

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.

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Sub:- Proposal for diversion of 3.9443 ha. Forest land under section-2 of the Forest (Conservation) Act, 1980 for Uran-Usar Propane laying 12" dia liquid propane along with OFC in Uran, Panvel, Pen & Alibag Taluka, Raigad District in the State of Maharashtra (FP/MH/Pipeline/155612/2022)

No.: Desk-17/FCA-S1/PID-155612/THANE/2023-2024 /3276
Nagpur - 440 001, Dated :- 26/02/2024

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

The Chief Manager (Construction) GAIL India Ltd., CBD Belapur, Navi Mumbai-400614 has submitted Proposal for diversion of 3.9443 ha. Forest land under section-2 of the Forest (Conservation) Act, 1980 for Uran-Usar Propane laying 12" dia liquid propane along with OFC in Uran, Panvel, Pen & Alibag Taluka, Raigad District in the State of Maharashtra. The details of forest land proposed for diversion is as given below:-

2) The details of the forest land proposed for diversion are as under:- (Part-I, P/31 to 45)

Sr. No	Item work purpose	District	Name of Village	Taluka	Survey/Gut No.	Old S.No./Gut No.	Compt. No.	Area (in ha.)	Legal Status	
1	Proposal for diversion of 3.9443 ha. Forest land under section-2 of the Forest (Conservation) Act, 1980 for Uran-Usar Propane laying 12" dia liquid propane along with OFC in Uran, Panvel, Pen & Alibag Taluka, Raigad District in the State of Maharashtra	Raigad	Navghar	Uran	254	--	--	0.0119	Mangrove	
					300	--	--	0.0619	Mangrove	
					393/K	--	--	0.2889	Identified forest	
					Khadi	--	--	0.1096	Mangrove	
2			Ghasakhoshi		Khadi	--	--	0.1332		
					1	--	--	0.0273		
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					5	--	--	0.0398		
					26/2	--	--	0.0015	Mangrove declared u/s-4	
					69	--	--	0.0312	Mangrove	
					71	--	--	0.0112		
3			Kacharepada		94	--	--	0.0950	Mangrove	
Kalambusare					129	--	--	0.0321	Private Forest	
					167/1	154	139	0.0241	Reserved Forest	
5			Dighati		Panvel	78	--	137	0.0573	Reserved Forest
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6			Sai	Khadi		--	--	0.0228	Mangrove	
7			Rave		Pen	Khadi	--	--	0.0130	Mangrove
						Khadi	--	--	0.0067	
						Khadi	--	--	0.0091	

8		Kopar		Khadi	--	--	0.0158	Mangrove
				Khadi	--	--	0.0363	
9		Khardutarfa Borli		216	--	--	0.0367	Mangrove RF declared U/s. 20
10		Kane		Kahdi	--	--	0.0392	Mangrove
11		Borje		Khajan	--	--	0.0394	Mangrove
				Khajan	--	--	0.0108	
12		Odhangai		34	--	--	0.5053	Mangrove RF declared U/s. 20
13		Vashi		Khadi	--	--	0.0237	Mangrove
				187/2	--	--	0.0062	Mangrove RF declared U/s. 20
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15		Shahapur	Alibag	Khadi	--	--	0.1752	Mangrove
				Khadi	--	--	0.0225	
16		Shahbaj		Khadi	--	--	0.0147	Mangrove
				346	--	--	0.0686	Mangrove RF declared U/s. 20
17		Talashet		42	34	--	0.0537	Protected Forest
				64	51	--	0.0082	Restored Private Forest
				68	58	--	0.0112	Protected Forest
18		Dalvi Kharoshi		13	--	174	0.3030	Reserved Forest
19		Bopoli		23	--	--	0.0614	Finally Acquired Forst
				22	--	--	0.1719	
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20		Beloshi		90,110,168	90,110,168	188A	0.5231	Reserved Forest
21		Kune		98 Pt.	--	173	0.3284	Reserved Forest
				152	49/3	--	0.0157	Private Forest
				158	52	--	0.0443	Pending for enquiry
Total Forest area involved (in ha.)							3.9943	

3) The Chief Manager (Construction), GAIL (India), Ltd., CBD Belapur, Navi Mumbai has submitted proposal for diversion of 3.9443 ha. Forest land under section-2 of the Forest (Conservation) Act, 1980 for Uran-Usar Propane laying 12" dia liquid propane along with OFC in Uran, Panvel, Pen & Alibag Taluka, Raigad District in the State of Maharashtra. This project requires 3.9334 ha. Mangrove, Protected Forest, Reserved Forest, Restored Private Forest, Finally Acquired Forest, Private Forest (Pending for enquiry) land, therefore the project authority is seeking Government of India permission under Forest (Conservation) Act,

1980. There is no alternate alignment is available and the required forest land is barest minimum for proposed propane pipeline laying 12" dia Liquid Propane Pipeline along with OFC. Proposed alignment of road is site specific and there is no other suitable alternate. **(Part-I, P/76)**

4.0 The Deputy Conservator of Forest, Alibag Forest Division, Alibag has certified that:-

- 4.1 The total non-forest involved in project is 64.8087 ha. **(Part-I, P/45)**
- 4.2 The site inspection report of the Deputy Conservator of Forests, Alibag Forest Division, Alibag is enclosed on Part-I, page No.72 to 74.
- 4.3 No alternate alignment is possible and the forest land required is lowest minimum demand. **(Part-I, P/50)**
- 4.4 The area belongs to Eco-value class-I,II having density is 0.1 and 0.3 **(Part-I, P/65, 66).**
- 4.5 There are 15034 trees of various species and trees involved in implementation of the project. Girth wise break up of trees is as under:- **(Part-I, P/67 & Part-II, P/202-519)**

Tree Girth in Cm									
Below 30	31-45 cm	46-60 cm	61-75 cm	76-90 cm	91-105 cm	106-120 cm	121-150 cm	Above 150	Total
2232	11320	1134	170	109	28	14	12	15	15034

- 4.6 The area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc. **(Part-I, P/64)**
- 4.7 Proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance. **(Part-I, P/63)**
- 4.8 There is no violation of Forest (Conservation) Act, 1980. **(Part-I, P/51)**
- 4.9 Proposed project is 5.34 Km. away from the boundary of the Protected Area (Karnala Bird Sanctuary) and 3.32 Km. from the boundary to the Eco-Sensitive Zone of Karnala Bird Sanctuary. Proposed area is not falling in Eco-Sensitive Zone of Karnala Bird Sanctuary **(Part-I, P/68)**
- 4.10 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. **(Part-I, P/62)**

4.11 Proposed Compensatory Afforestation over 8.00 degraded forest land in Survey No.45,346 at Village Ambivali & Nere, Tal. Panvel, Dist. Raigad and it is contiguous, suitable for afforestation and management purpose and it is free from encroachment and an encumbrances. **(Part-I, P/52)**

4.12 The proposed alignment is best suitable from forestry point of view **(Part-I, P/99)**

5.0 The User Agency has submitted an undertaking that:-

5.1 The User Agency has submitted an undertaking to defray the cost of Net Present Value. **(Part-I, P/117)**

5.2 The User Agency has submitted an undertaking to defray the cost of Compensatory Afforestation. **(Part-I, P/115).**

5.3 The user Agency shall submit non forest land as Compensatory Afforestation before Stage-I approval.**(file P/78)**

5.4 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. **(Part-I, P/94A)**

6.0 The Deputy Conservator of Forests, Alibag Forest Division, Alibag and Chief Conservator of Forests (T), Thane have recommended the proposal for diversion of 3.9443 ha. of Forest land. **(Part-I, P/21 to 24)**

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 8.00 degraded forest land in Survey No.45,346 at Village Ambivali & Nere, Tal. Panvel, Dist. Raigad 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 User Agency shall submit non forest land as Compensatory Afforestation before Stage-I approval.

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 3.9443 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.
- 2.6 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 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.
- 2.18 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.
- 2.19 The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>)

3.0 Keeping in view facts mentioned in above para this proposal for diversion of 3.9443 ha. Forest land under section-2 of the Forest (Conservation) Act, 1980 for Uran-Usar Propane laying 12" dia liquid propane along with OFC in Uran, Panvel, Pen & Alibag Taluka, Raigad District in the State of Maharashtra is recommended for approval under Forest (Conservation) Act, 1980.

Encl. :- Proposal 2 copies

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

Copy to the Additional Principal Chief Conservator of Forest, Mangrove Cell, Mumbai for information.

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

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

Copy to the Chief Manager (Construction), GAIL India Ltd., CBD Belapur, Navi Mumbai-400614 for information.

PART -IV

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

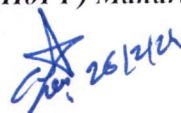
(Detailed opinion and specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks)

Sub.- Proposal for diversion of 3.9443 ha. Forest land under section-2 of the Forest (Conservation) Act, 1980 for Uran-Usar Propane laying 12" dia liquid propane along with OFC in Uran, Panvel, Pen & Alibag Taluka, Raigad District in the State of Maharashtra (FP/MH/Pipeline/155612/2022). The details of land proposed for diversion is as under-

Sr. No	Item work purpose	District	Name of Village	Taluka	Survey/Gut No.	Old S.No./Gut No.	Compt. No.	Area (in ha.)	Legal Status	
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Total Forest area involved (in ha.)								3.9943	

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: 26/02/2023

Place: Nagpur

Proposal for diversion of 3.9443 ha. Forest land under section-2 of the Forest (Conservation) Act, 1980 for Uran-Usar Propane laying 12" dia liquid propane along with OFC in Uran, Panvel, Pen & Alibag Taluka, Raigad District in the State of Maharashtra (FP/MH/Pipeline/155612/2022)

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) Proposal is for diversion of 3.9443 ha. Forest land under section-2 of the Forest (Conservation) Act, 1980 for Uran-Usar Propane laying 12" dia liquid propane along with OFC in Uran, Panvel, Pen & Alibag Taluka, Raigad District in the State of Maharashtra (FP/MH/Pipeline/155612/2022) has been initiated by the Chief Manager (Construction) GAIL India Ltd., CBD Belapur, Navi Mumbai-400614 for seeking approval under FCA 1980.

2) The details of the forest land proposed for diversion are as under:- (Part-I, P/31 to 45)

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5.0 The User Agency has submitted an undertaking that:-

- 5.1 The User Agency has submitted an undertaking to defray the cost of Net Present Value. **(Part-I, P/117)**

5.2 The User Agency has submitted an undertaking to defray the cost of Compensatory Afforestation. **(Part-I, P/115).**

5.3 The user Agency shall submit non forest land as Compensatory Afforestation before Stage-I approval.**(file P/78)**

5.4 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. **(Part-I, P/94A)**

6.0 The Deputy Conservator of Forests, Alibag Forest Division, Alibag and Chief Conservator of Forests (T), Thane have recommended the proposal for diversion of 3.9443 ha. of Forest land. **(Part-I, P/21 to 24)**

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 8.00 degraded forest land in Survey No.45,346 at Village Ambivali & Nere, Tal. Panvel, Dist. Raigad 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 User Agency shall submit non forest land as Compensatory Afforestation before Stage-I approval.

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 3.9443 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.
- 2.6 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 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.

2.18 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.

2.19 The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>)

3.0 Keeping in view facts mentioned in above para this proposal for diversion of 3.9443 ha. Forest land under section-2 of the Forest (Conservation) Act, 1980 for Uran-Usar Propane laying 12" dia liquid propane along with OFC in Uran, Panvel, Pen & Alibag Taluka, Raigad District in the State of Maharashtra is recommended for approval under Forest (Conservation) Act, 1980.


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