

Sub.:- Forest Land-Pune

Diversion of 2.4288 Ha. of Reserved Forest Land in favour of Shri. Prakash Patil, Eiffel Hills and Dells Pvt. Ltd., Pune for construction of approach road, electric line & retaining wall etc. in Pune district.

PART - V

(To be filled up by the Secretary Incharge 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-1616/C.R.399/F-10
Dated: 29th May, 2018



(Virendra Tiwari)
Chief Conservator of Forests (Mantralaya)

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

Place: Mumbai

Date: 29th May, 2018

Government of Maharashtra

By Speed Post

No.FLD-1616/ C.R.399/ F-10
Revenue and Forest Department,
Room No.456/461 Annex,
Hutatma Rajguru Chowk,
Madam Cama Marg,
Mantralaya, Mumbai-400032
Date:- 29th May, 2018

To,
✓ The Additional Principal Chief Conservator 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.

Sub.:- Forest Land-Pune

Diversion of 2.4288 Ha. of Reserved Forest Land in favour of Shri. Prakash Patil, Eiffel Hills and Dells Pvt. Ltd., Pune for construction of approach road, electric line & retaining wall etc. in Pune district.

Shri Prakash Patil, Eiffel Hills and Dells Pvt Ltd., Dnyeshwar Paduka Chowk, FC Road, Pune has submitted a proposal for diversion of 2.4288 ha of reserved forest land for construction of approach road, electric line & retaining wall etc in Pune district. The details of land proposed for diversion is as under-

Village	Taluka	District	Comptt. No.	Legal Status	Area in Ha.
Kesnand	Haveli	Pune	293	Reserved Forest	2.4288

2. The project has been initiated by Shri Prakash Patil, Eiffel Hills and Dells Pvt Ltd., Dnyeshwar Paduka Chowk, FC Road, Pune for construction of approach road, electric line & retaining wall in Pune district. Total non-forest area involved in the proposal is 4.516 ha. There is no road facility available for transporting of essential & required material for special township project in private land Gut No. 173, 110, 111 of village Kesnand Tal. Haveli Dist Pune. As the need of proposed activities, agency decided to construct approach road from private land to existing Zilla Parishad Road which is approximately 2.0 Km away from our land. The proposed 24 mtrs wide approach road is essential as it fitted in norms under Maharashtra Regional & Town Planning Act, 1966, State Government Published Resolution vide dated 21/11/2005 which is applicable for this type of proposed Special Township Projects. There is no developments are done by Government & Local agencies. Due to proposed non forest activities will increase the local villagers and workers annual income & will also help to increase the level of their life. However, it would help to achieve the National Productivity. User Agency has further stated that the such forestlands comes under purview of the provisions of the Forest (Conservation) Act, 1980, making it incumbent on the State

Government to obtain prior approval of the Government under the provisions of the said act. Hence, this proposal is being submitted.

3. The Deputy Conservator of Forests, Pune has stated that no alternate alignment is possible and the forest land required is the barest minimum.

4. There are 73 trees of various species and girth class standing in the area proposed for diversion.

5. There is no violation of Forest (Conservation) Act 1980 as certified by the Deputy Conservator of Forests, Pune.

6. The area involved does not form part of any existing National Park, Wildlife Sanctuary, and the Nature Reserve etc. as certified by the Deputy Conservator of Forests, Pune.

7. The User Agency has submitted the compliance of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Right) Act 2006.

8. The proposed area belongs to Eco-value class-III and open forest.

9. The User Agency has submitted an undertaking to defray the cost of Net Present Value of the forest land proposed for diversion.

10. The Deputy Conservator of Forests, Pune has certified that the proposed project is beyond 10 km of the boundaries of the Protected Area.

11. The Deputy Conservator of Forests, Pune has certified that the proposed area is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance.

12. Site Inspection Report of Deputy Conservator of Forests, Pune is enclosed with the proposal.

13. The Deputy Conservator of Forests, Pune has proposed non forest area 2.50 ha from Gut No. 829 of village Wadebolai, Tal. Haveli, Dist. Pune. The Deputy Conservator of Forests has certified that, it is contiguous & suitable for afforestation & management purpose and also free from encroachment and encumbrances.

14. The Deputy Conservator of Forests, Pune has certified that the private area / non forest area which is to be acquired for the project is neither deemed Reserve Forest under the Maharashtra Private Forests (Acquisition) Act, 1975 nor it has been identified as "Forests" as envisaged in the interim order given by the Honorable Supreme Court dated 12/12/1996.

15. The Deputy Conservator of Forests, Pune has certified that the private area / non forest area which is to be compensatory afforestation is neither deemed Reserve Forest under the Maharashtra Private Forests (Acquisition) Act, 1975 nor it has been identified as "Forests" as envisaged in the interim order given by the Honorable Supreme Court dated 12/12/1996.

16. Three alternatives have been explored by the User Agency and the proposed alignment involves least forest area.

17. The Deputy Conservator of Forests, Pune has recommended the proposal for approval subject to following conditions –

- i. It will be mandatory for the company to enclose the township area with proper fencing.

- ii. Company should plant at least 2000 tall plants on the inner side of the township boundary.
 - iii. Company should also provide funds for at least planning of 2-3 rows of tall trees on the outer side of township boundary on forest land.
 - iv. Company shall provide funds for planting tall trees on both sides of the road.
 - v. Company shall establish their own waste or garbage treatment plant.
 - vi. No untreated drainage water will be released in to forest area by the township.
18. The Principal Chief Conservator of Forests (HoFF), Maharashtra State, Nagpur has recommended the proposal subject to the conditions, given in his specific recommendations, under Section-2 (ii) of the Forest (Conservation) Act, 1980. His specific recommendations are enclosed in the proposal.
19. 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 (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

(Virendra Tiwari) 29/05/18

Chief Conservator of Forests (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. Commitment from the Applicant for defraying the cost of exploitation as well as cost of compensatory plantation
 6. User Agency has given an undertaking of Net Present Value
 7. Brief note of the project from the project authority
 8. Map of non-forest land for compensatory afforestation
 9. Site Inspection Report
 10. Certificate that there is no violation of Forest (Conservation) Act, 1980
 11. Certificate in Part-V

Copy to:

1. Principal Secretary, Urban Development Department, Mantralaya, Mumbai

2. Additional Principal Chief Conservator of Forests and Nodal Officer, Maharashtra State, Nagpur with reference to his letter no. Desk-17/NC/II/ID-12470/(16)/1552/16-17, dated 22/11/2016
3. Additional Principal Chief Conservator of Forests (CAMPA), Maharashtra State, Nagpur
4. Chief Conservator of Forests (T), Pune
5. Collector, Pune
6. Deputy Conservator of Forests, Pune
7. Shri.Prakash Patil, Eiffel Hills and Dells Pvt. Ltd., Mantri House, Dnyeshwar Paduka Chowk, FC Road, Pune-411005
8. Select File F-10