

**Subject:- Forest Land- Pune**


Diversion of 39.25 Ha. Reserved Forest/ Deemed Reserved Forest Land in favour of Maharshi Vedic Health Pvt. Ltd., Pune for Ayurvedic Medicines & Treatment Centre.

**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-2019/ CR-270/ F-10  
Dated: 20/09/2019

  
(Virendra Tiwari) 20/9/19  
Additional Principal Chief Conservator of Forest  
(Mantralaya)

**Place : Mumbai**

**Date : 20/09/2019**

**VIRENDRA TIWARI**  
Additional Principal  
Chief Conservator of Forests (Mantralaya)  
Revenue and Forest Department  
Mantralaya, Mumbai 400 032

## Government of Maharashtra

**By Speed Post**

No.FLD-2019/ C.R.270/ F-10  
Revenue and Forest Department,  
Room No.456/461 Annex,  
Hutatma Rajguru Chowk,  
Madam Cama Marg,  
Mantralaya, Mumbai- 400 032.  
Date :- 20/09/2019

**To,**

Deputy Director General of Forests (Central),  
Government of India,  
Ministry of Environment, Forests & Climate Change,  
Regional Office, West Central Region,  
Ground Floor, East Wing,  
New Secretariat Building, Civil Lines,  
Nagpur- 440 001.

**Subject:- Forest Land- Pune**

Diversion of 39.25 Ha. Reserved Forest/ Deemed Reserved Forest Land  
in favour of Maharshi Vedic Health Pvt. Ltd., Pune for Ayurvedic  
Medicines & Treatment Centre.

Sir,

Maharshi Vedic Health Private Ltd. Pune has submitted the proposal for diversion of 39.25 ha. Reserved Forest/ Deemed Reserved Forest land in favour of Maharshi Vedic Health Pvt. Ltd., Pune for Aryurvedic Medicines and Treatment Centre. The details of forest land proposed for diversion is as given below: -

| Item of Work   | Name of Village | Taluka and District  | Gut No | Legal Status of land                        | Total Area | Area propose d by User Agency | Density | Remarks                             |
|--|-----------------|----------------------|--------|---|------------|-------------------------------|---------|-------------------------------------|
| Ayurvedic Medicines and Treatment Centre of Maharshi Vedic Health Private Limited Pune | Wahangaon       | Tal-Maval, Dist-Pune | 54     | Reserve Forest                              | 4.74       | 1.58                          | 0.1     | Constructi on area is 75602.3 Sq.m. |
|  |                 |                      | 55     | Deemed Reserved Forest as per MPF, Act 1975 | 2.92       | 2.92                          | 0.1     |                                     |
|  |                 |                      | 56     | -do-  | 3.55       | 3.55                          | 0.1     |                                     |
|  |                 |                      | 74     | Reserve Forest                              | 25.01      | 25.00                         | 0.4     |                                     |
|  |                 |                      | 76     | Reserve Forest                              | 6.2        | 6.2                           | 0.4     |                                     |
| Total Area in Hectare  |                 |                      |        |   | 42.42      | 39.25                         |         | 7.56 Ha.                            |

2. **The salient features of the project as highlighted by the User Agency are as under:-**

|        |   |
|--------|---|
| 2.1    | The proposed Vedic Research Centre envisages Vedic Science Research in different human development and professional domain and further to continue the research in the Vedic Science  |
| 2.2    | The project intends to have facility where extensive research will be done on Veda and Vedic Literature to create the solutions which can be utilized for promoting health and wellness in the society.   |
| 2.3    | There are 40 aspects of the Veda and Vedic Literature, each of which corresponds to specific aspect of the human physiology. In addition, there are colours, plants and trees associated with each aspect of Veda and Vedic Literature  |
| 2.4    | The 39.25 hectares of forest will provide a therapeutic reserve corresponding to the therapeutic gardens and display of the 40 aspects of the Veda and Vedic Literature located in the developed area of the project.   |
| 2.5    | The properties of the forest, and the healing effect of the trees will allow the people to fully absorb the silence, natural beauty and pure fresh air, with relation to the 40 aspects of Vedas and Vedic Literature in the human physiology and the corresponding healing modalities.   |
| 2.6    | As has been traditionally known in Vedic Science, the forest is considered <i>Aranyak</i> . <i>Aranyak</i> is one of the aspects of the Vedic Literature. Every hectare of the forest, being connected to every aspect of the Vedic Literature in the form of the 40 aspects of the Vedic Literature will be built into the forest will preserve and showcase the knowledge in the forests, herbs, and natural resources that India produces  |
| 2.7    | With the results of this therapeutic healing of the forest, it will be an integral part of the whole health strategy of the project. When the sounds of the Veda are uttered in a forest, the frequencies and impact in the human physiology will also be studies, including electromagnetic field in the brain and correlated physiological values.  |
| 2.8    | Research will be conducted on Vedas & linking all languages to Sanskrit. Research will also be conducted on different verticals of the Vedas which have since vanished in time.   |
| 2.9    | The User Agency has also highlighted that the project will facilitate in learning and research in Vedic Philosophies and principles to develop youngsters into millennium leaders in technological and scientific fields  |
| 2.10   | <p>The skill University includes 150 number of skill development and training programmes, few of which are illustrated below :-</p> <p>Swedish Massage Therapy, Bonsai Art, Panchakarma Therapy, Maharishi Light Therapy with gems, Maharishi Ayur Veda Panchkarma, Veda in the human Physiology, Vedic Sound Therapy, Gandharva Therapy, Maharishi Yoga Therapy, Veda in the human physiology, Vedic Sound Therapy, Gandharva Therapy, Maharishi Yoga Therapy, Magnetic and 6 keys therapy, Zone Therapy (5 elements), Neuro Therapy, TCM Therapy (Chinese Meridian), Big Magnet Therapy, Thai Massage, Reflexology, hot and cold stone massage, Rope massage, loamy loamy massage, bamboo massage, cupping message, Nadi Vigyan Pulse Diagnosis etc</p> |
| 2.11   | The User Agency has further highlighted the practical application of education programmes, which are as follows-  |
| 2.11.1 | Practical application through the Vedic approach of Maharishi's programmes offers perfection to mankind. It offers to create a disease-free, crime-free, problem-free society.  |

|        |   |
|--------|---|
| 2.11.2 | To prevent and eliminate problems of management in any organization, industry or government.                              |
| 2.11.3 | To promote and foster- a mistake-free, problem-free, healthy, happy life.   |
| 2.11.4 | To achieve the health care system of country to the supreme level of perfection where no sickness or suffering can occur. |
| 2.12   | The Vedic Health Treatment and the Therapies incorporated in the project.   |
| 2.13   | The project also includes Vedic Integrated Hospital.  |
| 2.14   | Vedic Organic Agriculture is one of the most important highlights of the project.   |
| 2.15   | The project also envisages Vedic Health Garden.   |

**3. The User Agency has submitted the following documents/ undertakings :-**

|     |  |
|-----|--|
| 3.1 | To bear the cost of clearance/removal of the vegetation growth from the proposed forest land.  |
| 3.2 | Agrees to pay Net Present Value (NPV) for the proposed forest land.  |
| 3.3 | Agrees to bear the cost of Compensatory Afforestation.   |
| 3.4 | The user agency submitted the cost Benefit Analysis report.  |
| 3.5 | The user agency has submitted the FRA-2006 certificate for 39.25 ha issued by Collector, Pune vide letter No PMF/Kavi/778/2019 dated 13/06/2019. |

**4. Deputy Conservator of Forests, Pune has Certified that :-**

|     |   |
|-----|---|
| 4.1 | No suitable alternative non forest land is available and demand for the forest land is a minimum (DCF, Pune has recommended 8.05 ha forest land against 39.25 ha requested by the User Agency.  |
| 4.2 | Provisions of the Forest (Conservation) Act, 1980 and guidelines there under it, have been violated by user agency. The violation report is enclosed in the proposal.   |
| 4.3 | Wildlife Certificate <ul style="list-style-type: none"> <li>Not included in the area of National Park/WLS</li> <li>Recommended area 8.05 ha. is 11 to 11.5 Km from the boundary of the Protected area i.e. Bhimashankar Wildlife Sanctuary.</li> </ul>  |
| 4.4 | Deputy Conservator of Forests, Pune has submitted the site inspection reports dated 18/04/2019.   |
| 4.5 | Eco Value class of the forest area 8.05 ha, which recommended by Deputy Conservator of Forests, Pune is belongs to Eco Value class II, open forest. And not recommended 31.20 ha forest area belongs to Eco Value class II, having density is 0.4.  |
| 4.6 | Proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance.  |
| 4.7 | No tree felling is involved in recommended 8.05 ha forest land.   |
| 4.8 | The 41.52.62 Ha. non-forest land for Compensatory Afforestation has been proposed in Village-Tiware, Tal.Chiplun, Dist.Ratnagiri.   |
| 4.9 | The DFO Chiplun while furnishing the site suitability certificate for the non-forest area has also mentioned that "Afforestation works cannot be taken in this area as the area already has tree cover however the proposed land is acceptable as per Govt. of Maharashtra letter dated 27/08/2014 as the area is included in the Proposed Eco Sensitive Zone of Sahyadri Tiger Reserve". |

5. The Deputy Conservator of Forests, Pune has recommended 8.05 ha forest land with following remarks :-

| Sr. No. | Gat No. | Status of land         | Total area   | Area proposed by user agency (in Ha.) | Construction proposed by user agency (In sqm) | % of construction to total Area | Canopy Density | Tress to be felled |
|---------|---------|------------------------|--------------|---------------------------------------|---|---------------------------------|----------------|--------------------|
| 1.      | 54      | Reserve Forest         | 4.74         | 1.58                                  | 3712  | 7.83                            | 0.1            | 0                  |
| 2.      | 55      | Deemed Reserved Forest | 2.92         | 2.92                                  | 6484.8  | 22.2                            | 0.1            | 0                  |
| 3.      | 56      | Deemed Reserved Forest | 3.55         | 3.55                                  | 6034.7  | 17.00                           | 0.1            | 0                  |
| 4.      | 74      | Reserve Forest         | 25.01        | 25                                    | 46617.8                                       | 18.65                           | 0.4            | 0                  |
| 5.      | 76      | Reserve Forest         | 6.2          | 6.2                                   | 12753.0                                       | 25.56                           | 0.4            | 45                 |
|         |         | <b>Total</b>           | <b>42.42</b> | <b>39.25</b>                          | <b>75602.3</b>                                | <b>17.25</b>                    |                |                    |

5.1 Out of the above S. No.1 is reserve Forest which is adjoining to private forest (Deemed RF) with less density and requires no felling of trees and is the bare minimum land required for the purpose demanded by the project authority. S. No. 2 and 3 are the private forest which has been acquired and is deemed reserved forest with no trees and does not require any felling of trees, but S No 4 and 5 is large chunk of reserve forest with density of 0.4 and is successful old plantation too. The user agency is proposing construction activity in the said land which involves felling of trees. **More or less similar construction structures are being proposed in both the survey numbers, these structures are for the commercial purpose and not very site specific and these can be constructed elsewhere in the property owned by the user Agency in the adjoining area.**

5.2 Considering the above out the total proposed area, the area of Gut No 54, 55 and 56 which is 8.05 ha may be diverted for construction purpose and survey No.s 74 and 76 which is 31.20 hectares dense forest should not be diverted for construction purpose.

6. The Chief Conservator of Forests (T), Pune has recommended the entire 39.25 Ha. forest land with following remarks :-

Considering the nature of project and the reasons given by the applicant for locating the project on the given forest land the project is recommended considering the beneficial aspects put forth by user agency however decision may be taken at Govt level as the requirement of forest land is large amounting to 39.25 ha and this affect may be seen in depth by the Government. The Reserved Forest has forest of natural as well as of planted variety. The amount of NPV required for entire forest land of 39.25 ha, Considering Eco Value Class-II, Dense Forest @ 9.39 lakh per ha. will come to Rs. 3,68,55,750/- and amount of Rs. 2,21,74,366 for compensatory afforestation @ Rs. 5,64,952/- per ha. The issue of whether to apply NPV or commercial value of land may also be thought of by the State Govt.

**7. Observation made by Principal Chief Conservator of Forests (Head of Forest Force) Maharashtra State:-**

The proposal has been initiated by Maharshi Vedic Health Pvt. Ltd., Company based at Pune. The proposal attributes to commercial activities as well as it include large scale construction to the extent of 75602.3 sqm. for which environmental clearance will be necessary. These construction are envisaged in the vicinity of water bodies i.e., Thokarwadi DAM.

After going through the proposal, the remarks of the DCF Pune and CCF Pune, it appears that the said proposal does not strictly fit into the guidelines of Central Government, para 1.15 of which states as under-

*Normally, there should not be any justification for locating non-site-specific projects on forest land. Therefore, the State Government should scrutinize the alternatives in more details and must give complete justification establishing its inescapability for locating the project in forest area.*

In this context, the observation of the map shows clearly that there is private land adjoining to the water bodies available which can be acquired by User Agency. Hence it is obvious that project is not site specific. However, at the same time it may also be appreciated that this proposal is primarily based on Vedic concept which is otherwise not illustrated in para 1.15 of the guidelines in the category of non-site-specific projects (industries, construction of residential colonies, institutes, disposal of fly ash, rehabilitation of disabled persons etc.)

The User Agency has also mentioned that the State Cabinet has granted the status of Ultra Mega Project in its meeting held on 14<sup>th</sup> February, 2018. The State Government in Industries Department has taken certain policy decisions in respect of the centre for perfect Health Integrated Project.

8. The Principal Chief Conservator of Forest (HoFF), Maharashtra State, Nagpur has specifically mentioned that, there is no precedence where forest land to such an extent has been diverted to private user agency for commercial purpose. However, Considering the peculiarity of the project and the very fact that State Cabinet appears to have taken policy decision for promoting the said project is submitted for consideration, if the State Government agrees to divert the said forest land it may be forwarded to the Central Government by stipulating following conditions :-

|     |  |
|-----|--|
| 8.1 | The legal status of the land proposed under diversion shall remain unchanged.  |
| 8.2 | The forest land shall not be used for any purpose other than specified in the proposal;  |
| 8.3 | As per GOI guidelines, the NPV as per prevailing rates shall be liable to be recovered from User Agency. However as posted by Chief Conservator of Forests (T), Pune, the issue as to whether to apply NPV or the Commercial Value of land may be decided at Government level. |
| 8.4 | The user agency shall also defray the additional / revised cost of Net   |

|      |   |
|------|---|
|      | Present Value of Forest land as per the latest Guideline of Government of India.  |
| 8.5  | 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.  |
| 8.6  | Considering the observation of the DFO, Chiplun as stated in para 5.9 , the provision as per para 2.8(i) of the Handbook shall be applicable in this proposal.  |
| 8.7  | The agency will pay the cost of survey, demarcation and erection of the permanent pillars on the compensatory afforestation land made available by the user agency.   |
| 8.8  | The user agency will obtain Environmental Clearance from competent authority as per GOI guidelines dated 22/08/2013   |
| 8.9  | Construction of temporary dwelling / hutments etc. for labours will not be allowed in the forest areas.   |
| 8.10 | No damage to the flora and fauna of the adjoining area shall be caused;   |
| 8.11 | The user agency will defray the cost of removal of trees that needs to be felled in the area. However, only the required and minimum number of trees will be felled. In situations where felling of trees is avoidable and such trees could be transplanted, all efforts to transplant such trees at a pre designated site will be taken and additional expenditure, if any, in such cases shall be borne by user agency. |
| 8.12 | The user agency in consultation with the State Government shall create and maintain an alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project. Bird's nest artificially made out of eco-friendly material shall be used in the area., including forest area and human settlements, adjoining the forest area being diverted for the project.                                      |
| 8.13 | The user agency shall provide fuels preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;  |
| 8.14 | No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.  |
| 8.15 | The user agency will undertake comprehensive soil conservation measures at the cost of project authority in consultation with the State Forest Department.  |
| 8.16 | Any other conditions imposed by Government will be binding to user agency.  |
| 8.17 | Provisions of all Acts, Rules made there under and guidelines applicable to the project shall have to be strictly followed.   |
| 8.18 | All necessary approvals required for the project as per prevailing laws of the land would be obtained by the user agency before statutory sanction  |
| 8.19 | All other conditions as may be mandatory under relevant Acts, Rules and guidelines shall be complied with by the user agency.   |

9. The Industry, Energy & Labour Dept., Government of Maharashtra has conferred the status of **"Ultra Mega Project"** to aforesaid proposed project, vide letter dated 15/03/2018. Considering the said fact, Government of Maharashtra recommends that the said forest land may be allowed to be diverted for the non-forestry use on the conditions imposed by the

Principal Chief Conservator of Forests (HoFF), Maharashtra State, Nagpur. In accordance with condition no.8.3 of para no.8 above, the State Government has decided to charge NPV as per prevailing rates framed under FCA, 1980 for diversion of forest land. The matter may kindly be placed before Government of India for its approval under Section-2 (ii) of the Forest (Conservation) Act, 1980 and the same may please be obtained and communicated to this Government at earliest.

Yours faithfully,



(Virendra Tiwari) 20/9/2019  
Additional Principal Chief Conservator of Forest  
(Mantralaya)

**Encl:** A) Set of case papers

b) **The following documents are enclosed:-**

1. Prescribed form as per Rules
2. Certificate regarding minimum demand for forest land for the project
3. Area Statement
4. Index map of suitable scale
5. User Agency has given an undertaking of Net Present Value
6. Brief note of the project from the project authority
7. Map of non-forest land for compensatory afforestation
8. Site Inspection Report
9. Report of Forest violation
10. Certificate in Part-V

**Copy to:**

1. Principal Secretary, Environmental Department, Mantralaya, Mumbai.
2. Principal Secretary (Energy), Industry, Energy & Labour Department, Mantralaya, Mumbai.
3. Principal Secretary (Tribal), Tribal Development Department, Mantralaya, Mumbai.
4. Additional Principal Chief Conservator of Forests & CEO (Maha-CAMPA), Maharashtra State, Nagpur.
5. Additional Principal Chief Conservator of Forests and Nodal Officer, Maharashtra State, Nagpur.
6. Chief Conservator of Forests (T), Pune.
7. Collector, Pune.
8. Deputy Conservator of Forests, Pune.
9. Maharshi Vedic Health Pvt. Ltd., Pune.
10. Select File F-10.