

PART -IV

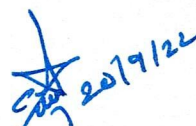
**(To be filled by Nodal Officer or Principal Chief Conservator of Forests
(Head of Forest Force))**

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

Sub:- Proposal for diversion of 0.270 ha. Forest land for laying underground two 500 mm dia pipeline and 450 mm dia pipeline passing through in Forest Gut No. 1140 of Village Shirur, Tal. Shirur, Dist. Pune in the State of Maharashtra (FP/MH/IRRIG/149069/2021). The details of land proposed for diversion is as under-

Sr. No	Item work purpose	Village Name	Taluka	District	Survey/ Gut No.	Length (M) & Width (M)	Area (in ha)	Legal Status
1	500 MM DI Sising Main	Shirur	Shirur	Shirur	1140	300 x 1.20	0.0360	Unclassed Forest
2	500 MM DI Raw Water Rising Main					300 x 1.20	0.0360	
3	450 MM DI Distribution line					300 x 1.05	0.0315	
4	Required Gap between this tree pipeline					300 x 2.55	0.0765	
5	For Maintainance purpose on both sides					300 x 3.0	0.0900	
Total Forest Land (in ha.)							0.2700	

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: 20/09/2022
Place: Nagpur

11/16/16

Proposal for diversion of 0.270 ha. Forest land for laying underground two 500 mm dia pipeline and 450 mm dia pipeline passing through in Forest Gut No. 1140 of Village Shirur, Tal. Shirur, Dist. Pune in the State of Maharashtra (FP/MH/IRRIG/149069/2021)

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.

- 1) The proposal is for diversion of 0.270 ha. Forest land for laying underground two 500 mm dia pipeline and 450 mm dia pipeline passing through in Forest Gut No. 1140 of Village Shirur, Tal. Shirur, Dist. Pune in the State of Maharashtra has been initiated by the Chief Officer, Shirur Municipal Council, Shirur, Dist. Pune for seeking approval under Forest (Conservation) Act, 1980.
- 2) The proposed project for Installation of two numbers of drinking water pipeline 500 MM and one number of 450 MM dia DI pipeline length 350 meters from Jack Well to WTP and from WTP to Late Ali Residential Area respectively and use of road over same land width for day to day maintenance of pipeline and its components passing through forest area of Village Shirur in Survey/Gut No.1140, Taluka Shirur, Dist. Pune in the State of Maharashtra. Hence there is no alternative and the project is going to supply drinking water to the resident of Shirur. This pipelines are use for drinking water purpose for people in Shirur. So User Agency has submitted proposal under Forest (Conservation) Act, 1980 for prior permission.
- 3) The details of the forest land proposed for diversion are as under:-

Sr. No	Item work purpose	Village Name	Taluka	District	Survey/ Gut No.	Length (M) & Width (M)	Area (in ha)	Legal Status
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Total Forest Land (in ha.)							0.2700	

- 4) The Copy of Administrative approval accorded by the Collector, Pune vide letter No.Pasan/Kavi/Karya-2/119/19, dated 05/02/2019
- 5) The Copy of Technical approval accorded by the Executive Engineer, Maharashtra Jivan Pradhikaran Division No.1 vide letter No. TA/Shirur/40, dated 08/01/2018.

- 6) The total non forest involved in project is 19.6456 ha
- 7) The site inspection report of the Deputy Conservator of Forests, Junnar Forest Division, Junnar is enclosed on page no.22 to 24.
- 8) No alternate alignment is possible and the forest land required is minimum.
- 9) The area belongs to Eco-value class-III having density is below 0.4 (Open Forest).
- 10) There is no tree felling involved in the project.
- 11) The area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc.
- 12) Proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance.
- 13) There is no violation of Forest (Conservation) Act 1980.
- 14) Proposed project is not within 10 Kms of the boundary of the Protected area (Sanctuary and National Park).
- 15) 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.
- 16) Proposed Compensatory Afforestation over 1.00 ha. degraded Forest land in Gut No.1623 at Village Kawathe, Taluka Shirur, Dist. Pune and it is contiguous, suitable for afforestation and management purpose and it is free from encroachment and encumbrances.
- 17) There is no alternative as available for the proposed area.
- 18) The User Agency has submitted an undertaking to defray the cost of Net Present Value
- 19) The User Agency has submitted an undertaking to defray the cost of Compensatory Afforestation.
- 20) The User Agency has submitted L-Section Plan is enclosed herewith on page no. 169 to 174.
- 21) The User Agency has submitted an undertaking regarding no Environment Clearance is required for the project.
- 22) 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 in-principle approval as per Government of India vide letter No.11-43/2013-FC, dt.3/12/2018.
- 23) The Deputy Conservator of Forests, Junnar Forest Division, Junnar and Chief Conservator of Forest (T), Pune have recommended the proposal for diversion of 0.2700 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.
- 2.3 Compensatory Afforestation :-**
- a) Compensatory afforestation shall be taken up by the Forest Department over 1.00 ha. degraded Forest land in Gut No.1623 at Village Kawathe, Taluka Shirur, Dist. Pune 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.
- 2.4 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.
- 2.5 NPV:-**
- a) The State Government shall charge the Net Present Value (NPV) for the 0.2700 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 & File No.5-3/2011-FC(Vol-I), Dated 06/01/2022 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.
- 2.6 No trees shall be felled during implementation of the project. In case tree felling is required the 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.
- 2.7 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/>)
- 2.8 The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
- 2.9 The pipeline shall be laid down 1.5 meter below the ground and after lying down of pipe line the ground will be leveled.
- 2.10 The layout plan of the proposal shall not be changed without prior approval of Central Government.
- 2.11 No labour camp shall be established on the forest land.

- 2.12 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.
- 2.13 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.
- 2.14 No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- 2.15 The forest land shall not be used for any purpose other than that specified in the project proposal.
- 2.16 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.
- 2.17 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 land under project will be reclaimed by the User Agency for which the agency shall a bank guarantee at the rate of Rs.50/- per running meter and an undertaking to that effect shall also be submitted. If the agency fails to reclaim the land to the satisfaction of concerned Deputy Conservator of Forests, the cost for reclamation will be covered from the bank guarantee.
- 2.19 If it is going to be laid in the formation width of the road, then additional charge in form of bank guarantee shall be given at the rate of Rs.35/- per running meter. Similarly for reclamation of side drain and for tarred portion, the guarantee will be at the rate of Rs.300/- per meter and Rs.750 /- per meter respectively. An undertaking shall be obtained from the User Agency that it has agreed to make good any loss to Forest/Environment while laying the cable in the forest area and during maintenance of the same in future.
- 2.20 The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>)
- 2.21 This proposal falls in the category of critical development initiatives for public. In this proposal area requirement is less than 1.00 ha. and there is no tree felling involved in the proposal. Hence, this proposal fit in the category of Laying of Under Ground drinking water supply pipelines, under 4.2 guidelines of FCA Handbook. Approval of such proposal rest with State Government, therefore this proposal is recommended for proposal for diversion of 0.270 ha. Forest land for laying underground two 500 mm dia pipeline and 450 mm dia pipeline passing through in Forest Gut No. 1140 of Village Shirur, Tal. Shirur, Dist. Pune in the State of Maharashtra



(Dr.Y.L.P Rao)
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 AND NODAL OFFICER, MAHARASHTRA STATE, NAGPUR,
First Floor, 'B' Wing, Van Bhavan, Civil Lines, Nagpur-440001.

Tel no. (0712) 2530166, 2556916, Fax no. (0712) 2550675 E-mail- apccfnodal@mahaforest.gov.in

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No. : Desk-17/Nodal/Pune/I.D-13079(24)/1539/2022-23

Nagpur – 440 001, Dated 20/09/2022

To,
The Principal Secretary (Forests),
Revenue & Forest Department,
Mantralya, Mumbai – 400032

The Chief Officer, Shirur Municipal Council, Shirur, Dist. Pune has submitted proposal for diversion of 0.270 ha. Forest land for laying underground two 500 mm dia pipeline and 450 mm dia pipeline passing through in Forest Gut No. 1140 of Village Shirur, Tal. Shirur, Dist. Pune in the State of Maharashtra. The details of forest land proposed for diversion is as given below: -

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2.0 The proposed project for Installation of two numbers of drinking water pipeline 500 MM and one number of 450 MM dia DI pipeline length 350 meters from Jack Well to WTP and from WTP to Late Ali Residential Area respectively and use of road over same land width for day to day maintenance of pipeline and its components passing through forest area of Village Shirur in Survey/Gut No.1140, Taluka Shirur, Dist. Pune in the State of Maharashtra. Hence there is no alternative and the project is going to supply drinking water to the resident of Shirur. This pipelines are use for drinking water purpose for people in Shirur. So User Agency has submitted proposal under Forest (Conservation) Act, 1980 for prior permission.

3.0 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 copy.

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 Copy of Administrative approval accorded by the Collector, Pune vide letter No.Pasan/Kavi/Karya-2/119/19, dated 05/02/2019
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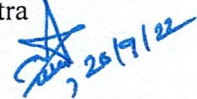
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Encl. :- Proposal 2 copies


(Naresh Zurmure)

**Addl. Principal Chief Conservator of Forests
& Nodal Officer**

Copy to the Chief Conservator of Forests (Territorial), Pune for information.
Copy to the Deputy Conservator of Forests, Junnar Forest Division, Junnar for information.
Copy to the Chief Officer, Shirur Municipal Council, Shirur, Dist. Pune for information