

**Full title of the Project:** *Ex-post Facto* Approval for diversion of Forest Land for Construction of Warehouse Building and Ancillary Structures under RKVY Scheme 2017-18.

**File No.:** FP/MH/Others/44963/2020

**Date of Proposal:** 06/03/2020

## Appendix-II

# SITE INSPECTION REPORT

| Sr. No. | Items  | Observations and Remarks  |
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| 1       | Name of the Project and location   | <i>Ex-post Facto</i> Approval for diversion of Forest Land for Construction of Warehouse Building and Ancillary Structures under RKVY Scheme 2017-18.<br><br>The project is located in Karjat Tehsil of Ahmednagar District of Maharashtra State.   |
| 2       | Name of the User Agency  | The Regional Manager, Maharashtra State Warehousing Corporation, Pune Region, Pune.   |
| 3       | Date of Site Inspection  | 10 / 07 / 2021  |
| 4       | Extent (in Ha) and legal status of the Forest Land proposed for diversion  | 0.99 Ha. Reserved Forest land falling within jurisdiction of Baramati Forest Range of Pune Forest Division, Maharashtra State.  |
| 5       | <p>a. Details of Forest Land proposed for diversion and activity wise break-up of Forest Land</p> <p>b. Density-wise Eco-Value Class</p> | <p>Area Statement is appended hereto as Appendix-I. Page No. Abstract is:</p> <p>1. Construction of warehouse: 0.1924 Sq.m.</p> <p>2. Office Building: 0.3403 Sq.m.</p> <p>3. Internal WBM Road: 0.1634 Sq.m.</p> <p>4. Service Yard: 0.2939 Sq.m.</p> <p>Total: 0.99 Ha.</p> <p>Eco-Value Class- III, Tropical Dry Deciduous Forest (OF)<br/>Density: 0.01</p> |

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| 6 | Whether the requirement of Forest Land as proposed by the User Agency in Col. No 2 of Part- I is unavoidable and the barest minimum for the project? If no, recommended area item-wise with details with alternatives examined   | Yes. The project has turned site-specific on account of existing construction. The requirement of Forest Land is unavoidable and kept barest minimum. |
| 7 | Whether the area involves construction of building (Including residential) or not. If yes, details thereof.  | Its warehouse and office building.  |
| 8 | <p>a. Whether the Forest Area proposed for diversion is important from wildlife point of view or not.</p> <p>b. Details of any rare or endangered or unique species of flora and fauna found in proposed Forest Land. If so, details thereof.</p> <p>c. Areal distance from nearest boundary of protected area (km)</p> <p>d. Remark about sensitivity of the Forest Area likely to be affected due to the project</p> | <p>No.</p> <p>No any conspicuous flora and fauna reported so far.</p> <p>Beyond 10 kms.</p> <p>Not likely to be affected.</p>                         |

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|    | e. Whether Wildlife Mitigation Plan is required? If yes, reason thereof   | No.  |
| 9  | <p>Details of vegetation:</p> <p>a. Total no. of trees to be felled</p> <p>b. No. of trees to be felled of girth below 60 cm.</p> <p>c. No. of trees to be felled of girth above 60 cm.</p> <p>d. Effect of removal of trees on general ecosystem in the area</p> | <p>Nil</p> <p>Nil</p> <p>Nil</p> <p>Not applicable in view of Clause 'a' above.</p>  |
| 10 | Background Note on the proposal (Short summary)   | <p>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.</p> <p>The project involved construction of Warehouse (Pre-engineered) having capacity of 3600 MT, Office Building, Internal WBM Roads, etc.</p> <p>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.</p> <p>Approximately, 0.99 Ha. of Forest Land in Village Shirsuphal, Tehsil Baramati, Dist. Pune, falling within the territorial limits of Pune Forest Division is proposed to be diverted, <i>Ex- post Facto</i>, for the project by condoning non-compliance of FCA, 1980.</p> <p>A detailed <b>Note</b>, explaining the issues and facts about the project, is annexed with the Part-I of Form A.</p> |



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| 11 | Whether the proposal involves violation of Forest (Conservation) Act 1980? If yes, detailed report on violation, including action taken against the concerned officials to be attached | <p>The act of not seeking prior approval of the Central Government was un-intentional and non-voluntary on the part of the MSWC, Pune as neither the order allocating land spoke of any interest of Forest Department in or over the land nor the Village Form No 7 &amp; 12 of Record of Rights of land revealed legal status of land from forest point of view. The survey number/ Gut Number of the land has been changed three times since 1879. The original status of land is not updated on 7/12 Extracts. The Forest Department also could not ascertain the status of the land, years after allocation of land to the MSWC, Pune.</p> <p>The error is not caused by the neglect of a legal duty on the part of either agencies but, the issue consists of an unconscious ignorance of a past material facts or circumstance.</p> <p>The present issue is not a matter of "ignorance of law" rather a "mistake of fact", which deserves to be condoned and regularized as per law. Hence, eventually constitute no violation of FCA.</p> |
| 12 | Whether the proposal involves rehabilitation of displaced persons? If yes, whether the Rehabilitation Plan has been approved by the State Government?                                  | No   |
| 13 | Details on Catchment and Culturable Command area under the project (If applicable)<br>Status of Catchment Area Treatment Plan to prevent siltation of reservoir (If applicable)        | Not applicable   |
| 14 | Utility of the project   | The project is undertaken by the MSWC which is a Public Sector Undertaking of Government of Maharashtra. The MSWC is entrusted with responsibility of creating Public Utility Infrastructure throughout the State under Central Scheme "RKVY" for benefit of public- in-   |

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|    |  | general and farmers- in- particular. The project facilitate storage of Food Grains, fertilizers, industrial goods, cotton bales, cement, etc. |
| 15 | Whether land being diverted has any socio-cultural / religious value? Whether any sacred groove or very old grown trees/ forest exist in the areas proposed for diversion? | No  |
| 16 | Any other important information related to the project (separate note may be attached, if required)  | Yes. Note submitted by the User Agency is attached hereto.  |
| 17 | Details of documents and photographs attached  | 1. Photographs of Inspection<br>2. Forest Notification  |
| 18 | Recommendations of the Inspecting Officer (CCF/CF/DCF)   | The errors and non-compliances may be condoned and the proposal may be accepted.  |

Date: 09/08/2024

Place: Pune

Official Seal:



RAHUL PATIL, IFS  
Dy. Conservator of Forests  
Pune Forest Division  
Pune