

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.: M/s Gujarat Gas Limited, 301-304, 3rd floor, IT Tower-1, Infocity, Gandhinagar submitted the proposal for laying of 8" dia steel pipeline from Boisar to Palghar city in various villages of Taluka & District of Palghar of Maharashtra State for which 0.2010 ha. forest land required under Section 2 (ii) of the Forest (Conservation) Act 1980 has been proposed by the User Agency. The details of Forest land proposed for diversion is as under :-

| Ser No | Village | Taluka & District | Forest Survey No | Right of use | | Area in Ha. | Legal Status |
|--------|------------|-------------------|------------------|-----------------|----------------|-------------|----------------------------|
| | | | | Length (Meters) | Width (Meters) | | |
| 1. | Murbe | Palghar | 1165 | 80 | 0.6 | 0.0048 | Reserved Forest (Mangrove) |
| 2. | Vikaswadi | Palghar | 77 | 395 | 0.6 | 0.0237 | |
| | | | 1 | 303 | 0.6 | 0.0182 | |
| 3 | Kharekuran | Palghar | 98 | 954 | 0.6 | 0.0572 | Protected Forest |
| | | | 59/1 | 252 | 0.6 | 0.0151 | |
| | | | 60 | 95 | 0.6 | 0.0057 | |
| 4 | Morekuran | Palghar | 131/1 | 1162 | 0.6 | 0.0697 | Protected Forest |
| | | | | 109 | 0.6 | 0.0066 | Reserved Forest (Mangrove) |
| Total | | | | | | 0.2010 | |

Specific recommendation of Principal Chief Conservator of Forests (HoFF) MS Nagpur is attached on page no. 3(B)

Date : 30 /11/2018
Place : Nagpur


(G Sai Prakash)
Additional Principal Chief Conservator of Forests
& Nodal Officer, Maharashtra State, Nagpur



Certified by ISO
9001:2015

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

First Floor, 'B' Wing, Van Bhavan, Civil Lines, Nagpur-440001

Tel no. (0712) 2556916, Fax no. (0712) 2550675

E-mail- apccfnodal@mahaforest.gov.in Website: www.mahaforest.gov.in

Sub.:- Diversion of 0.2010 ha. of Forest land for
for laying of 8" dia Steel pipeline to set
up Natural Gas from Boisar to Palghar City
in various villages of Taluka & District of
Palghar

No. : Desk-17/NC/II/ID 12673/(67)/1692/2018-19
Nagpur – 440 001, Dated: 30/11/2018

To ,

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

Ref:- CCF (T) Thane letter No. Desk-10/FCA/CR-59/18-19/OW-612/18-19 dated
29/10/2018

The project has been initiated by M/s Gujarat Gas Limited, 301-304, 3rd floor, IT Tower-1, Infocity, Gandhinagar for laying of 8" dia steel pipeline from Boisar to Palghar city in various villages of Taluka & District of Palghar of Maharashtra State. The total 0.9167 ha. non forest area is involved in the project. The detailed forest area is as under-

| Ser No | Village | Taluka & District | Forest Survey No | Right of use | | Area in Ha. | Legal Status |
|--------|------------|-------------------|------------------|-----------------|----------------|-------------|----------------------------|
| | | | | Length (Meters) | Width (Meters) | | |
| 1. | Murbe | Palghar | 1165 | 80 | 0.6 | 0.0048 | Reserved Forest (Mangrove) |
| 2. | Vikaswadi | Palghar | 77 | 395 | 0.6 | 0.0237 | |
| | | | 1 | 303 | 0.6 | 0.0182 | |
| 3 | Kharekuran | Palghar | 98 | 954 | 0.6 | 0.0572 | Protected Forest |
| | | | 59/1 | 252 | 0.6 | 0.0151 | |
| | | | 60 | 95 | 0.6 | 0.0057 | |
| 4 | Morekuran | Palghar | 131/1 | 1162 | 0.6 | 0.0697 | Protected Forest |
| | | | | 109 | 0.6 | 0.0066 | Reserved Forest (Mangrove) |
| Total | | | | | | 0.2010 | |

The Petroleum and Natural Gas Regulatory Board, New Delhi has granted authorization to M/s Gujarat Gas Company Limited, 2 Shantisadan Society, Near Paimal Garden, Ellisbridge, Ahmedabad for laying, building, operating or expanding the CGD network in Thane District (Maharashtra) excluding areas already authorized on 01/04/2015.

The Government of Maharashtra made a MOU with Gujarat Gas Limited during the Maharashtra investment seminar held at the Make in India week on 13-18 Feb 2016 in Mumbai to setup city gas distribution (CGD) projects (Piped natural gas for domestic/commercial/industrial-SMEs usages and CNG for transport sector) in Thane & Palghar District (excluding already authorized) in the state of Maharashtra. The Government of Maharashtra will facilitate Gujarat Gas Limited to obtain necessary permissions/registrations/approvals/clearances/fiscal incentives etc from the concerned departments of the state, as per the existing policies/rules and regulations of the Government of Maharashtra.

Therefore, the project authority is planning to lay 8" dia steel pipeline from Boisar to Palghar city in various villages of Taluka & District of Palghar of Maharashtra State to provide natural gas to en route consumers/customers. The route has been carefully selected to minimize total length of the pipeline and forest base. The pipe line will be laid at minimum 1.2 mtr below the ground level and for ROU purpose 0.6 mtr width of forest strip is proposed for the pipeline.

The pipe line is passing through Reserved/Protected forest land for which 0.2010 ha Reserved Forest (Mangrove)/Protected forest land required for laying of natural gas pipeline. Therefore, project authority has submitted the proposal for diversion of 0.2227 ha. Reserved/Protected forest land under section 2 (ii) of the Forest (Conservation) Act, 1980 .

The proposal has been submitted by CCF (T) Thane vide letter Desk-10/FCA/CR-59/18-19/OW-612/18-19 dated 29/10/2018 alongwith 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 :-

- 1) The Deputy Conservator of Forests, Dahanu has certified that all other alternate for the purpose have been explored and the demand for the required forest land is the barest minimum demand.
- 2) The Deputy Conservator of Forests, Dahanu has certified that no suitable alternate non forest land is available for the proposal and demand for the forest land is minimum .
- 3) Deputy Conservator of Forests, Dahanu has certified that there is no violation of the Forest (Conservation) Act, 1980 or its guidelines.
- 4) The Deputy Conservator of Forests, Dahanu has certified that 1.00 ha degraded forest land of survey No/compt No 1168 of village Shirgaon, Tal-& Distt-Palghar is suitable for compensatory afforestation and management purpose and it is free from encroachment and an encumbrances.
- 5) The Deputy Conservator of Forests , Dahanu has certified that the non forest land involved in the project are not under provisions of Maharashtra Private Forest (Acquisition) Act 1975 by virtue of application of section 35 of Indian Forest Act 1927 and are not recognized as deemed Reserved Forest as well as not included in

the area identified as "Forest" as per the dictionary meaning of Forests as intimated to the expert Committee appointed under interim judgment of the Hon'ble Supreme Court dated 12/12/1996.

- 6) The Deputy Conservator of Forests, Dahanu has certified that proposed site is not likely to affect any monuments site of cultural, historical, religious archeological or recreational importance.
- 7) The Deputy Conservator of Forests, Dahanu has certified that the proposed project is not included in the area of any National Park/Wildlife Sanctuary or Nature reserve .
- 8) The Deputy Conservator of Forests, Dahanu has certified that proposed area is beyond 10 kms (about 65 kms) of the boundary of the Tungreshwar Wildlife Sanctuary.
- 9) The Deputy Conservator of Forests, Dahanu has certified that all other alternates for the purpose have been examined in details and have come to conclusion that the proposed alignment is the most suitable.
- 10) Deputy Conservator of Forests Dahanu has submitted the Site Inspection report of dated 20/03/2018 on Page No 59 and dated 07/09/2018 on page No 59A.
- 11) The Deputy Conservator of Forests, Dahanu has certified that the project area belongs to Eco-Value class I having density 0.4.
- 12) The Deputy Conservator of Forests, Dahanu has certified that there is no cutting or felling of trees involved in the proposed project.
- 13) Deputy Conservator of Forests, Dahanu has verified that the area proposed for requirement of forest land for project are being proposed along with the road and forms part of the ROW.
- 14) Deputy Conservator of Forests, Dahanu has certified that the area at Vill-Murbe-0.0048 ha, Vill-Vikashwadi-0.0419 ha. and Morekuran 0.0763 ha. of Taluka & District-Palghar (total 0.0123ha) involved in the project are Mangrove area.
- 15) The user agency has submitted an undertaking to defray the cost of compensatory afforestation .
- 16) The user agency has submitted an undertaking to defray the cost of Net Present Value of the forestland proposed for diversion.
- 17) The user agency has submitted an undertaking stating that the project cost is less than Rs. 100 crores, hence Environment clearance is not required.
- 18) The user agency has submitted the undertaking that pipeline will be laid within road ROW only and permission has been obtained from Executive Engineer PWD, Palghar, therefore, no any private land comes under pipeline route.
- 19) The user agency has submitted the partly compliance under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Rights) Act 2006. vide District Collector Palghar FRA-2006 certificate dated 01/08/2018 for 0.1230ha. instead of 0.2010ha.
- 20) The Deputy Conservator of Forests, Dahanu recommended the proposal for approval as project is for infrastructure development and public use and required

less than 1.00 ha forest land and project authority is ready to bear all Government levies.

21) Chief Conservator of Forests (T), Thane have recommended the proposal for approval.

22) On scrutiny of the proposal following discrepancies are observed

a) The user agency has not fulfilled the complete compliance of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Right) Act 2006. Total area proposed for diversion is 0.2010 ha. User agency has submitted the FRA-2006 certificate for 0.1230 ha. vide District Collector Palghar certificate dated 01/08/2018. instead of 0.2010 ha.

b) District Collector Palghar vide letter No FRA/Ka.vi/397/18 dated 01/08/2018 intimated that Survey No 98, area 0.0572ha., Survey No 59 area 0.0151ha, and Survey No 60 area 0.0697ha. of vill-Kharekuran falls under private land , not in forest land . Hence FRA certificate for the said land cannot issued.

c) User agency has not submitted the administrative approval of Govt of Maharashtra for the said project.

d) The user agency has not submitted the permission letter of PWD Department for laying of pipeline within the road RoW.

In view of this, the proposal is recommended for approval under section 2(ii) subject the following conditions.

- i) The legal status of the land required will remain unchanged.
- ii) The forest land shall not be used for any purposes other than specified in the project.
- iii) The project authority will defray the cost of Net Present Value of 0.2010 ha. of forest land as per latest guidelines of Government of India.
- iv) The project authority will defray the additional / revised cost of Net Present Value of forest land as per the latest guidelines of Government of India
- v) Compensatory afforestation will be raised at the cost of the project authority over 1.00 ha forest land at Survey No/Compt No 1168 of village Shirgaon, Tal-& Distt-Palghar. As per GOI guidelines dated 08/11/2017 at least 1000 plants per ha. to be planted on degraded forest land identified for compensatory afforestation.
- vi) Permission of Hon'ble High Court, Bombay shall be obtained for implementing the project in mangrove areas as per Bombay High Court order dated 27/01/2010 in PIL No. 87/2006.
- vii) The user agency will fulfill the complete compliance under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Rights) Act 2006 before in-principle approval.

- viii) The user agency shall obtain the permission of concerned PWD Department for laying of pipeline within Road ROW before in principal approval.
- ix) The user agency will obtain Environmental Clearance from competent authority, if required.
- x) The pipe line will be laid well below the ground level as per norms all along its length through forest.
- xi) No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work
- xii) It will be the responsibility of the project authority to ensure that the labourers, staffs engaged in construction activity do not damages nearby forest flora and fauna.
- xiii) The user agency will make good the land after laying underground natural gas pipeline.
- xiv) All other conditions as may be mandatory under relevant Acts, Rules and guidelines shall be complied with by the user agency.
- xv) All necessary approvals required for the project as per prevailing laws of the land would be obtained by the user agency before statutory sanction.

It is therefore requested that the Government of Maharashtra may kindly be moved to approve diversion of 0.2010 ha. Forest Land in favour of M/s Gujarat Gas Limited, 301-304, 3rd floor, IT Tower-1, Infocity, Gandhinagar for laying of 8" dia steel pipeline from Boisar to Palghar city in various villages of Taluka & District of Palghar of Maharashtra State under section (ii) of the Forest (Conservation) Act 1980.

Encls : As above

Draft Approved by
Addl.P.C.C.&N.O.M. S.Nagpur

[Signature]
30/11/18

[Signature]
(A B Nimbalkar)

Assistant Conservator of Forests

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

Copy to Chief Conservator of Forests (T) Thane.

Copy to Deputy Conservator of Forests Dahanu.

Copy to M/s Gujarat Gas Limited, 301-304, 3rd floor, IT Tower-1, Infocity, Gandhinagar.

