

Government of Maharashtra

By Speed Post

No.FLD-2022/CR-265/F-10
Revenue and Forest Department,
Mantralaya, Mumbai - 400 032.
Dated: 10.11.2022

To,

Regional Officer (Central),
Integrated Regional Office, MoEF&CC,
Government of India, Civil Lines, Nagpur.

Subject: Forest Land-Pune.

Diversion of 0.4620 ha. Reserved forest land for construction of link road between two defence complexes in Survey No.102, at Village Kothrud, Tal. Haveli, Dist. Pune in the State of Maharashtra. (FP/MH/Road/144314/2020)

The Additional Principal Chief Conservator of Forests and Nodal Officer, Maharashtra State, Nagpur has submitted proposal for diversion of 0.4620 ha. Reserved forest land for construction of link road between two defence complexes in Survey No.102, at Village Kothrud, Tal. Haveli, Dist. Pune.

2. The details of forest land proposed for diversion are as under:-

Sr. No	Item work purpose	Village	Gut No.	Length & Widht (in Mtr.)	Area (in ha)	Legal Status
1.	Construction of link road between two defense complexes in Survey No.102, at Village Kothrud, Tal. Haveli, Dist. Pune	Kothrud	102	1320 x 3.5	0.4620	Reserved Forest
	Total Forest Area (in ha.)				0.4620	

3. The proposed project:-

ARDE has developed several stores and services, spread over in different complexes in Kothrud and Pashan area of Pune. The charter of duties and sphere of activities have been increased manifold. In view of its defence related services and communication, it is utmost necessary for this establishment to have direct approach/ link between its different complexes. The proposed link road would not only ensure the communication need of this organization but also help the general civilian population by removing the inconvenience caused to them because of transportation activities of Arms, Ammunition and explosive of the ARDE.

4. Background:-

Previously, Government of India, Ministry of Environment, Forest 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 dated 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 Forests, Pune vide letter dated 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 dated 24/07/2008. Later Principal Chief Conservator of Forests (Head of Forest Force) Maharashtra State revoked the said order passed by then Conservator of Forests, Pune for the reasons of non-fulfillment of condition no.15 in the final approval granted by MoEF&CC and also ordered user agency 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 the State Government.

The Deputy Conservator of Forests, Pune Forest Division, Pune has taken one sided possession on 29/01/2019 of Village Kothrud Forest Survey No.102 area of 98.045 ha. out of 105.74 ha. excluding the 7.695 ha. area under possession of ARAI. On 01/06/2018, the Government of Maharashtra informed to the Secretary, Department of Defence, New Delhi about all the facts about forest land in Survey no.102 at Kothrud, Dist. Pune. In above letter para no.7 mentioned that "permission for re-diversion cannot be accorded without prior written consent of the primary user agency".

Regarding diversion of 55.74 ha. forest area to ARAI under Forest Conservation Act, 1980, The Nodal Officer has submitted report to the Government of Maharashtra vide letter No. Nodal/RS-II/ID-11293(5)/1308, dated 04/03/2021 for necessary directions / instruction regarding diversion of land to ARAI. The Government of Maharashtra has so far not issued any diversion order for the forest land in favour of ARAI and the area proposed for diversion (0.462 ha.) is a part of the same 55.74 ha. forest area for which Stage-II Clearance was given by the MoEF&CC, Govt. of India vide letter No. 8-15/2007-FC, Dt.24.07.2008.

5. Deputy Conservator of Forests, Pune has certified that-

- No alternate alignment is possible and the forest land required is barest minimum.
- The area belongs to Eco-value class-III having density is 0.1 (Open Forest).
- There is no tree felling involved in the proposal.
- The proposed project is not a part of any National Park/Wildlife Sanctuary or Nature Reserve.
- Proposed project is not likely to affect any monumental site of cultural, historical, religious, archaeological or recreational importance.
- There is no violation of Forest (Conservation) Act 1980.
- Proposed project is beyond 10 kms of nearest Wildlife Sanctuary/ National Park and its Eco Sensitive Zone.

- Proposed Compensatory Afforestation over 1.00 ha. degraded Forest land in Gut No.791,792 at Village Shirsuphal, Tal. Baramati, Dist. Pune it is contiguous, suitable for afforestation and management purpose and it is free from encroachment and an encumbrances.
- Three alternatives have been examined in detail and have to come to conclusion that the alternative No. 1 (having 0.4620 ha) is most suitable for forestry point of view, i.e. minimum area involved and there is no cutting/felling of trees.
The User Agency has submitted an undertaking to defray the cost of Net Present Value.

6. **The User Agency has submitted an undertakings-**
 - to defray the cost of Compensatory Afforestation.
 - to defray the cost of Net Present Value of the forest land.
 - to submit necessary compliance under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.
7. The Principal Chief Conservator of Forests (HoFF), Maharashtra State, Nagpur and Additional Principal Chief Conservator of Forests & Nodal Officer have recommended the proposal for approval under Section-2 of the Forest (Conservation) Act, 1980. His specific recommendations are enclosed in the proposal.
8. In the circumstances explained in above paragraphs and enclosures, the State Government recommends that the said forest land may be allowed to be diverted for the non-forestry use on the conditions proposed by the Principal Chief Conservator of Forests (HoFF), Maharashtra State, Nagpur.

The matter may kindly be placed before Government of India for its approval under Section-2 of the Forest (Conservation) Act, 1980 and the same may please be obtained and communicated to this Government at earliest.


(Ravikiran Govekar)

Chief Conservator of Forests (Mantralaya)

Encl: A) Set of case papers

B) The following documents are enclosed:-

1. Prescribed form as per Rules.
2. Area Statement
3. Commitment from the Applicant for defraying the cost of Net Present Value & Compensatory Afforestation.
4. Brief note of the project
5. Site Inspection Report.

6. Certificate in Part V.

Copy:

1. Principal Chief Conservator of Forests & C.E.O, Maha-CAMPA, Nagpur
2. APCCF and Nodal Officer, Nagpur with reference to his letter No.Desk-17/Nodal/Pune/ID-13063(23)/570/2022-23, Dt.09.06.2022
3. Chief Conservator of Forests (T), Pune
4. Deputy Conservator of Forests, Pune
5. Technical Officer, 'C' Armament R & D Esst. (ARDE), Pashan, Pune
6. Select File (F-10)

Sub: Forest Land-Pune.

Diversion of 0.4620 ha. Reserved forest land for construction of link road between two defence complexes in Survey No.102, at Village Kothrud, Tal. Haveli, Dist. Pune in the State of Maharashtra.

PART - V

(To be filled up by the Secretary In charge of Forest Department or by any other authorized officer of the State Government not below the rank of an Under Secretary)

**1. Recommendation of the
State Government**

The proposal is recommended
vide Government letter
No.FLD-2022/C.R.265/ F-10
Dated: 10/11/2022


(Ravikiran Govekar)

Chief Conservator of Forests (Mantralaya)

Place: Mumbai

Date: 10/11/2022