



भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FORESTS
& CLIMATE CHANGE

Regional Office (WCZ)
Ground Floor, East Wing
New Secretariat Building
Civil Lines, Nagpur - 440001
E-mail: moefregionalofficenagpur@gmail.com

File No. FC-II/MH-01/2015-NGP /133

Dated: 02/07/2015

To,

The Principal Secretary,
Revenue and Forest Department,
Govt. of Maharashtra, Mantralaya,
Mumbai (Maharashtra).

Sub: Diversion of 19.90 ha of Reserved Forest land for processing and disposal of Garbage (Municipal Solid waste) in Pune District in favour of Joint Municipal Commissioner, Solid Waste Management, Pune Municipal Corporation, Pune.

I am directed to invite a reference to your letter No. FLD-1915/CR-115/F-10 dated 31/03/2015 and APCCF & Nodal Officer letter No. Desk-17/NC/II/ID 12375/(15)/2186/14-15 dated 16/03/2015 on the above mentioned subject seeking prior approval of the Central Government under Section - 2 of the Forest (Conservation) Act, 1980.

After due consideration of the above proposal of the State Government, the undersigned, on behalf of the Central Government, hereby conveys in-principle approval for Diversion of 19.90 ha of Reserved Forest land for processing and disposal of Garbage (Municipal Solid waste) in Pune District in favour of Joint Municipal Commissioner, Solid Waste Management, Pune Municipal Corporation, Pune subject to the following conditions:-

1. Legal status of the forest land shall remain unchanged.
2. a) Compensatory Afforestation shall be taken up by the Forest Department over 19.90 ha non-forest land (Gut No.64 pt) Village -Tulapur, Tal-Haveli, District-Pune at the cost of the User Agency. Compensatory Afforestation will be of a mix of local indigenous species and monoculture of species will be avoided.
- b) The Non-forest land shall be transferred and mutated in favour of Forest Department.
- c) The non-forest land shall be notified as Reserved Forest.
3. a) The cost of Compensatory Afforestation shall be deposited in advance at prevailing wage rates as per Compensatory Afforestation scheme and the cost of survey, demarcation, erection of boundary pillars etc. on the CA land shall be deposited in advance with the Forest Department by the User Agency.
- b) Compensatory Afforestation Scheme will be effective for maintenance of plantation for 07 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.

DISPATCHED

O/C

02/07/2015

c) All the funds received from the User Agency under the project shall be transferred to the Ad-hoc Compensatory Afforestation Fund Management & Planning Agency (CAMPA) in Savings Bank A/c No. SB 01025218 Corporation Bank, Lodhi Complex, New Delhi-110003

d) Land identified for CA shall be clearly depicted on a Survey of India Toposheet of 1:50,000. The bearing of each corner point and distances between two successive points will be recorded alongwith the GPS readings of Geo coordinates (Latitudes & Longitudes).

4. a) The State Government shall charge the "Net Present Value" (NPV) for 19.90 ha of forest land to be diverted under the proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 30/10/2002, 01/08/2003, 28/03/2008 and 09/05/2008 in IA No. 566 in WP (Civil) No. 202/1995 and as per the guidelines issued by the Ministry vide letters No. 5-1/1998-FC(Pt. II) dated 18/09/2003 as well as letter No. 5-2/2006-FC dated 03/10/2006 and 5-3/2007-FC dated 05.02.2009 in this regards.

b) Additional amount of the NPV of diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India, shall be charged by the State Government from the User Agency, which shall furnish an undertaking to this effect.

5. The State Government shall complete settlement of rights, in terms of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, submit the documentary evidence as prescribed by this Ministry in its letter No. 11-9/1998-FC (pt) dated 05/07/2013 in support thereof before formal approval.

6. User agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, before formal approval.

7. a) No additional or new path will be constructed inside the forest area for transportation of construction materials to be used for execution of the project work. Camps shall not be allowed in Forest Area.

b) Proposed labour camps outside the forest area are to be dismantled and removed. The labourers shall be sent back immediately after the completion of the work.

8. The User Agency shall provide fuel preferably alternate fuel to the staff and labourers working at the site to avoid damage /felling of trees and pressure on the adjacent forest areas.

9. a) The User Agency shall submit six-monthly compliance report as on 1st January of every year to this office as well as to the Nodal Officer of the State.

b) The State Government shall monitor compliance of conditions of Forest Clearance and shall submit in this regard yearly report as on 31st December of every year.

10. The User Agency shall ensure that because of this project, no damage is caused to the Wildlife.

11. No damage shall be caused to adjoining flora & fauna.

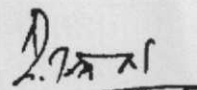
12. Relevant directions contained in various notifications issued by the Central Government under the provisions of the Environment (Protection) Act, 1986 and Environment (Protection) Rules, 1986 made there under and as amended from time to time regarding use of fly ash shall be fully complied with.

13. Muck disposal, if required, should be taken up as per the scheme approved by the Forest Department.
14. Soil conservation measures, if required, should be taken up by the User Agency for which fund should be provided as per the current rate of works.
15. The User Agency will defray the cost of removal of 4637 trees in the forest land proposed for diversion. However, only the required and minimum number of trees will be felled.
16. The boundary of the diverted forest land shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, forward and back bearing and distance from pillar to pillar.
17. All Statutory provisions under various Acts, rules there under and guidelines applicable to this project shall be strictly adhered to.
18. The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of User Agency or the project life whichever is less.
19. The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
20. a) The forest land shall not be used for any purpose other than that specified in the project proposal.
b) The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Central Government.
21. Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.
22. In view of the Government of India guideline letter NO. 11-306/2014-FC dated 08/08/2014 this in-principle approval may be deemed as the working permission for commencement of work subject to the condition that funds towards CA, NPV etc are realised from the User Agency by the State Forest Department and deposited in CAMPA account.
23. The User Agency should fence the area along the road and also whole Gut No. 493.
24. This approval under Forest (conservation) Act, 1980 shall be for a lease period of 30 years.
25. The User Agency will pay the lease rent to the appropriate authority as per the existing laws and rules.
26. No non-biodegradable material will be left in the forest area at the end of the lease.
27. The User Agency shall prepare a solid waste management plan and implement it at their own cost.

28. Specification for development of facilities at the site, land filling operations and closure on completion of land fill shall be done in accordance with Solid Waste (Management and Handling) Rules 2013 and other applicable rules, norms and guideline.

29. Provisions of all relevant Acts, Rules made thereunder and guidelines applicable to the projects shall have to be strictly followed by the User Agency.

After receipt of the compliance report on fulfilment of the condition Nos. 2(b), 3, 4, 5, 6, 15 & 16 from the State Government, proposal will be considered for final approval under Section-2 of the Forest (Conservation) Act, 1980 by this office.



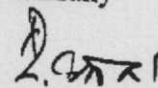
(A.K. Biswal)

Conservator of Forests (Central)

Copy to:-

1. The Director, RO (HQ), Ministry of Environment, Forests and Climate Change, Agni C-wing, 3rd Floor, Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, New Delhi - 110003.
2. The Addl. Principal Chief Conservator of Forests and Nodal Officer, Maharashtra State, Civil Lines, Nagpur, Maharashtra for information.
3. The Dy. Conservator of Forests, Forest Division, Pune, Maharashtra for information.
4. The Joint Municipal Commissioner, Solid Waste Management, Pune Municipal Corporation, Near Mangla Theatre, Shivajinagar, Pune - 411005 for information.
5. Order File.

Yours faithfully



(A.K. Biswal)

Conservator of Forests (Central)