

I/50194/2023

Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Jor Bag Road, Aliganj,
New Delhi – 110003

Dated: 2nd August, 2023

07th

To,


The Principal Secretary (Forests),
Government of Maharashtra,
Mumbai.

Subject: 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, District Pune in the State of Maharashtra (Online No. FP/MH/Road/144314/2020) – regarding.

Madam/Sir,

I am directed to refer to the Government of Maharashtra letter no. FLD-2022/CR-265/F-10 dated 25.01.2023 uploaded on PARIVESH portal on 05.07.2023 on the above cited subject. In this regard following shortcomings have been observed in the proposal submitted by the State Govt.:-

- i. It has been mentioned that the 0.462 ha area proposed for diversion is part of the 55.74 ha area already diverted in favour of ARAI. The justification and reasons for submitting a fresh diversion proposal instead of applying for re-diversion of forest land is required to be submitted. Upon receipt of same the further decision for acceptance of the proposal in the present form can be taken by the ministry.
- ii. The DFO in his Site inspection report has mentioned that out of 0.4620 ha only 0.15 ha overlaps with the the earlier diversion which is at variance with the information submitted by the state. The same needs clarification.
- iii. An area of 55.74 ha forest land was diverted vide the Ministry's letter No. 8-15/2007-FC dated 24.07.2008 in favour of Automotive Research Association of India (ARAI) whereas the instant proposal for diversion of 0.462 ha has been submitted by the Armament Research and Development Establishment (ARDE). Therefore, the copy of NoC from the ARAI in this regard needs submission.
- iv. The State Govt. has reported that the possession of 98.045 ha forest land out of 105.74 ha has been taken back from the ARAI after excluding the 7.695 ha which is still under possession of ARAI. Whereas only 55.74 ha forest land was diverted by the Central Govt. under the FCA, 1980 in favour of ARAI. Therefore, the details of work done in the 55.74 ha forest land, present status of 7.695 ha forest land along with a report on the 98.045 ha forest land shall be submitted.
- v. From the information submitted by the state Government it appears that 105.74 ha land was in possession of ARAI against the 55.74 ha allowed to be diverted by the Central Govt. A detailed clarification in this regard needs submission.
- vi. It has been informed that the State govt has so far not issued the diversion order for 55.74 ha forest land in favour of ARAI and the matter is still under consideration. In such circumstances the justification as to how the possession of the land has been handed over/taken over by the ARAI needs submission. The,


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- reasons for not issuing the diversion order in case of 55.74 ha forest land shall also be elaborated..
- vii. The State Govt. reported that the present user agency i.e. ARDE has developed several stores and services in the village Kothrud and due to increased defence related services and communication, the user agency would have a requirement of 0.462 ha forest land to establish the direct approach/ link between its different complexes. The details of forest land involved in the ARDE complex and approvals accorded in this regard needs submission.
 - viii. The status of compliance of the conditions stipulated in the 55.74 ha forest land and other approvals accorded(if any) shall be submitted.
 - ix. It has been reported by the DFO in his SIR that the Nodal Officer Maharashtra had recommended ARDE to make proposal of 9.44 ha whereas the user agency has submitted proposal for diversion of 0.4620 ha forest land. A detailed justification in this regard including the basis of calculation of above requirements needs submission.
 - x. The site specificity of the proposal shall be re-examined and a detailed report along with KML files of alternatives examined with relevant maps shall be submitted.
 - xi. The PCCF (HoFF) recommended the proposal subject to construction of under-pass for safe crossing of wild animals whereas the details of wild animals has been reported in online Part-II as Nil. Therefore the same needs justification.
 - xii. The State Govt. reported that the ARDE & ARAI has now signed a MoU on 20.01.2021. The copy of the same shall be submitted.
 - xiii. The KML file/ Shape-file of 55.74 ha diverted forest land in favour of ARAI shall be submitted.
 - xiv. The correct KML/ Shape-file of 0.462 ha shall be uploaded on PARIVESH.
 - xv. The KML/ Shape-file of the two defence complex sites i.e. ARDE & DRDO shall also be submitted.
 - xvi. Two forest compartment boundary have been uploaded in Part-I form of PARIVESH, out of which the proposed forest land for diversion is located in only one patch. Therefore, the reason for uploading two forest compartment boundary needs clarification.
 - xvii. As per the DSS analysis, a road has already been constructed after the year 2019 in the area proposed for diversion. Whereas the State Govt has not reported any violation of FCA,1980 in the instant case. The same needs clarification.
 - xviii. As per DSS analysis, the site proposed for Compensatory Afforestation is devoid for vegetation cover and some construction work is going on near the proposed site. Moreover, it appears that 1ha area proposed for CA is isolated which may be prone to encroachments and nay not be easy to manage. The State shall reexamine the Compensatory Afforestation area and ensure that the same is suitable for plantation and management point of view.

Accordingly, it is requested to furnish the above mentioned information to this Ministry for further consideration of the proposal.

Yours sincerely,

Sd/-
(Suneet Bhardwaj)

Assistant Inspector General of Forests

Copy to:

1. The PCCF (HoFF), Department of Forest, Government of Maharashtra, Nagpur;
2. The Dy. DG (C), Regional Office, MoEF&CC, Nagpur;
3. The Nodal Officer (FCA), Department of Forest, Government of Maharashtra, Nagpur;;
4. User Agency;
5. Monitoring Cell, FC Division, MoEF & CC, New Delhi for uploading on PARIVESH portal.