

BEFORE NATIONAL GREEN TRIBUNAL  
WESTERN ZONE BENCH, PUNE

ORIGINAL APPLICATION NO. 23 OF 2024 (WZ)

MR. NARESH CHHETIJA AND OTHERS ...APPLICANTS

VS

MAHARASHTRA STATE BIODIVERSITY BOARD AND

OTHERS ... RESPONDENTS

**Objections of the Working Plan Volume I for Pune Forest Division for the period 2023-24 to 2032-33 issued by the offices of Deputy Conservators of Forest.**

We, Applicants Nos., 1 & 2 have gone through the copy of the Working Plan from the DCF for Pune division. After careful perusal of the said Working Plan volume I, the following are the objections raised by us:

1. The Working Plan shared by respondent No. 7 RFO via WhatsApp on 12<sup>th</sup> June at 4.11 pm with the counsel of the Applicants, is just a draft copy and contains this disclaimer on the page 317 which states that:

**DISCLAIMER**

***"The draft working plan report is a document of Maharashtra Forest department, which is solely developed to aid scientific management of forest. The contents of this document are intended only for the management and informational use of the addressee. All the information, statement of area and maps included are only for management purpose and must not be used for any legal purpose or otherwise."***

Therefore, the legality of the given Working Plan is in question and it cannot be treated as an approved Working Plan.



2. The Applicants further put on record that the clause 20 of the ad hoc Approval letter dated 7<sup>th</sup> November 2023 (F.No.12-7/2004 (FOR)/ 12437 (page 107 of reply affidavit by R 2,6 and 7) clearly states as:

*“Eco tourism shall/may be undertaken on sustainable basis. No Permanent structures shall be allowed at such sites. Temporary structures made up of local forest produce may be allowed for public. Such sites will be declared as plastic free zone. These Eco-tourism sites will be managed by the Forest Department as per the prescription of the working plan after taking prior approval of Central Government under section 2 of Forest (Conservation) Act of 1980.”*

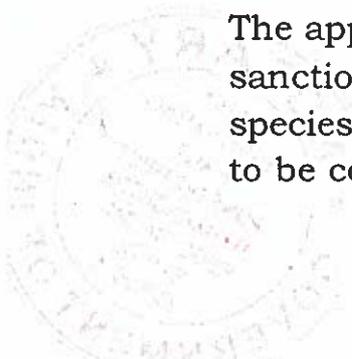
The applicants and many residents from nearby societies have observed permanent **concrete** structures like water tank, sitting space/gazebo that have been constructed since Feb 2024. We all have also observed continuous movement of Ready Mix Concrete trucks inside the said Wanawadi eco-tourism site on Reserve Forest Land Survey No 49 Pune as latest as June 2024.

3. The Applicants further put on record that the clause 3 & 4 of the ad-hoc Approval letter dated 7<sup>th</sup> November 2023 (F.No.12-7/2004 (FOR)/ 12437 (page 105 of reply affidavit by R 2,6 and 7) clearly states as:

*“Further in compliance with the order of Hon’ble Supreme court’s order dated 22.09.2000, the Govt of Maharashtra shall ensure that regeneration of forests is commensurate with felling carried out under this working plan.*

*“No felling should be carried out without allocating necessary fund for implementation of regeneration so as to make regeneration commensurate with felling. In the events of failure in regeneration or any shortfall in carrying out regeneration operation, no further felling shall be undertaken until the failure/shortfall is made up.*

The applicants have observed that not even 10-15% of the funds sanctioned/disbursed are being used for regeneration of native species whereas the two clauses above clearly state regeneration to be commensurate with felling. This also indicates a mala fide



intention of rapidly felling mature trees under the pretext of Gliricidia. Hence further felling of trees must be stopped immediately.

4. The Applicants further put on record that the clause 9 of the ad-hoc Approval letter dated 7<sup>th</sup> November 2023 (F.No.12-7/2004 (FOR)/ 12437 (page 106 of reply affidavit by R 2,6 and 7) clearly states as:

*"Felling carried out on forest land after seeking approval from central government under FCA Act 1980 will not be treated as a deviation. However, proposed felling in the forest division shall be restricted proportionately in the current and future years to compensate this removal.*

The Applicants have observed that mature Gliricidia is rapidly being felled without following proper guidelines such as felling in small phases and due coupes only. This is leading to severe loss of green cover. This must be stopped immediately.

5. The Applicants further put on record that the clause 12 of the ad-hoc Approval letter dated 7<sup>th</sup> November 2023 (F.No.12-7/2004 (FOR)/ 12437 (page 106 of reply affidavit by R 2,6 and 7) clearly states as:

*"Felling shall not be undertaken near the known resting/ nesting of wild animals and birds.*

The Wanawadi forest reserve, a small woodland ecosystem, was a habitat for a lot of birds, butterflies, bees, and small mammals such as squirrels, mongoose etc. Peacocks (Indian Peafowl), India's national bird and a Schedule 1 species under the WPA Act 1972, were often spotted by the residents. Snakes like Indian Cobra, again a Schedule 1 species was also spotted by the residents. Hence this felling of trees in the above Wanawadi forest zones of Survey no 49 are a clear violation of policy under the disguise of Draft working plan of Pune Forest division.

6. The applicants further put their objection on record regarding a note on (page 108 of the reply affidavit of R 2,6 and 7):





the survival of species such as *Gliricidia* rather than native tree species.

- iii. *Page 253 of the draft working plan states: Since the year 2018-19 around 15-20-hectare area under Gliricidia in Bhamburda range has been clear felled and plantations of tall plants of local miscellaneous species has been undertaken. The growth of these plantations is satisfactory but maintenance and protection must be done beyond 5 years. These plantations have proved to be successful in Osmanabad and Junnar districts too.*

We bring to notice of Hon'ble Tribunal that the Soil, Water and Climatic Regime of different Forests cannot be the same. Hence a blanket rule of Junnar, Osmanabad, Bhamburda etc should not have been applied to Wanawadi Reserve Forest Lands. Bhamburda range has good soil depth.

- iv. *As mentioned in reply affidavit of R 2,6,7 para 3-page 80 and para 7-page 83. Gliricidia being potentially invasive number of stakeholders, NGO, Environment experts raised their concern from time to time to address the menace of Gliricidia. This being non forest exotic species, after considering its ill effects on local habitat and native indigenous species it is permitted to be uprooted and replaced with native species -*

On the Reserve Forest land Survey no 49 Wanawadi Pune where a eco park is being developed, *Gliricidia* was not creating any menace. It is a conserved forest land sealed from all the ends and only the forest authorities had access to it, which has helped maintained its tranquility for all these years. This clearly indicates *Gliricidia* has been rapidly felled under the shadow of a working plan with mala fide intentions only for an Eco Tourism Park



- v. *Para 12-page 90 of reply affidavit of R 2,6,7 states Specific site of Wanawadi is included in Potential Eco Tourism sites mentioned in Appendix no XL of Volume II of Working Plan-*

R7 has provided us only the Volume I of the draft working plan. We do not have the Volume II or the final approved working plan.

Considering the DRAFT working plan provided by Respondents 2, 6, and 7 and the contents thereof as well as the letter dated 7<sup>th</sup> Nov 2023, the Respondents clearly failed to bring the Final approved Working Plan and are in non-compliance. Further, they are attempting to manipulate and misguide the Hon'ble Tribunal. The Applicants request the Hon'ble Tribunal to consider the tactics of the Respondents, impose heavy penalty for the same and provide stay on Wanawadi Eco Tourism Project to avoid further damage.

I am filing the said objections on behalf of Applicant no 2 and myself.

Place: Pune

Date 15<sup>th</sup> July 2024

*N Chhetija*

Mr Naresh Chhetija

Deponent 1

*Moreshwar*

Advocate for Deponents

Adv Kshitija Sarangi Moreshwar

**BEFORE ME**  
*VK*  
**VIJAY K. RAUT**  
NOTARY, GOVT OF INDIA  
PUNE

**Noted and Registered**  
**at Serial Number.....**  
*245724*

15 JUL 2024

