

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 (SEE RULE 6)

FORM - 'A'

FORM FOR SEEKING PRIOR APPROVAL UNDER SECTION 2 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.): | 0.99 Ha. |
| (v) | Legal status of Forest: | Reserved Forest |
| (vi) | Density of vegetation: | 0.01 |
| (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 plain, not vulnerable to erosion on account of its location, topographical & geo-morphological features and other climatic factors.

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

The project is situated adjoining to boundary of Reserved Forest having Gut No. 792 of Village Shirsuphal, Tehsil Baramati, Dist. 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. Read Note annexed to Part-I of Form- A submitted by the User Agency. The extant proposal is submitted for *Ex-post Facto* approval. Hence, there is no alternative to be examined 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?:

Work, to the extent of 80%, has been completed at the proposed site. No prior approval of the Central Government was obtained for diverting the use of Forest Land for non-forest purpose.

Read Note (Annexure-I) submitted by the User Agency along with Part- I of Form- A. The Forest Department, Pune Division hereby endorse the events and issues narrated therein the said Note.

The act of not seeking prior approval of the Central Government was un-intentional, non-voluntary and was a sheer mistake of fact on part of the both User Agency and the Forest Department. Hence, the violation cannot be attributed either to User Agency or the Forest Department. The error and non-compliance needs to be condoned.

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:

The Degraded Forest Land, to the extent of 2.00 Ha. has been identified by the Forest Division (T), Pune. The details are given below:

- a) Suy. No./Gut No.:792 Area: 2.00 Ha.
- b) Village: Shirsuphal Tehsil: Baramati Dist.: Pune
- c) Legal Status of Land: Reserved Forests
- d) Forest Range: Baramati Forest Division: Pune
- (ii) Map showing non- forest/ degraded forest area identified for Compensatory Afforestation and adjoining forest boundaries:

Map showing the proposed CA land is annexed hereto at
Page No.

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

The details of proposed CA Scheme is annexed hereto as
Annexure- I.

- (iv) Total Financial Outlay for Compensatory Afforestation Scheme:

The total outlay amounting to Rs. 14, 50, 464. 26/-is proposed for execution of CA Scheme, for 2.00 Ha., over the period of 10 years.

An abstract of estimate for raising plantation and its 10-year maintenance is furnished below:

Sr. No.	Year of Operation	Mandays	Wages	Material Supply	Total Rs. Per Ha.	Total Amount for 2.00 Ha.
1	Pre-monsoon works PPO/PYO	167.97	67943.86	193263.83	279492.22	558984.44
2	First Year Operation	192.65	77926.92	61569.64	149261.32	298522.64
3	Second Year Operation	162.36	65674.62	37824.06	110743.57	221487.14
4	Third Year Operation	101.65	41117.42	17616.02	62844.77	125689.54
5	Fourth Year Operation	40.5	16382.25	25.00	17555.75	35111.5
6	Fifth Year Operation	40.5	16382.25	25.00	17555.75	35111.5
7	Sixth Year Operation	40.5	16382.25	25.00	17555.75	35111.5
8	Seventh Year Operation	40.5	16382.25	25.00	17555.75	35111.5

9	Eight Year Operation	40.5	16382.25	25.00	17555.75	35111.5
10	Ninth Year Operation	40.5	16382.25	25.00	17555.75	35111.5
11	Tenth Year Operation	40.5	16382.25	25.00	17555.75	35111.5
TOTAL		908.13	368246.71	117184.72	725232.13	1450464.26

(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 hereto as Annexure-II

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

The Site Inspection Report is appended hereto as Appendix-II at Page No.

12. Division/ District Profile of Pune:

- (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 Cases**
- (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
 - (a) Forest Land: **76.29 Ha.**
 - (b) Non- forest land: **404.87 Ha.**

13. Specific recommendations of the Dy.CF. for acceptance or otherwise of the proposal with reasons:

Construction work has been carried out at the proposed site. No prior approval of the Central Government was obtained for diverting the use of Forest Land for non- forest purpose.

A detailed note has been submitted by the User Agency along with Part- I of Form A. The events and issues narrated

therein the said Note are true and acceptable to this Office. Because of repeated changes in Gut no. of the land in question, the facts of the land, being a "Reserved Forest" , surfaced at times when the work was nearing completion.

The project is undertaken by the Maharashtra State Warehousing Corporation, a Public Sector Undertaking of Government of Maharashtra, which is entrusted with responsibility of creating Public Utility Infrastructure throughout the State under Central Scheme "RKVY" for benefit of public- in- general and farmers- in- particular.

The act of not seeking prior approval of the Central Government was un-intentional, non-voluntary and was a sheer mistake of fact on part of the both User Agency and the Forest Department. The error and non-compliance deserves to be condoned.

Hence, the proposal submitted by the MSWC, Pune is recommended for grant of *Ex-post Facto* approval for diversion of 0.99 Ha. out of 18.49 Ha. of Forest land for construction of Warehouse and Ancillary Structure.

Date: 09/08/2024

Place: Pune

Official Seal:



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