

**Proposal is for diversion of 0.6497 ha. for Berthing Jetty, Conveyor Corridor with Backup facilities and approach road for Raigad Cement Bulk Terminal proposed by Adani Cementation Limited at village Shahapur, Shahabaz, Taluka Alibag, Dist. Raigad State of Maharashtra (FP/MH/Others/40665/2019).**

**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.**

Proposal is for diversion of 0.6497 ha. for Berthing Jetty, Conveyor Corridor with Backup facilities and approach road for Raigad Cement Bulk Terminal proposed by Adani Cementation Limited at village Shahapur, Shahabaz, Taluka Alibag, Dist. Raigad State of Maharashtra (FP/MH/Others/40665/2019).

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

Sr No.	Item of work / purpose	Village,	Tal & Distt	Forest land required			Legal Status of Forest Land
				Sur. No.	Length x Width	Area (Ha.)	
1	Conveyor Corridor	Shahbaz	Alibag	346	60 x 16	0.0958	Sec-4 Reserved Forest land
2	Conveyor Corridor	Shahbaz	Alibag	Nala	23 x 16	0.0361	Nala Mangrove
					31 x 16	0.0497	
3	Conveyor Corridor	Shahpur	Alibag	Creek	135 x 16	0.2162	Creek Mangrove
4	Approach Road	Shahbaz	Alibag	346	30 x 16	0.0475	Sec-4 Reserved Forest land
5	Conveyor Corridor	Shahpur	Alibag	602	57 x 16	0.0915	Sec-4 Reserved Forest land
				600	71 x 16	0.1129	
<b>Total Forest land (in ha.)</b>						<b>0.6497</b>	

3.00 The proposal has been initiated by the Shri. Sanjay Prasad, Authorized Signatory of Adani Cementation Ltd., Adani House, 56 Sharmali Society, Navrangpura, Ahmadabad-380009, Gujrat State. The said proposal is located on the Southern Bank of the Amba River in Shahbaj & Shahapur village of Alibag Taluka in Raigad District, Maharashtra Pen is the nearest town located at a distance of about 8 km. from the proposed project site. The proposed RCBT site is adjacent to the backyard/stackyard of PNP port. The proposed Jetty, Conveyor Corridor with backup facilities will be on western side of the PNP Port. The Dharmatar JSW Port of Dolvi is located on the opposite bank of the Amba River. Appropriate Conveyor System has been envisaged to connect the proposed Berthing Jetty and the proposed Cement Bulk terminal. The project is approved vide Government of Maharashtra, the office of the Divisional Commissioner, Kokan Division, Navi Mumbai letter No.RB/Desk-

II/Forest/C.R.2372/2013,dt.20/08/2015. The site inspection report of the Deputy Conservator of Forests, Alibag is enclosed on page no. 56 to 58

**4.00 The Deputy Conservator of Forests, Alibag has certified that:-**

- 4.1 no suitable alternate land is available and the forest land required is lowest minimum. p/47
- 4.2 the area belongs to Eco-value class-II having density is 0.4 (Open Forest). p/51
- 4.3 there are 158 trees of various species and trees is involved in implementation of the Project. The Girth wise break up is as under:- p/52 x 85

Tree Girth in Cm.								
0-30 cm	31-45 cm	46-60 cm	61-75 cm	76-90 cm	91-120 cm	121-150 cm	Above 150 cm	Total
110	39	7	2	0	0	0	0	158

- 4.4 the area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc. p/50
- 4.5 proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance. p/49
- 4.6 there is no violation of Forest (Conservation) Act 1980. p/48
- 4.7 proposed project is beyond 20 km of the boundaries of the Karnala Bird Sanctuary. p/53
- 4.8 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.
- 4.9 and proposed Compensatory Afforestation over 1.00 ha. degraded Forest land of Reserved Forest in Survey No.134 A (new S.No.135) of village Navedar Beli, Taluka Alibag, Dist. Raigad and it is contiguous, suitable for afforestation and management purpose and it is free from encroachment and an encumbrances. p/75

**5.00 The User Agency has submitted an undertaking that:-**

- 5.1 to defray the cost of compensatory afforestation. p/23
- 5.2 to defray the cost of Net Present Value of the forest land proposed under diversion. p/25
- 5.3 Government of India vide letter No.11-43/2013-FC, dt.3/12/2018 has issued guidelines regarding compliance of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forests Right) Act, 2006. As per these guidelines:-

*'Accordingly, it is clarified that within the time period stipulated for compliance of Stage I condition, Deputy Commissioner shall complete the process of compliance of FRA (including forwarding its findings to be concerned CF), hence for the purpose of the MoEF & CC, as per the provisions under the Forest (Conservation) amendment rules, 2016 the compliance under FRA is not required for consideration of in-principle approval. This has to be furnished by the State Government for consideration of the proposal by the Ministry for final approval.'*

Hence, the user agency has given 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. p/27

5.4 The User Agency has submitted the copy of CRZ Clearance minutes of 149<sup>th</sup> Meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) held on 04/12/2020 is enclosed on page no. p/34 to 25

5.5 Copy of the administrative approval accorded by Government of Maharashtra, the office of the Divisional Commissioner, Kokan Division, Navi Mumbai letter No.RB/Desk-II/Forest/C.R.2372/2013, dt.20/08/2015. p/134A to 134 F

6.00 The Deputy Conservator of Forests, Alibag and Chief Conservator of Forest (T), Thane have recommended the proposal for diversion of 0.6497 ha. of forest land. p/9 to 6 to 7

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

- 7.1 The legal status of the land required will remain unchanged
- 7.2 i) Compensatory afforestation will be raised at the cost of the user agency on .00 ha. degraded Forest land of Reserved Forest in Survey No.134 A (new S.No.135) of village Navedar Beli, Taluka Alibag, Dist. Raigad As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided.
- 7.3 ii) The land appears to be under periodical submergence due to sea tides, hence 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
- 7.4 The user agency will defray the cost of Net Present Value of 0.6497 ha. of forest land as per latest guidelines of Government of India
- 7.5 The user agency will defray the additional / revised cost of Net Present Value of forestland as per the latest Guideline of Government of India.
- 7.6 The user agency should submit the complete compliance of FRA-2006 at the earliest or along with compliance of Stage-I approval.
- 7.7 The user agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable
- 7.8 The User Agency shall restrict the felling of trees to minimum number in the proposed Mangrove forest land and trees shall be felled under the strict supervision of the concerned Forest Department and cost of felling of trees shall be deposited by the Unser Agency with the State Forest Department .
- 7.9 The User Agency has submitted the copy of CRZ Clearance minutes of 149<sup>th</sup> Meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) held on 04/12/2020 is enclosed herewith.
- 7.10 The layout plan of the proposal shall not be changed without prior approval of Central Government.

... shall be given to raise such species. Since

- 7.11 No labour camps shall be established on forest land.
- 7.12 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.
- 7.13 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.
- 7.14 No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- 7.15 The forest land shall not be used for any purpose other than that specified in the project proposal
- 7.16 The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India.
- 7.17 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.
- 7.18 Any other condition that the Ministry of Environment, Forest & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & Wildlife.
- 7.19 All other conditions as may be mandatory under relevant Acts, rules and guidelines shall be complied with by the user agency.

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

RS-11 5/8/21

**PART -IV**

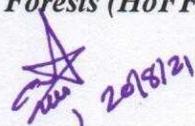
**(To be filled by Nodal Officer or Principal Chief Conservator of Forests  
(Head of Forest Force)**

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

Sub.:- Proposal is for diversion of 0.6497 ha. for Berthing Jetty, Conveyor Corridor with Backup facilities and approach road for Raigad Cement Bulk Terminal proposed by Adani Cementation Limited at village Shahapur, Shahabaz, Taluka Alibag, Dist. Raigad State of Maharashtra (FP/MH/Others/40665/2019). The details of land proposed for diversion is as under-

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				600	71 x 16	0.1129	
<b>Total Forest land (in ha.)</b>						<b>0.6497</b>	

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

  
(Naresh Zurmure)

**Additional Principal Chief Conservator of Forests  
& Nodal Officer**

Date: /08/2021

Place: 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](mailto:apccfnodal@mahaforest.gov.in)

Sub:- Proposal is for diversion of 0.6497 ha. for Berthing Jetty, Conveyor Corridor with Backup facilities and approach road for Raigad Cement Bulk Terminal proposed by Adani Cementation Limited at village Shahapur, Shahabaz, Taluka Alibag, Dist. Raigad State of Maharashtra (FP/MH/Others/40665/2019).

No. : Desk-17/Nodal/Thane/I.D-12816/812 /2021-22

Nagpur – 440 001, Dated : 20/08/2021

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

Shri. Sanjay Prasad, Authorized Signatory of Adani Cementation Ltd., Adani House, 56 Sharmali Society, Navrangpura, Ahmadabad-380009, Gujrat State has submitted proposal for diversion of 0.6497 ha. for Berthing Jetty, Conveyor Corridor with Backup facilities and approach road for Raigad Cement Bulk Terminal proposed by Adani Cementation Limited at village Shahapur, Shahabaz, Taluka Alibag, Dist. Raigad State of Maharashtra. The details of forest land proposed for diversion is as given below: -

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<b>Total Forest land (in ha.)</b>						<b>0.6497</b>	

2.00 The proposal has been initiated by the Shri. Sanjay Prasad, Authorized Signatory of Adani Cementation Ltd., Adani House, 56 Sharmali Society, Navrangpura, Ahmadabad-380009, Gujrat State. The said proposal is located on the Southern Bank of the Amba River in Shahbaz & Shahapur village of Alibag Taluka in Raigad District, Maharashtra Pen is the nearest town located at a distance of about 8 km. from the proposed project site. The proposed RCBT site is adjacent to the backyard/stackyard of PNP port. The proposed Jetty, Conveyor Corridor with backup facilities will be on western side of the PNP Port. The Dharmatar JSW Port of Dolvi is located on the opposite bank of the Amba River. Appropriate Conveyor System has been envisaged to connect the proposed Berthing Jetty and the proposed Cement Bulk terminal. The project is approved vide Government of Maharashtra, the office of the Divisional Commissioner, Kokan Division, Navi Mumbai letter No.RB/Desk-II/Forest/C.R.2372/2013,dt.20/08/2015. The site inspection report of the Deputy Conservator of Forests, Alibag is enclosed on page no. 56 to 58

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 three 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,

**4.00 The Deputy Conservator of Forests, Alibag has certified that:-**

- P/47  
P/54
- 4.1 no suitable alternate land is available and the forest land required is lowest minimum.
  - 4.2 the area belongs to Eco-value class-II having density is 0.4 (Open Forest).
  - 4.3 there are 158 trees of various species and trees is involved in implementation of the Project.  
The Girth wise break up is as under:-

P/52 885

Tree Girth in Cm.								Total
0-30 cm	31-45 cm	46-60 cm	61-75 cm	76-90 cm	91-120 cm	121-150 cm	Above 150 cm	
110	39	7	2	0	0	0	0	158

- P/50
- 4.4 the area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc.
  - 4.5 proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance.
  - 4.6 there is no violation of Forest (Conservation) Act 1980.
  - 4.7 proposed project is beyond 10 km of the boundaries of the Karnala Bird Sanctuary.
  - 4.8 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.
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- P/85
- 5.00 **The User Agency has submitted an undertaking that:-**
- P/29
- 5.1 to defray the cost of compensatory afforestation.
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  - 5.3 Government of India vide letter No.11-43/2013-FC, dt.3/12/2018 has issued guidelines regarding compliance of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forests Right) Act, 2006. As per these guidelines:-
- P/25

*'Accordingly, it is clarified that within the time period stipulated for compliance of Stage I condition, Deputy Commissioner shall complete the process of compliance of FRA (including forwarding its findings to be concerned CF), hence for the purpose of the MoEF & CC, as per the provisions under the Forest (Conservation) amendment rules, 2016 the compliance under FRA is not required for consideration of in-principle approval. This has to be furnished by the State Government for consideration of the proposal by the Ministry*

Hence, the user agency has given 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. 8/28

- 5.4 The User Agency has submitted the copy of CRZ Clearance minutes of 149<sup>th</sup> Meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) held on 04/12/2020. P/ 348025
- 5.5 Copy of the administrative approval accorded by Government of Maharashtra, the office of the Divisional Commissioner, Kokan Division, Navi Mumbai letter No.RB/Desk-II/Forest/C.R.2372/2013, dt.20/08/2015. P/ 134A 50 134T
- 6.00 The Deputy Conservator of Forests, Alibag and Chief Conservator of Forest (T), Thane have recommended the proposal for diversion of 0.6497 ha. of forest land. P/ 98 6802

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

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- (ii) The land appears to be under periodical submergence due to sea tides, hence preference shall be given to raise such species, which do come up in such areas like mangroves, Thespesia (Bhendi) etc.
- 7.3 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
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- 7.16 The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India.
- 7.17 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.
- 7.18 Any other condition that the Ministry of Environment, Forest & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & Wildlife.
- 7.19 All other conditions as may be mandatory under relevant Acts, rules and guidelines shall be complied with by the user agency.

It is therefore, requested that Government of India may kindly be moved for approving the proposal for diversion of 0.6497 ha. for Berthing Jetty, Conveyor Corridor with Backup facilities and approach road for Raigad Cement Bulk Terminal proposed by Adani Cementation Limited at village Shahapur, Shahabaz, Taluka Alibag, Dist. Raigad State of Maharashtra under section 2 (ii) of the Forest (Conservation) Act, 1980.

Encl. :- Proposal 2 copies

(Naresh Zurmure)

Addl. Principal Chief Conservator of Forests  
& Nodal Officer

Copy to the Chief Conservator of Forests (Territorial) Thane for information.  
Copy to the The Deputy Conservator of Forests, Alibag Forest Division, Alibag for information.  
Copy to the Shri. Sanjay Prasad, Authorized Signatory of Adani Cementation Ltd., Adani House,  
56 Sharmali Society, Navrangpura, Ahmadabad-380009, Gujrat State for information

Received

21/1/21  
vishwas s. kashyap  
# 9866486232