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Pune-411051
Date: 10/08/2023

To,
Deputy
The ~~Chief~~ Conservator of Forests,
Pune Forest Division,
Pune.

Sub.: Compliance of queries...Reg.

Ref.: Your letter dated 18/07/2023

Sir,

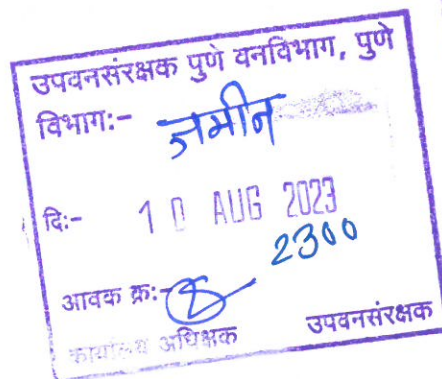
In compliance of queries raised by your office in respect of FCA proposal No. FP/MH/Others/143444/2021 dated 14/06/2021 we submit as below:

Para No. 1: CA Land

Reply:

1. The land proposed for diversion, bearing Gut No. 153 (Old Suy. No. 66), admeasuring 11.13 Ha. is bought by the undersigned Project Proponents and mutated in their name in 1986. Since, the land was hit by the provision under Maharashtra Private Forest (Acquisition) Act, 1975, the Project Proponents had solicited restoration of land to them, from the Competent Authority under the said Act. The Competent Authority restored the said land to the owner i. e. the Project Proponent, in 2001 & 2002. The

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amendment to his own orders dated 20/11/2001 & 19/01/2002 stating that the said orders shall come in to force after receipt of permission of the Central Government. The then Chief Conservator of Forests (Conservation), Maharashtra State, Nagpur; vide his letter No. Desk-12/Land/3/2491/03-04 dated 20/11/2003, had requested to the State Government through the Principal Secretary (Forests), Revenue & Forests, Mantralaya, Mumbai-32 to forward the orders of restoration, issued under Sec. 22A of the Maharashtra Private Forests (Acquisition) Act, 1975, to the Government of India for their approval to such restoration orders, in which Forest Department agrees with the restoration order and no appeal is preferred. However, the matter was not pursued further.

2. The Project proponent, upon instructions of the DCF, Pune had re-applied to the Revenue Authority for sending proposal to Central Government for seeking its approval for restoration orders. Recently, after due enquiry, the Sub- Divisional Officer, Collectorate, Pune has forwarded the proposal to the Principal Secretary, Revenue & Forest Department, Government of Maharashtra for forwarding the proposal onwards to the Central Government for seeking its approval for restoration of said Private Forest Land; vide no. Jamin/Ka Vi/727/2023 dated 17/05/2023.

3. In view of the above, it is submitted that the land proposed for diversion is under process of restoration to its owner i. e. the Project Proponent under Maharashtra Private Forest (Acquisition) Act, 1975, which provides that the holding of 12 Ha. or less of Private Forest shall be restored to and re-vested in the owner so that he could continue to earn the livelihood from the land. The Project Proponent intends to earn his livelihood by using his own land for eco-tourism purpose. Hence, it would not be out of place to state that it is not mandatory for the Project Proponent to provide non-forest land as a Compensatory Afforestation Land for seeking diversion of his own land. However, the Project Proponent is ready to defray the cost of

Compensatory Afforestation on the Degraded Forest Land as proposed by the Pune Forest Division, Pune.

Para No. 2: KML of CA Land

Reply: To be complied by the DCF Office.

Para No. 3: Action taken on PA for violation

Reply: In principle, no violation of the FCA was committed by the Project Proponent. The Project Proponent had commenced the construction work only after Restoration Order and other statutory permissions from the regulatory authorities. The reported violation was not the violation committed by the Project Proponent. It was due to the procedural lapses on the part of regulatory agencies. Hence, the User Agency cannot be held responsible for the violation.

Para No. 4: Copy of online Part II

Reply: To be complied by the DCF Office.

Para No. 5: Permission of Central Government for Restoration order

Reply: The Sub-Divisional Officer, Pune Sub-Division, Pune under Sec. 22 A of the Maharashtra Private Forest (Acquisition) Act, 1975, had restored the land bearing Gut No. 153 (Old Suy. No. 66) and Gut No. 154 (Old Suy. No. 67) to its owner, i. e. the Project Proponent; vide orders dated 20/11/2001 and 19/01/2002 respectively. On 03/01/2003, the Sub-Divisional Officer, Pune Sub-Division, Pune issued amendment to the said orders stating that the orders dated 20/11/2001 & 19/01/2002 shall come in to force after receipt of permission of the Central Government. Recently, the Sub- Divisional Officer, Collectorate, Pune has re- enquired the restoration proposal and forwarded his recommendations to the Principal Secretary, Revenue & Forest Department, Government of Maharashtra for forwarding the same onwards to the Central Government for seeking its approval for restoration of said Private Forest Land; vide no. Jamin/Ka Vi/727/2023 dated 17/05/2023 (Copy enclosed). The

restoration issue of the land is under process. The approval of the Central Government is awaited.

Para No. 6: Distance of PAs

Reply: The proposed land is about 31.7 Km from boundary of the nearest Protected Areas i. e. Tamhini WL Sanctuary. Map showing distance of PA is attached herewith for your kind perusal please.

Thanking you,

Encl.: As above

Yours faithfully,

S. G. Jagtap

Sunil Ghansham Jagtap

R. S. Jagtap

Rajashree Sunil Jagtap