

**OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS (HEAD OF FOREST FORCE), MAHARASHTRA STATE, NAGPUR**

ADDITIONAL PRINCIPAL CHIEF CONSERVATOR OF FORESTS AND NODAL OFFICER, MAHARASHTRA STATE, NAGPUR,  
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Sub:- Proposal for diversion of 2.3238 ha. Forest land under section-2 of the Forest (Conservation) Act, 1980 for laying of Natural Gas Pipeline from Mumbai to Nagpur through Thane, Nashik, Ahmednagar, Aurangabad, Jalna, Buldhana, Washim, Amravati, Wardha and Nagpur District in the State of Maharashtra (FP/MH/Pipeline/140171/2021)

No.: Desk-17/Nodal/Thane/ID-13051(79)/3144/2022-23  
Nagpur – 440 001, Dated :- 20/02/2023

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

The Deputy General Manager (Const.), GAIL (India) Ltd., 8<sup>th</sup> floor, Gail Jubilee Tower, B-35 & 36, Sector-1, Noida-201301 (U.P) has submitted proposal for diversion of 2.3238 ha. Forest land under section-2 of the Forest (Conservation) Act, 1980 for laying of Natural Gas Pipeline from Mumbai to Nagpur through Thane, Nashik, Ahmednagar, Aurangabad, Jalna, Buldhana, Washim, Amravati, Wardha and Nagpur District in the State of Maharashtra. The details of forest land proposed for diversion is as given below: -

Sr. No	Item work purpose	District	Name of Village	Taluka	Survey No.	Compt. No.	Area (in ha.)	Legal Status
1	laying of Natural Gas Pipeline from Mumbai to Nagpur through Thane, Nashik, Ahmednagar, Aurangabad, Jalna, Buldhana, Washim, Amravati, Wardha and Nagpur Distrc in the State of Maharashtra	Shahapur	Hal	Shahapur	54	80	0.3386	Reserved Forest
2					53	112	0.0299	Protected Forest
2			Ambarje		163	677	0.1938	Reserved Forest
					39/6	478	0.0325	Restored Private Forest
3			Khutadi		39/4	484	0.0250	Restored Private Forest
					138	36	0.2267	Reserved Forest
					85/3	46	0.0122	Restored Private Forest
					85/2B	47	0.0150	Restored Private Forest
4			Birwadi		85/2A,85/13	48	0.0776	Restored Private Forest
5					Shirol	656	88	0.4231
619			1039			0.6598	Protected Forest	
622			1474			0.2085	Protected Forest	
619			1020			0.0332	Protected Forest	
619/18			619			0.0240	Protected Forest	
5			618/6		1178	0.0239	Protected Forest	
<b>Total Forest Land (In ha.)</b>							<b>2.3238</b>	

2.0 This proposal is for diversion of 2.3238 ha. of Forest land in Shahapur Forest division for laying of Natural Gas Pipeline from Mumbai to Nagpur. After detailed study of alternatives by the project authority, this is a final alignment selected for the proposed gas pipeline. The forest area demanded is already diverted to Maharashtra State Road Development

Corporation Limited for Nagpur Mumbai Super Communication Expressway (Package-V) and Bharat Petroleum Corporation Limited for laying underground petroleum pipeline from Mumbai to Manmad, but in some patches it is not feasible to work in the existing Right of Way of Nagpur- Mumbai Samrudhhi Expressway. So the project authority has proposed diversion in the patches, which requires new forest land.

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

3.1 Prescribed form dated 10/01/2003.

3.2 Certificate regarding minimum demand of forest land for the project,

3.3 Area Statement,

3.4 Index map in suitable scale

4) The total non-forest involved in project is 4.5711 ha.

5) The site inspection report of the Deputy Conservator of Forests, Shahapur Forest Division, Shahapur is enclosed on page No.53 to 55.

6) No alternate alignment is possible and the forest land required is minimum.

7) The area belongs to Eco-value class-I having density is 0.3 and 0.1 (Dense Forest & Open Forest).

8) There are 979 trees of various species and trees involved in implementation of the project. Girth wise break up of trees is as under:-

Tree Girth in Cm										Total
Below 30	31-45 cm	46-60 cm	61-75 cm	76-90 cm	91-105 cm	106-120 cm	121-135 cm	136-150 cm	150 above	
216	294	232	103	64	30	15	7	8	10	979

9) The area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc.

10) Proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance.

11) There is no violation of Forest (Conservation) Act, 1980.

12) Proposed project boundary is located at 1.475 Km from Tansa Wildlife Sanctuary (Within Deemed Eco-Sensitive Zone)

13) The non-forest area covered under the project is not under the provision 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 dictionary meaning of forest as intimated to the expert committee appointed under interim judgment of the Hon'ble Supreme Court dated 12/12/1996.

- 14) Proposed Compensatory Afforestation over 5.00 degraded forest land of Protected Forest land in Survey No.99, Gut No.156, at Village Shei, Tal. Shahapur, Dist. Shahapur and it is contiguous, suitable for afforestation and management purpose and it is free from encroachment and an encumbrances.
- 15) 3 alternative alignment comparison by User Agency. The Alternate-I is selected as out of 20.4388 ha. forest land required for the project 18.115 ha. forest land is already diverted for different project and 2.3238 ha. fresh forest land required for the project and demand for the forest is minimum
- 16) The User Agency has submitted an undertaking to defray the cost of Net Present Value.
- 17) The User Agency has submitted an undertaking to defray the cost of Compensatory Afforestation.
- 18) The User Agency has submitted NoC copy for the Utility Corridor of Nagpur Mumbai Super Communication Expressway towards GAIL (Ltd) is enclosed herewith on page no.19
- 19) The User Agency has submitted Cross Section Map is enclosed herewith on page No.31
- 20) The User Agency has submitted an undertaking regarding the compliance under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 has been applied and is under process and shall be submitted before final approval as per Government of India vide letter No.11-43/2013-FC, dt. 3/12/2018.
- 21) The Deputy Conservator of Forests, Shahapur Forest Division, Shahapur and Chief Conservator of Forests (T), Thane have recommended the proposal for diversion of 2.3238 ha. of Forest land.

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

- 2.1 The legal status of the forest land required will remain unchanged.
- 2.2 Forest land will be handed over only after required non-forest land for the project is handed over to the User Agency.

**2.2 Compensatory Afforestation :-**

- a) Compensatory afforestation shall be taken up by the Forest Department over 5.00 degraded forest land of Protected Forest land in Survey No.99, Gut No.156, at Village Shei, Tal. Shahapur, Dist. Shahapur at the cost of the user agency. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided.
  - b) The non forest land which has been transferred and mutated in favour of the State Forest Department.
- 2.3 The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars if required on the CA land shall be deposited in advance with the Forest Department by the project authority. The CA will be maintained for 10 years.

The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.

**2.4 NPV:-**

a) The State Government shall charge the Net Present Value (NPV) for the 2.3238 ha. forest area to be diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 30/10/2002, 01/08/2003, 28/03/2008, 24/04/2008 and 09/05/2008 in IA No.566 in WP (C) No.202/1995 and as per the guidelines issued by the Ministry vide letters No.5-1/1998-FC (Pt.II), dated 18/09/2003 as well as letter No.5-2/2006-FC, dated 03/10/2006 and 5-3/2007-FC, dated 05/02/2009 in this regard.

b) Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect.

2.5 User Agency shall restrict the felling of trees to minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the User Agency with the State Forest Department.

2.6 All the funds received from the user agency under the project shall be transferred/deposited to CAMPA fund only through e-portal (<http://parivesh.nic.in/>)

2.7 The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.

2.8 The pipeline shall be laid down 1.5 meter below the ground and after lying down of pipe line the ground will be leveled.

2.9 The layout plan of the proposal shall not be changed without prior approval of Central Government.

2.10 No labour camp shall be established on the forest land.

2.11 Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.

2.12 The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.

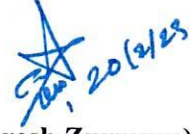
2.13 No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.

2.14 The forest land shall not be used for any purpose other than that specified in the project proposal.

- 2.15 The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Government of India.
- 2.16 Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF&CC Guidelines F.No.11-42/2017-FC, dated 29/01/2018.
- 2.17 Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.
- 2.18 The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>)

3.00 It is therefore, requested that Government of Maharashtra may kindly be moved for approving the Proposal for diversion of 2.3238 ha. Forest land under section-2 of the Forest (Conservation) Act, 1980 for laying of Natural Gas Pipeline from Mumbai to Nagpur through Thane, Nashik, Ahmednagar, Aurangabad, Jalna, Buldhana, Washim, Amravati, Wardha and Nagpur District in the State of Maharashtra under section 2 (ii) of the Forest (Conservation) Act, 1980.

Encl. :- Proposal 2 copies

 20/2/23

**(Naresh Zurmure)**  
**Addl. Principal Chief Conservator of Forests**  
**& Nodal Officer**

Copy to the Chief Conservator of Forest (T), Thane for information.

Copy to the Deputy Conservator of Forests, Shahapur Forest Division, Shahapur for formation.

Copy to the Deputy General Manager (Const.), GAIL (India) Ltd., 8<sup>th</sup> floor, Gail Jubilee Tower, B-35 & 36, Sector-1, Noida-201301 (U.P) for information.

**PART -IV**

**(To be filled by 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.-: Proposal for diversion of 2.3238 ha. Forest land under section-2 of the Forest (Conservation) Act, 1980 for laying of Natural Gas Pipeline from Mumbai to Nagpur through Thane, Nashik, Ahmednagar, Aurangabad, Jalna, Buldhana, Washim, Amravati, Wardha and Nagpur District in the State of Maharashtra (FP/MH/Pipeline/140171/2021). The details of land proposed for diversion is as under-

Sr. No	Item work purpose	District	Name of Village	Taluka	Survey No.	Compt. No.	Area (in ha.)	Legal Status
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<b>Total Forest Land (In ha.)</b>							<b>2.3238</b>	

Specific recommendation of Principal Chief Conservator of Forests (HoFF) Maharashtra State, Nagpur is attached on page no.



**(Naresh Zurmure)**  
**Additional Principal Chief Conservator of Forests  
& Nodal Officer**

Date: 20/02/2023  
Place: Nagpur

**Proposal for diversion of 2.3238 ha. Forest land under section-2 of the Forest (Conservation) Act, 1980 for laying of Natural Gas Pipeline from Mumbai to Nagpur through Thane, Nashik, Ahmednagar, Aurangabad, Jalna, Buldhana, Washim, Amravati, Wardha and Nagpur District in the State of Maharashtra (FP/MH/Pipeline/140171/2021)**

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

The proposal is for diversion of 2.3238 ha. Forest land under section-2 of the Forest (Conservation) Act, 1980 for laying of Natural Gas Pipeline from Mumbai to Nagpur through Thane, Nashik, Ahmednagar, Aurangabad, Jalna, Buldhana, Washim, Amravati, Wardha and Nagpur District in the State of Maharashtra (FP/MH/Pipeline/140171/2021) has been initiated by the Deputy General Manager (Const.), GAIL (India) Ltd., 8<sup>th</sup> floor, Gail Jubilee Tower, B-35 & 36, Sector-1, Noida-201301 (U.P) for seeking approval under FCA 1980.

2) This proposal is for diversion of 2.3238 ha. of Forest land in Shahapur Forest division for laying of Natural Gas Pipeline from Mumbai to Nagpur. After detailed study of alternatives by the project authority, this is a final alignment selected for the proposed gas pipeline. The forest area demanded is already diverted to Maharashtra State Road Development Corporation Limited for Nagpur Mumbai Super Communication Expressway (Package-V) and Bharat Petroleum Corporation Limited for laying underground petroleum pipeline from Mumbai to Manmad, but in some patches it is not feasible to work in the existing Right of Way of Nagpur- Mumbai Samrudhdhi Expressway. So the project authority has proposed diversion in the patches, which requires new forest land.

3) The details of the forest land proposed for diversion are as under:-

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- a) The State Government shall charge the Net Present Value (NPV) for the 2.3238 ha. forest area to be diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 30/10/2002, 01/08/2003, 28/03/2008, 24/04/2008 and 09/05/2008 in IA No.566 in WP (C) No.202/1995 and as per the guidelines issued by the Ministry vide letters No.5-1/1998-FC (Pt.II), dated 18/09/2003 as well as letter No.5-2/2006-FC, dated 03/10/2006 and 5-3/2007-FC, dated 05/02/2009 in this regard.
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- 2.7 The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.

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- 2.12 The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.
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(Dr. Y.L.P Rao)

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