



**Office of the Principal Chief Conservator of Forests
(Head of Forest Force), Maharashtra State Nagpur**

**Additional Principal Chief Conservator of Forests and Nodal
Officer, Maharashtra State, Nagpur**

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Sub: Diversion of 0.530 ha. forest land in favour of Sub
Divisional Forest Officer, Bhore for construction of
Cement road, paving blocks & platforms (around
the trees) for Datta Temple Eco Tourism centre at
Bhambwade in Pune District of Maharashtra-reg

No. : Desk-17/NC/II/ID.12427/(16)/2267/2017-18

Nagpur, Dt. 21/12/2017

To

The Addl. Principal Chief Conservator of Forests (Central),
Government of India, Ministry of Environment, Forests & Climate Change,
Regional Office (WCZ), Ground Floor, East Wing,
New Secretariat Building, Civil Lines,
Nagpur 440001.

Ref: 1) GOI letter No. FC-I/MH-25/2016-NGP/2353 dated 05/09/2017.

2) Chief Conservator of Forests (T) Pune letter No Desk-1/Land/FCA-220/
2017-18/1232 dated 05/12/2017.

Sir,

The Government of India has agreed in-principle to approve the diversion of 0.53 ha. Reserved forest land in favour of Sub Divisional Forest Officer, Bhore for construction of Cement road, paving blocks & platforms (around the trees) for Datta Temple Eco Tourism centre at Bhambwade in Pune District of Maharashtra-reg under the Forest (Conservation) Act, 1980, subject to fulfillment of the conditions stated in the letter dated 05/09/2017 under reference (1). Compliance report of the conditions is furnished as under :-

i	Legal Status of the diverted forest land shall remain unchanged.	The User Agency has submitted the undertaking is enclosed as Annexure I .
ii	Compensatory afforestation, over degraded forest land double in extent to the forest land being diverted, shall be raised by the State Forest Department at the cost of User Agency.	Compensatory afforestation over degraded forest land in village Nidhan S.No.317 Area 1.06 ha. (Double area) will be carried out at the cost of user agency.
iii	The land identified for raising compensatory afforestation shall be depicted on the Sol topo sheet of 1:50,00 scale and Differential GPS maps of the area proposed for diversion as well land identified for compensatory afforestation along with soft copies of their KML/ Shape files shall be submitted along with the compliance report.	Soft copy and KML files of Toposheet scale 1:50,00 scale ,GPS Maps of the area proposed for diversion and compensatory afforestation is enclosed as Annexure II .

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iv	Special protection measures shall be undertaken of the land identified for CA as examination of the Google satellite Imagery of the area identified for CA revealed that area is traversed by paths/ roads which needs ample of protection to prevent further encroachment. Provisions of special Protection may be included in the CA scheme and the same shall be intimated to the Regional Office before Stage-II approval.	The User Agency has submitted the undertaking is enclosed as <u>Annexure III and CA Scheme at Annexure IV</u> .
v	The User Agency shall transfer the cost of raising and maintaining the compensatory afforestation, at the current wage rate, to the State Forest department. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.	The user agency has been transferred Rs 5,26,314/- for compensatory afforestation for seven Year.at the current wage rate to Ad.hoc CAMPA in saving bank A/C No 1507819916021686 of Corporation Bank FCS Bangalore on dated 14/11/2017. UTR No SBIN517318520797 dated 14/11/2017.
vi	The state Government shall charge the Net Present Value (NPV) of the forest land being diverted under this proposal from the User Agency as per the order of the Hon'ble Supreme court of India dated 28.03.2018 , 24.04.2008 and 09.05.2008 in writ Petition (Civil) No.202/1995 and the guidelines issued by this Ministry vide its letter No.5-3/2007-FC dated 05.02.2009 in this regard.	The User Agency has been transferred Rs.3,31,780/- on account of Net Present value for 0.53 to Ad.hoc CAMPA in saving bank A/C No 1507819916021686 of Corporation Bank FCS Bangalore on dated 14/11/2017. UTR No SBIN517318520797 dated 14/11/2017.
vii	At the time of payment of the Net Present Value (NPV) at the then prevailing rate, the user Agency Shall furnish an undertaking to pay the additional amount of NPV' if so determined, as per the final decision of the Hon'ble Supreme court of India.	The user agency submitted the undertaking is enclosed as <u>Annexure V</u> .
viii	All the funds received from the user agency under the project, except the funds realized for regeneration/ demarcation of Safety Zone , shall be transferred to Ad-hoc CAMPA in the savings Bank Account pertaining to the state concerned.	The User Agency has been transferred Rs.8,58,094/- on account of Net Present value Rs. 3,31,780/- + Compensatory Afforestation Rs. 5,26,314/- for 0.53 ha to Ad.hoc CAMPA in saving bank A/C No 1507819916021686 of Corporation Bank FCS Bangalore on dated 14/11/2017. UTR No SBIN517318520797 dated 14/11/2017 Proforma attached as <u>Annexure VI</u>
ix	The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.	The User Agency submitted that the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986 is not required for this project.
x	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	The boundary of the diverted land will be demarcated by erecting four feet high RCC pillars by the Forest Department.

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	and back bearing and distance from pillar to pillar.	
xi	No labour camp shall be established on the forest land.	The User Agency agreed with the condition and submitted the undertaking is enclosed as <u>Annexure VII</u>
xii	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.	The User Agency agreed with the condition and submitted the undertaking is enclosed as <u>Annexure VIII</u>
xiii	The forest land shall not be used for any purpose other than that specified in the proposal.	The User Agency agreed with the condition and submitted the undertaking is enclosed as <u>Annexure IX</u>
xiv	The layout plan of the proposal shall not be changed without the prior approval of the Central Government.	The User Agency agreed with the condition and submitted the undertaking is enclosed as <u>Annexure X</u>
xv.	The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government.	The User Agency agreed with the condition and submitted the undertaking is enclosed as <u>Annexure XI</u>
xvi	No damage to the flora and fauna of the adjoining area shall be caused.	The User Agency agreed with the condition and submitted the undertaking is enclosed as <u>Annexure XII</u>
xvii	Any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department.	The User Agency agreed with the condition and submitted the undertaking is enclosed as <u>Annexure XIII</u> (However no tree felling involved in the project)
xviii	The State Government shall ensure that process of settlement of rights under the Scheduled tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights), Act 2006 has been completed in accordance with the guidelines issued by the MoEF&CC in this regard Documentary evidences revealed that proceedings of the SDLC have been conducted on 07.03.2016 and the District Collector has issued certificate in 07.03.2016 while the meeting of the Gram Sabha was held on 23.12.2016. Compliance of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 needs to be ensured by the State Government in accordance with the provision of law as stipulated under the said Act.	The User Agency has submitted the FRA -2006 Certificate issued by District Collector Pune dated 26/05/2016, alongwith copies of Gramsabha meeting held on 06/10/2015, Sub divisional Officer submitted the report to Collector Pune on 07/03/2016 is enclosed as <u>Annexure XIV</u>
xix	The User agency in consultation with the state Government shall create and maintain alternate habitat/ home for the avifauna, whose nesting trees are to be cleared in this project. Bird's nests	The User Agency agreed with the condition however there is no tree filling in this project.

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	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.	
xx	construction activities will be taken up as per the components proposed in the proposal and area under construction activity should not exceed 0.53 ha. No activities, other than what is proposed in the proposal, shall be allowed in the forest area being diverted.	The User Agency agreed with the condition and submitted the undertaking is enclosed as <u>Annexure XV</u>
xxi	The user agency shall submit the half yearly self compliance report in respect of the above conditions on 31 July and 31 December every year to the State Government and to the concerned Regional Office of the Ministry regularly.	The User Agency agreed with the condition and submitted the undertaking is enclosed as <u>Annexure XVI</u>
xxii	The State Government shall ensure compliance of the above mentioned conditions and an annual report on the same shall be submitted on 31 December every year.	The User Agency agreed with the condition and submitted the undertaking is enclosed as <u>Annexure XVII</u>
xxiii	Any other condition that the concerned Regional Office of this Ministry may stipulate, from time to time, in the interest of conservation, Protection and development of forests & Wildlife and.	The User Agency agreed with the condition and submitted the undertaking is enclosed as <u>Annexure XVIII</u>
xxiv	The User Agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, regulation and Guidelines, for the time being in force, as applicable to the project.	The User Agency agreed with the condition and submitted the undertaking is enclosed as <u>Annexure XIX</u>

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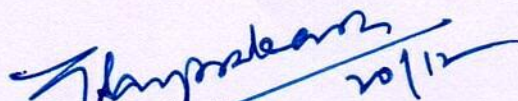
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In view of the above facts, it is requested to issue formal approval under section 2 of the Forest (Conservation) Act, 1980 as early as possible.

Encl: as above

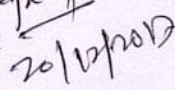
Yours faithfully,


(G Sai Prakash)

**Additional Principal Chief Conservator of Forests
& Nodal Officer, Maharashtra State, Nagpur**

Copy to:-

- 1) Secretary (Forests), Revenue and Forests Department, Mantralaya, Mumbai ~~with~~ enclosures for information
- 2) Chief Conservator of Forests (T) Pune.
- 3) Sub Divisional Forest Officer, Bhore (User Agency)


20/12/2017