

PART -IV

Nodal Officer or Principal Chief Conservator of Forests (Head of Forest Force)

(Detailed opinion and specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks)

Sub.:-Diversion of 0.1186 ha of Reserved Forest (MPFA, 1975 & U/s 4 IFA, 1927), Reserved Forest and Unclassed Forest land for laying of underground 1100 mm water pipeline for industries use & 400 mm dia water pipeline for drinking purpose nearby villages from Patansai (Tal Roha) to Karav (Tal Pen) in Raigad district (M/s. JSW Steel Ltd.). The details of land proposed for diversion is as under-

Village	Taluka	Dist.	Sur. No.	Legal Status	Area in Ha
Nagothane	Roha	Raigad	6/P	Reserved Forest (MPFA. 1975)	0.0540
			2A/1A	Restored Private Forest	0.0360
			237/0	Reserved Forest (U/s 4 of IFA. 1927)	0.0186
Nigade	Pen		Gut No. 7/C	Unclassed Forest	0.0061
Salinde			138 P	Reserved Forest	0.0039
Total area in Ha.					0.1186

Specific recommendation of Principal Chief Conservator of Forests (HoFF) MS Nagpur is attached on page no. 7A

Handwritten signature and date: 30/7/16

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

Date:

Place: Nagpur

Laying of U/G 1100 mm water pipeline for industries use & 400 mm dia water pipeline for drinking purpose nearby villages from Patansai (Tal Roha) to Karav (Tal Pen) Dist Raigad

Specific Recommendation of Principal Chief Conservator of Forests (Head of Forest Force), Maharashtra State with regards to acceptance or otherwise of the proposal supported by reasons.

- 1) The proposal is for diversion of 0.1186 ha of Reserved Forest (MPFA, 1975 & U's 4 IFA, 1927), Reserved Forest and Unclassed Forest land for laying of under ground 1100 mm water pipeline for industries use & 400 mm dia water pipeline for drinking purpose nearby villages from Patansai (Tal Roha) to Karav (Tal Pen) in Raigad district. The detailed area statement is shown as under-

Village	Taluka	Dist.	Sur. No.	Legal Status	Area in Ha
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Salinde			138/P	Reserved Forest	0.0039
Total area in Ha.				0.1186	

The proposal has been initiated by M/s. JSW Steel Ltd., Geetapuram, Dolvi Tal Pen Dist Raigad for laying of under ground 1100 mm water pipeline for industries use & 400 mm dia water pipeline for drinking purpose nearby villages from Patansai (Tal Roha) to Karav (Tal Pen) in Raigad district. Total non-forest area involved in this project is 6.2980 ha. The total water requirement for the proposed expansion project and township will be around 112.16 MLD (4673 cum hrs). To cater this additional water requirement, new water pipeline of 1100mm dia is being laid from Chikni (Nagothane) to Dolvi Complex. The line is route along NH-17 within utility corridor approved by NHAI. The pipeline is going to be utilized to cater the increased water requirement of the expanded Dolvi Steel Complex of JSW Steel Ltd. And laying of 400mm dia pipeline in utility corridor of NH-17 to meet the drinking water requirement of enroute villages at User Agency cost. Both the pipeline are routed along NH-17 within utility corridor approved by NHAI.

- 2) The Deputy Conservator of Forests, Alibag has certified that no alternate alignment is possible and the forest land required is the barest minimum.

- 3) No cutting and felling of trees is involved in implementation of the project.
- 4) There is a violation of Forest (Conservation) Act 1980 as certified by the Deputy Conservator of Forests, Alibag. However, it is not violation of Forest (Conservation) Act, 1980 but violation of Indian Forest Act, 1927 as the agency is a private entity. User Agency has constructed the bridge & laid pipeline over an area of 0.1186 ha forest land in the year 2013 to 2015. As per report of violation, this is case of mistake of fact the utility corridor provided by National Highway 17 and in the agreement with JSW Steel Ltd (User Agency) regarding uses of utility corridor it was presumed that all land related permission were granted by the various Government agencies hence the work was undertaken. Violation report is enclosed in the proposal on page No. 14 to 16.
- 5) The project area belongs to Eco-Value class I & category open.
- 6) The User Agency has submitted an undertaking to defray the cost of Net Present Value of the forest land proposed for diversion.
- 7) The Deputy Conservator of Forests, Alibag has certified that the proposed project is beyond 10 km of the boundaries of the Protected Area (Sudhagad Wildlife Sanctuary).
- 8) The area involved does not form part of any existing National Park, Wildlife Sanctuary or Nature Reserve etc.
- 9) The Deputy Conservator of Forests, Alibag has certified that proposed project is not likely to affect any monuments site of cultural, historical, religious archeological or recreational importance.
- 10) The Deputy Conservator of Forests, Alibag 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.
- 11) The Assistant Conservator of Forests (CAMPA & FLCs), Alibag has certified that 1.00 ha, degraded forest land in Comptt. No. 384 A at village Sukeli, Ta. Roha, Dist. Raigad proposed for Compensatory Afforestation is suitable for afforestation & management purpose and also free from encroachment and encumbrances.
- 12) Site Inspection Report of Deputy Conservator of Forests, Alibag is enclosed in the proposal on page no. 26 to 28 and Compensatory Afforestation Scheme is enclosed on page no. 33 to 39.
- 13) The User Agency has fulfilled the compliance under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Rights) Act 2006.
- 14) The Chief Conservator of Forests (T) Thane, and Deputy Conservator of Forests, Alibag have recommended the proposal for approval.

In view of this, the proposal is recommended for approval under section - 2 (ii) of Forest (Conservation) Act, 1980 subject to the following conditions -

- i. The legal status of the land required will remain unchanged.
- ii. Compensatory Afforestation will be raised at the cost of User Agency on 1.00 the degraded forest land incharge of Forest Department.
- iii. Penal Compensatory Afforestation will be raised at the cost of the User Agency on 0.20 ha degraded forest land made available by the Forest Department.
- iv. The forest land shall not be used for any purpose other than specified in the project.
- v. The User Agency will defray the cost of Net Present Value of 0.1186 Ha. of forest land as per the latest guideline of Government of India.
- vi. The User Agency will defray the additional / revised cost of Net Present Value of forestland as per the latest Guideline of Government of India.
- vii. The pipeline will be laid one meter below the ground level.
- viii. It will be the responsibility of the User Agency to ensure that the laborers, staff engaged in construction activity do not damage nearby forest flora and fauna.
- ix. The User Agency shall compensate the private owner of forest lands in accordance with the prevalent laws, rules and guidelines.
- x. Any other conditions stipulated by Government at the time of submission of the proposal will be binding to User Agency.
- xi. Provisions of all Acts, Rules made thereunder and guidelines applicable to the project shall have to be strictly followed by the User Agency.


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

Office of the Principal Chief Conservator of Forests (Head of Forest Force)

Maharashtra State, Nagpur

Additional Principal Chief Conservator of Forests & Nodal Officer, M. S. Nagpur

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No. : Desk-17/NC/II/ID 12454/(60) **822** /16-17
Nagpur -440 001, Dated: **30.07.2016**

To

The Secretary (Forests),
Revenue and Forest Department,
Mantralaya Mumbai-32

M/s. JSW Steel Ltd., Geetapuram, Dolvi Tal Pen Dist Raigad has submitted a proposal for diversion of 0.1186 ha of Reserved Forest (MPFA, 1975 & U/s 4 IFA, 1927). Reserved Forest and Unclassed Forest land for laying of under ground 1100 mm water pipeline for industries use & 400 mm dia water pipeline for drinking purpose nearby villages from Patansai (Tal Roha) to Karav (Tal Pen) in Raigad district. The details of land proposed for diversion is as under-

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Salinde			138/P	Reserved Forest	0.0039 ✓
Total area in Ha.					0.1186

Total non-forest area involved in this project is 6.2980 ha. The total water requirement for the proposed expansion project and township will be around 112.16 MLD (4673 cum/hrs). To cater this additional water requirement, new water pipeline of 1100mm dia is being laid from Chikni (Nagothane) to Dolvi Complex. The line is route along NH-17 within utility corridor approved by NHAI. The pipeline is going to be utilized to cater the increased water requirement of the expanded Dolvi Steel Complex of JSW Steel Ltd. And laying of 400mm dia pipeline in utility corridor of NH-17 to meet the drinking water requirement of enroute villages at User

Agency cost. Both the pipeline are routed along NH-17 within utility corridor approved by NHAI. ✓

2) Following documents as prescribed in Government Circular, Revenue and Forest Department No.FLD-1081/2041(A)/F-3, dated 20/03/1982 as well as per Government of India's instructions issued from time to time are enclosed in Triplicate.

1. Prescribed form dated 10/01/2003. ✓
2. The Deputy Conservator of Forests, Alibag has certified that no alternate alignment is possible and the forest land required is the barest minimum. ✓
3. No cutting and felling of trees is involved in implementation of the project. ✓
4. There is a violation of Forest (Conservation) Act 1980 as certified by the Deputy Conservator of Forests, Alibag. However, it is not violation of Forest (Conservation) Act, 1980 but violation of Indian Forest Act, 1927 as the agency is a private entity. User Agency has constructed the bridge & laid pipeline over an area of 0.1186 ha forest land in the year 2013 to 2015. As per report of violation, this is case of mistake of fact the utility corridor provided by National Highway 17 and in the agreement with JSW Steel Ltd (User Agency) regarding uses of utility corridor it was presumed that all land related permission were granted by the various Government agencies hence the work was undertaken. Violation report is enclosed in the proposal on page No. 14 to 16. ✓
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12. Site Inspection Report of Deputy Conservator of Forests, Alibag is enclosed in the proposal on page no. 26 to 28 and Compensatory Afforestation Scheme is enclosed on page no. 33 to 39. ✓
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