

**PART -IV**

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

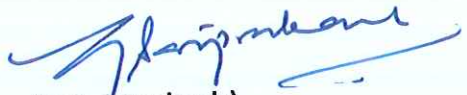
(Detailed opinion and specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks)

**Sub.:-** Diversion of 0.1911 ha of Reserved Forest land for construction of approach road , laying of underground Electric Cable and 6" dia G.I. Water pipe in view of the common and basic amenities to access the land of Shri Pandurang Parshuram kharpatil , Survey No 195/0 in Raigad district

The details of land proposed for diversion is as under-

Village	Taluka	Dist.	Gut. No	Legal Status	Area in Ha.	Remarks
Vindhane	Uran	Raigad	221	Reserved Forest (Notified U/s 4 of IFA 1927	0.1075	Approach Road to Private Land
Chirner	Uran	Raigad	Unsurveyed No (Old Sr No as per Gazette 268 & 269	Reserved Forest	0.0290	
Vindhane	Uran	Raigad	221	Reserved Forest (Notified U/s 4 of IFA 1927	0.0215	Laying underground Electric Cable
Chirner	Uran	Raigad	Unsurveyed No (Old Sr No as per Gazette 268 & 269	Reserved Forest	0.0058	
Vindhane	Uran	Raigad	221	Reserved Forest (Notified U/s 4 of IFA 1927	0.0215	Laying of underground 6" dia G.I. water Pipe line.z
Chirner	Uran	Raigad	Unsurveyed No (Old Sr No as per Gazette 268 & 269	Reserved Forest	0.0058	
Total					0.1911	

**Specific recommendation of Principal Chief Conservator of Forests (HoFF) MS Nagpur is attached on page no. 9A**

  
(G Sai Prakash)

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

Date: 12.2.77  
Place: Nagpur

**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)

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Total					0.1911	

**Specific recommendation of Principal Chief Conservator of Forests (HoFF) MS Nagpur is attached on page no. 9A**

  
(G Sai Prakash)

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

Date: 12.9.77  
Place: Nagpur





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

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

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9001:2015

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**Sub.:-** Diversion of 0.1911 ha of Reserved Forest land for construction of approach road , laying of underground Electric Cable and 6" dia G.I. Water pipe in view of the common and basic amenities to access the land of Shri Pandurang Parshuram kharpatil , Survey No 195/0 in Raigad district

No. : Desk-17/NC/II/ID 12517/(61)/ 879 /2017-18  
Nagpur – 440 001, Dated: 14 / 07 / 2017

To,

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

Shri Sagar R Kharpatil, M/s P.P. Kharpatil Construction Pvt Ltd, at post Chirner, Taluka-Uran, Distt Raigad has submitted a proposal for diversion of 0.1911 ha of reserved forest land for construction of approach road , laying of underground Electric Cable and 6" dia G.I. Water pipe in view of the common and basic amenities to access the land of Shri Pandurang Parshuram kharpatil , Survey No 195/0 in Raigad district. The details of land proposed for diversion is as under :-

Village	Taluka	Dist.	Gut. No	Legal Status	Area in Ha.	Remarks
Vindhane	Uran	Raigad	221	Reserved Forest (Notified U/s 4 of IFA 1927	0.1075	Approach Road to Private Land
Chirner	Uran	Raigad	Unsurveyed No (Old Sr No as per Gazette 268 & 269	Reserved Forest	0.0290	
Vindhane	Uran	Raigad	221	Reserved Forest (Notified U/s 4 of IFA 1927	0.0215	Laying under ground Electric Cable
Chirner	Uran	Raigad	Unsurveyed No (Old Sr No as per Gazette 268 & 269	Reserved Forest	0.0058	

Vindhane	Uran	Raigad	221	Reserved Forest (Notified U/s 4 of IFA 1927)	0.0215 ✓	Laying of underground 6" dia G.I. water Pipe line.z
Chirner	Uran	Raigad	Unsurvyed No (Old Sr No as per Gazette 268 & 269	Reserved Forest	0.0058 ✓	
Total					0.1911 ✓	

Therefore the project agency has submitted this proposal for diversion of 0.1911 ha Reserved Forest Land under Forest (Conservation) Act 1980. ✓

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 as under :- ✓

- 1) The Deputy Conservator of Forests, Alibag has stated that no alternate alignment is possible and the forest land required is the barest minimum. ✓
- 2) Site Inspection report of Deputy Conservator of Forests, Alibag is on page No 24. ✓
- 3) No cutting and felling of trees is involved in implementation of the project. ✓
- 4) Deputy Conservator of Forests, Alibag has mentioned that there is no violation of Forest (Conservation) Act 1980. However, Project Authority use the proposed forest area for approach to their private property without constructing any road or breaking of forest land. ✓
- 5) The area involved does not form part of Karnala Eco Sensitive zone as per final notification of ESZ dated 22/01/2016. The proposed area is 2.98 km from protected area i.e. Karnala Bird Sanctuary as certified by the Deputy Conservator of Forests, Alibag. ✓
- 6) The User Agency has submitted the compliance of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Right) Act 2006. (Collector Raigad certificate dated 20/03/2017). ✓
- 7) The proposed area belongs to Eco-value class-I and open forest. ✓
- 8) The User Agency has submitted an undertaking to defray the cost of Net Present Value of the forest land proposed for diversion. ✓
- 9) The Project Authority agrees to provide water supply from the storage of the project as per requirement of the Forest Department for afforestation prevailing rate at the time of water supply as fixed by Government. ✓
- 10) The Deputy Conservator of Forests, Alibag has certified that the proposed project is within 10 km of the boundaries of the Karnala Bird Sanctuary, but proposed site is not part of Karnala Bird Sanctuary or it's Eco-Sentative Zone and the project will not have any adverse effect on the wildlife within the area. ✓



- 11) The Deputy Conservator of Forests, Alibag has certified that 1.00 ha. degraded forest land in Gut No. 220 at village Vindhane, Ta. Uran, Dist. Raigad proposed for compensatory afforestation is suitable for plantation and free from encroachment. Map is enclosed in the proposal on page no. 86. ✓
- 12) The Deputy Conservator of Forests, Alibag has certified that the proposed area is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance. ✓
- 13) The Deputy Conservator of Forests, Alibag has certified that the Private land S.No. 195/0 vill-Vindhane, Ta.Uran, Distt-Raigad under the project for diversion of 0.1911 ha of forest area for proposed project is not 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. ✓
- 14) Deputy Conservator of Forests and User Agency have informed that they have examined three alternative. 1) No 1 involved 0.1911 Ha. forest area 2) No 2 involved 0.2485 Ha. forest area 3) No 3 involved 0.2408 Ha. forest area. ✓

Area of the alignment 1 having no felling of tree is involved, shortest route and required forest land is barest minimum & unavoidable. Hence, Alternative one is recommended for this project. ✓

- 15) The project proponent is ready to bear all the Government levies and there is no alternative available for approach road hence, The Deputy Conservator of Forests, Alibag has recommended the proposal for approval. ✓
- 16) Chief Conservator of Forests (T) Thane 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 the User Agency on 1.00 Ha. of degraded forest land made available by the Forest Department. ✓
- iii) The forest land shall not be used for any purposes other than specified in the project ✓
- iv) The User Agency will defray the cost of Net Present Value of 0.1911 Ha. of forest land as per the latest guideline of Government of India ✓
- v) The User Agency will defray the additional / revised cost of Net Present Value of forest land as per the latest Guideline of Government of India. ✓
- vi) The User Agency will pay the cost for raising road side plantation of the forest land proposed for diversion. ✓
- vii) The User Agency will pay the cost for providing chain link fencing of the affected area of Reserved forest Gut No. 221 , Vill-Vindhane and reserved Forest unsurveyed No (Old Sr No as per Gazette 268 & 269) of vill Chirner, Ta.-Uran, Distt-Raigad in the proposed project. ✓

viii) It will be the responsibility of the User Agency to ensure that the labourers, staffs engaged in construction / Laying activity do not damage nearby forest flora and fauna.



- ix) The User Agency will obtain Environment Clearance, if required.
- x) Any other conditions imposed by Government will be binding to User Agency.
- xi) Provisions of all Acts, Rules made there under, and guidelines applicable to the project shall have to be strictly followed.

It is therefore requested that the Government of Maharashtra may kindly be moved to approve diversion of 0.1911 ha Reserved Forest Land for construction of approach road , laying of underground Electric Cable and 6" dia G.I. Water pipe in view of the common and basic amenities to access the land of Shri Pandurang Parshuram kharpatil , Survey No 195/0 in Raigad district under section (ii) of the Forest (Conservation) Act 1980.

Encls : As above

  
(G Sai Prakash)


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

  
12/7/17  
  
12/7/17

Copy to Chief Conservator of Forests (T) Thane

Copy to Deputy Conservator of Forests Alibag.

Copy to Shri Sagar R Kharpatil, M/s P.P. Kharpatil Construction Pvt Ltd, at post Chirner, Taluka-Uran, Distt Raigad

  
12/07/2017



**Construction of Approach Road, Laying of underground Electric Cable and 6" dia G.I. Water Pipe from private land of Shri Pandurang Parshuram kharpatil , Survey No 195 at village-Vindhane, Taluka-Uran, Distt-Raigad**

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

- 1) The proposal is for diversion of 0.1911 ha of reserved forest land for construction of approach road , laying of underground Electric Cable and 6" dia G.I. Water pipe to access the land of Shri Pandurang Parshuram kharpatil , Survey No 195/0 in Raigad district. The details of land proposed for diversion is as under.

Village	Taluka	Dist.	Gut. No	Legal Status	Area in Ha.	Remarks
Vindhane	Uran	Raigad	221	Reserved Forest (Notified U/s 4 of IFA 1927	0.1075	Approach Road to Private Land
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Vindhane	Uran	Raigad	221	Reserved Forest (Notified U/s 4 of IFA 1927	0.0215	Laying of underground 6" dia G.I. water Pipe line.z
Chirner	Uran	Raigad	Unsurveyed No (Old Sr No as per Gazette 268 & 269	Reserved Forest	0.0058	
Total					0.1911	

The project has been initiated by Shri Sagar R Kharpatil, M/s P.P. Kharpatil Construction Pvt Ltd, at post Chirner, Taluka-Uran, Distt Raigad. Shri P.P. Kharpatil having a private

land Gut No 195 , at village-Vindhane, Taluka-Uran, Distt-Raigad. There is no motorable approach to the said property from existing Taki Phata to Ransai road. However the Project authority use the proposed forest area for approach to their private property without constructing any road or breaking of forest land. The project site is situated at approx 20 kms from the Uran town. The proposed area is 2.80 km arial distance from the Karnala Bird Sanctuary. The proposed land does not cover in Karnala Bird Sanctuary Eco-Sensetive zone.

Hence the Project Agency has submitted the proposal for construction of approach road, laying of underground electric cable and 6" dia G.I. water pipe line in view of the common and basic amentias under Forest (Conservation) Act, 1980 for diversion of forest land for non forestry use.

- 2) The Deputy Conservator of Forests, Alibag has stated that no alternate alignment is possible and the forest land required is the barest minimum. c/114
- 3) Site Inspection report of Deputy Conservator of Forests, Alibag is on page No 24. c/24
- 4) No cutting and felling of trees is involved in implementation of the project. c/20
- 5) Deputy Conservator of Forests, Alibag has mentioned that there is no violation of Forest (Conservation) Act 1980. However, Project Authority use the proposed forest area for approach to their private property without constructing any road or breaking of forest land. c/115
- 6) The area involved does not form part of Karnala Eco Sensitive zone as per final notification of ESZ dated 22/01/2016. The proposed area is 2.98 km from protected area i.e. Karnala Bird Sanctuary as certified by the Deputy Conservator of Forests, Alibag. c/21
- 7) The User Agency has submitted the compliance of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Right) Act 2006. (Collector Raigad certificate dated 20/03/2017). c/68
- 8) The proposed area belongs to Eco-value class-I and open forest. c/19
- 9) The User Agency has submitted an undertaking to defray the cost of Net Present Value of the forest land proposed for diversion. c/48
- 10) The Project Authority agrees to provide water supply from the storage of the project as per requirement of the Forest Department for afforestation prevailing rate at the time of water supply as fixed by Government. c/49

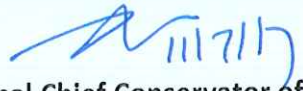


- 11) The Deputy Conservator of Forests, Alibag has certified that the proposed project is within 10 km of the boundaries of the Karnala Bird Sanctuary, but proposed site is not part of Karnala Bird Sanctuary or its Eco-Sensitive Zone and the project will not have any adverse effect on the wildlife within the area. c/18
- 12) The Deputy Conservator of Forests, Alibag has certified that 1.00 ha. degraded forest land in Gut No. 220 at village Vindhane, Ta. Uran, Dist. Raigad proposed for compensatory afforestation is suitable for plantation and free from encroachment. Map is enclosed in the proposal on page no. 86. c/17
- 13) The Deputy Conservator of Forests, Alibag has certified that the proposed area is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance. c/17
- 14) The Deputy Conservator of Forests, Alibag has certified that the Private land S.No. 195/0 vill-Vindhane, Ta.Uran, Distt-Raigad under the project for diversion of 0.1911 ha of forest area for proposed project is not 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. c/16
- 15) Deputy Conservator of Forests and User Agency have informed that they have examined three alternative. 1) No 1 involved 0.1911 Ha. forest area 2) No 2 involved 0.2485 Ha. forest area 3) No 3 involved 0.2408 Ha. forest area. c/22  
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- 16) The project proponent is ready to bear all the Government levies and there is no alternative available for approach road hence, The Deputy Conservator of Forests, Alibag has recommended the proposal for approval. c/17, 7A
- 17) Chief Conservator of Forests (T) Thane recommended the proposal for approval. c/7A

**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 the User Agency on 1.00 Ha. of degraded forest land made available by the Forest Department.
- iii) The forest land shall not be used for any purposes other than specified in the project

- iv) The User Agency will defray the cost of Net Present Value of 0.1911 Ha. of forest land as per the latest guideline of Government of India ✓
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- viii) It will be the responsibility of the User Agency to ensure that the labourers, staffs engaged in construction / Laying activity do not damage nearby forest flora and fauna. ✓
- ix) The User Agency will obtain Environment Clearance, if required. ✓
- x) Any other conditions imposed by Government will be binding to User Agency. ✓
- xi) Provisions of all Acts, Rules made there under, and guidelines applicable to the project shall have to be strictly followed. ✓

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

