether the requirement of Forest Land as proposed by the User Agency in Col. No. 2 of Part-I is unavoidable and barest minimum for the project? If no, recommended area item- wise with details of alternative examined:

Yes. The requirement of Forest Land as proposed by the User Agency in Col. No. 2 of Part I of Form A, is unavoidable and barest minimum for the project.

9. Whether any work in violation of the Act has been carried out? (Yes/ No). If yes, details of the same including period of work done, action taken on erring officials. Whether work done in violation is still in progress?:

No. Work has not been carried out by the Project Proponent in violation of Forest (Conservation) Act, 1980.

10. Details of Compensatory Afforestation Scheme:



(i) Details of non- forest area/ degraded forest area identified for Compensatory Afforestation, its distance from adjoining forest, number of patches, size of each patch:

a. Non-Forest/ Degraded Forest Area identified: Degraded Forest Land:

Area 01 Ha. of Gut No. 791 (0.65 Ha.) & 792 (0.35 Ha.) of Village Shirsuphal of Baramati Tehsil of Pune District of Pune Forest Division

b. Distance from adjoining Forest: Non- Forest Land is made available for CA.

c. No. of patches: 01

d. Size of each patch: 53.31 Ha.

(ii) Map showing non- forest/ degraded forest area identified for Compensatory Afforestation and adjoining forest boundaries:

Map showing degraded forest area identified for Compensatory Afforestation and adjoining forest boundaries is annexed hereto with proposal.

(ii) Detailed Compensatory Afforestation Scheme, including species to be planted, Implementing Agency, Time Schedule, Cost Structure, etc.:

The User Agency shall plant desired no. of trees of indigenous species in the ensuing monsoon season immediately after the order of diversion of land is issued and maintain the same for next 10 years at his own cost.



Detailed Compensatory Afforestation Scheme including species to be planted, Implementing Agency, Time Schedule, Cost Structure, etc. is annexed hereto with this Part- II.

(iv) Total Financial Outlay for Compensatory Afforestation Scheme:

Total outlay of Rs. 653267.6/- is tentatively proposed to be spent upon the CA work. The estimate is worked on the basis of Model Rate Structure for Model No. 5 (Fencing & Irrigated Plantation. Copy annexed to Scheme for CA.

(v) Certificate from Competent Authority regarding suitability of area identified for Compensatory Afforestation and from management point of view (To be signed by the concerned Dy. Conservator of Forests):

Annexed herewith this Part- II.

11. Site Inspection Report of the Dy. CF (to be enclosed) especially highlighting facts asked in Col. No. 7 (xi & xii), 8 & 9 above:

The Site Inspection Report is annexed hereto as Annexure.

12. Division/ District Profile:

- |       |  |                |
|-------|--|----------------|
| (i)   | Geographical area of the district:                       | 15,616 Sq.m.   |
| (ii)  | Forest Area of the District:                             | 84878 Ha.      |
| (iii) | Total forest area diverted since 1980 with no. of cases: | 664.08 Ha./ 72 |
| (iv)  | Total compensatory afforestation as on the date:         | 481.16 Ha.     |
|       | (a) Forest Land, including Penal CA:                     | 76.29 Ha.      |
|       | (b) Non- forest land:                                    | 404.87 Ha.     |
| (v)   | Progress of Compensatory Afforestation as on the date:   | 481.16 Ha.     |
|       | (a) Forest Land:   | 76.29 Ha.      |
|       | (b) Non- forest land:                                    | 404.87 Ha.     |



### 13.0 Specific recommendation of the DY.CF. for acceptance or otherwise of the proposal with reasons:

Central Government, Ministry of Environment, Forests and Climate Change, New Delhi has given final approval for diversion of 55.74 ha. Forest area to ARAI for Laying down of test track for lab. under Forest (Conservation) Act, 1980 vide letter dt. 24/07/2008 in which condition no. 15 i.e. "The diversion of land may be done after considering the issue of ARDE also." was laid down. The then Conservator of Forest, Pune vide letter dt. 09/02/2009 gave permission to ARAI for non-forest use of the said land in accordance with the final approval for MoEF&CC vide letter dt. 24/07/2008. Later, PCCF Nagpur revoked the said order passed by the then C.F., Pune for the reasons of non-fulfillment of condition no. 15 in the final approval granted by MoEF&CC and also ordered user agency to not to start any work over the said area and not to divert the said land to user agency until any further orders are passed by State Government.

On dt. 29/01/2019 this office has taken one sided possession of Vill-Kothrud forest, S.No. 102 area of 98.045 ha. out of 105.74 ha. excluding the area 7.695 ha. under possession of ARAI. On dt. 01/06/2018 Chief Conservator of forest (Mantralaya), Revenue & Forest Department Government of Maharashtra informed to the Secretary, Department of Defense, New Delhi about all facts about the issue of forest land in survey no. 102 at Kothrud, Dist-Pune. In the letter para no. 7 he mentioned that **"permission for re-diversion cannot be accorded without prior written consent of the primary user agency."**

About diversion of 55.74 ha. forest area to ARAI under Forest (Conservation) Act, 1980, APCCF & Nodal Officer, Maharashtra State Nagpur, has given report to Chief Secretary, Revenue & Forest Dept. Mantralaya, Mumbai vide letter no. Nodal /RS-II/ID11293(5)/1308 dt. 04/03/2021 for necessary directions/ instructions regarding diversion of land to ARAI. Currently the issue is pending with State Government for further directions.

Meanwhile, proposal for diversion of 0.4620 ha. area for road was received from ARDE under the Forest (Conservation) Act, 1980. In this proposal diversion the area of 0.15 ha. overlaps with the area in the final approval accorded by the Central Government, MoEF&CC, New Delhi vide letter dt. 24/07/2008 to ARAI. (map is attached on page no. 98A) As mentioned in above para. the issue of diversion of land for ARAI is pending with State Government the diversion of overlapping land in



the proposal should also be decided at higher level or by State Government whichever the approval pertains to.

The APCCF&Nodal Officer ,Maharashtra state,Nagpur in his letter dated 27/12/2018 addressed to the Secretary (Forests),Revenue & Forest Dept.Mantralaya,Mumbai has recommended cancellation of approval given by the Central Govt. to the diversion of 55.74 ha.forest land to the ARAI & the ARAI may be asked to submit a fresh proposal under the FCA 1980 for diversion of 7.695 ha. of forest land.In his letter he has referred to the letter dt.19/06/2017 issued by the CCF(T)Pune in which it is mentioned that ARAI is not an Institution under control of Central Govt.but is a private company form by the Industrialists in the country.(Copy attached on page no.98B)

The APCCF&Nodal Officer ,Maharashtra State,Nagpur in his letter dated 04/03/2021 has recommended to the Principle Secretary (Forests),Revenue & Forest Dept. Mantralaya ,Mumbai to take decision on following points.

21.1) The CCF(T) Pune is to take possession of  $(55.74-7.65)=48.09$  ha. Forest land immediately

21.2) To divert 7.695 hectares of forest land for use of ARAI

21.3) Balance amount is to be return to the ARAI after adjusting the amount paid by ARAI under Forest (Conservation) Act, 1980

21.4) The ARDE is to instructed to make proposal of 9.44 Ha. Forest land as per Forest (Conservation) Act, 1980. (Copy attached on page no. 98C )

Still the above decision is awaited.

The APCCF & Nodal Officer ,Maharashtra State, Nagpur in his letter dated 04/03/2021 has Recommended ARDE to make proposal of 9.44 Ha. under Forest (Conservation) Act, 1980, meanwhile ARDE has submitted proposal of 0.4620 ha. Which is recommended for diversion & the proposed road to be open for use of forest department at all time.This proposal of road Under FCA 1980 by ARDE is being forwarded for necessary action in the national interest as the ARDE is an Institution under control of the Defence Production Dept. under the Defence Ministry .

( Rahul Patil,IFS )

Deputy Conservator of Forests  
Pune Forest Division,Pune

Place - Pune

Date- 13/10/2021