

**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.:- Executive Engineer, Maharashtra State Electricity Distribution Co. Ltd Panvel (U) Division, Panvel submitted the proposal under Section - 2 of the Forest (Conservation) Act, 1980 for diversion of 0.1772 ha of reserved forest land for Laying of Underground Electric Cable and Construction of Sub Station (Maintenance Room) at Gharapuri Island (Elephanta Caves), Tal Uran, Distt-Raigad (For Laying of under ground electric cable – 0.1572 ha. and for Construction of control room 0.0200ha) The details of reserved forest land proposed for diversion is as under-

Village	Tah	Dist.	Sur. No	Area in Ha.	Legal Status
Gharaputi	Uran	Raigad	38/2	0.0067	Reserved Forest
			66	0.0147	
			40/1 (Old 40/B)	0.0126	
			64 (Old 55)	0.0473	
			59/1 (Old 59/A1)	0.0959	
			Total	0.1772	

*Specific recommendation of Principal Chief Conservator of Forests (HoFF) MS Nagpur is attached on page no. 15A.*

*Saymleane*  
28.12

(G Sai Prakash)

Date : /12/2017  
Place : Nagpur

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

**Laying of Underground Electric Cable and Construction of Sub Station  
(Maintenance Room) at Gharapuri Island, (Elephanta Caves), Tal Uran, Distt-Raigad**

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

The proposal is for diversion of 0.1772 ha of reserved forest land for Laying of Underground Electric Cable and Construction of Sub Station (Maintenance Room) at Gharapuri Island, Tal Uran, Distt-Raigad. (Laying of under ground electric cable – 0.1572 ha. and Construction of control room 0.0200 ha.) The details of land proposed for diversion is as under-

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			Total	0.1772	

The project has been initiated by Executive Engineer, Maharashtra State Electricity Distribution Co. Ltd Panvel (U) Division, Panvel for Laying of Underground Electric Cable and Construction of Sub Station (Maintenance Room) at Gharapuri Island (Elephanta Caves), Tal Uran, Distt-Raigad. There is a policy of Government of Maharashtra to develop the Gharapuri Island in the view of Eco-Tourism. The Gharapuri Island is electricity less place till today. There are 3 villages like Shetbander, Rajbandar and Morabandar on the Gharapuri Island. In the point of view of Eco-Tourism and necessity of the villages, the main policy of the State Government is to provide electricity to the villagers, which are still in dark. In view of this, User Agency has proposed 0.1772 ha reserved forest land under Forest (Conservation) Act, 1980. Detailed project note of User Agency is enclosed in the proposal on page no. 17. The Competent Authority i.e. Board of Directors, MAHAVITARAN vide MBR No 564 dt 12/12/2015 has accorded approval to estimate amounting to Rs. 16.635 crores will be provided by MMRDA for electrification of village (Elephanta caves), Tal-Uran, Distt-Raigad under Bhandup Urban zone (100% DDF Scheme).

Government of India has conveyed its general approval under section-2 of the Forest (Conservation) Act 1980 for diversion of up to 1.00 ha forest land to Government Departments, Government undertakings, Boards, Corporations etc vide letter No. 11-9/98-FC dated 13/02/2014 & 21/08/2014 for 13 activities subject to some conditions. 'Electric line and Power Sub Station' is included in these 13 activities.

Therefore, 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 Government of India's instructions issued from time to time are submitted by Chief Conservator of Forests (T) Thane vide letter dated 20/12/2017.

- 1) Deputy Conservator of Forests, Alibag has stated that no suitable alternate Non Forest Land is available for the project and demand for the required forest land is lowest minimum demand.
- 2) The Deputy Conservator of Forests, Alibag certified that the provisions of Forest (Conservation) Act, 1980 and guidelines under it has been violated in project of diversion of 0.1772 ha of forest area for laying of underground electric cable and construction of control room at village Gharapuri, Tal-Uran, Distt-Raigad of Maharashtra. Violation report is enclosed on Page No \_\_\_\_

Project Authority has started digging and laying of cable on proposed forest land on 0.0225 ha. in Forest Survey No 40B, 38 & 66 in May & Aug 2017. Work stopped on 12/05/2017 and 22/08/2017. Offence case has been booked on 22/08/2017 against Contractor to Project Authority. Case shall be lodged in court of law having jurisdiction & decisions binding upon the offenders.

- 3) The proposed area belongs to Eco-value class-I, density of vegetation below 0.4
- 4) The User Agency has submitted an undertaking to defray the cost of Net Present Value of the forest land proposed for diversion.
- 5) The Deputy Conservator of Forests, Alibag has certified that the proposed project is not included in the area of any National Park/Wild Life Sanctuary or Nature reserve and is not Karnala Bird Sanctuary.
- 6) The Deputy Conservator of Forests, Alibag has certified that the proposed project is beyond 10 Kms of any National Park/Wild Life Sanctuary and the project will not have any adverse effect on the Wildlife within any National Park/Sanctuary.
- 7) The Deputy Conservator of Forests, Alibag has certified that the proposed area is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance.
- 8) The Deputy Conservator of Forests, Alibag has certified that there is no felling of trees is involved in implementation of the project.

- 9) Site Inspection Report of Deputy Conservator of Forests, Alibag are enclosed in the proposal on page no. 39.
- 10) The Deputy Conservator of Forests, Alibag has certified that the area 1.0 ha Reserved forest from Compt No. 608Pt of village Varhad Jambhulpadar, Tal. Uran Dist. Raigad proposed degraded forest area for compensatory afforestation is suitable for afforestation and management purpose and also free from encroachment and encumbrances.
- 11) The User Agency has submitted the compliance under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Rights) Act 2006.
- 12) The Chief Conservator of Forests (T) Thane and Deputy Conservator of Forests, Alibag have recommended the proposal for approval as the project is for infrastructure development and public use and User Agency is ready to bear all Government levies .

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

- i. The legal status of the land required will remain unchanged.
- ii. Compensatory afforestation will be raised at the cost of the User Agency on 1.0 ha degraded forest land made available by the Forest Department.
- iii. The Project Authority will pay the cost of Penal Compensatory Afforestation on double degraded Forest land made available by the Forest Department.
- iv. The forest land shall not be used for any purposes other than specified in the project.
- v. The User Agency will defray the cost of Net Present Value of 0.1772 ha. of forest land as per the latest guideline of Government of India.
- vi. The User Agency will defray the additional / revised cost of Net Present Value of forest land as per the latest Guideline of Government of India.
- vii. It will be the responsibility of the User Agency to ensure that the labourers, staffs engaged in construction / Laying activity do not damage nearby forest flora and fauna.
- viii. The User Agency will obtain Environment Clearance, if required.
- ix. Any other conditions stipulated by Government at the time of submission of the proposal will be binding to User Agency.
- x. Provisions of all Acts, Rules made there under and guidelines applicable to the project shall have to be strictly followed.

  
**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**

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.:-** Diversion of 0.1772 ha of Reserved Forest land for  
Laying of Underground Electric Cable and  
Construction of Sub Station (Maintenance Room) at  
Gharapuri Island (Elephanta Caves), Tal Uran,  
Distt-Raigad

No. : Desk-17/NC/II/ID 12543/(62)/ 2282 /2017-18  
Nagpur – 440 001, Dated: 28/12/2017

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

**Ref:-** CCF (T) Thane letter No. Desk-10/FCA/CR-39/17-18/OW-850/17-18 dated  
20/12/2017.

The project has been initiated by Executive Engineer, Maharashtra State Electricity Distribution Co. Ltd Panvel (U) Division, Panvel for diversion of 0.1772 ha of reserved forest land for Laying of Underground Electric Cable and Construction of Sub Station (Maintenance Room) at Gharapuri Island (Elephanta Caves), Tal Uran, Distt-Raigad (For Laying of under ground electric cable – 0.1572 ha. and for Construction of control room 0.0200ha) The details of reserved forest land proposed for diversion is as under-

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Government of India has conveyed its general approval under section-2 of the Forest (Conservation) Act 1980 for diversion of up to 1.00 ha forest land to Government Departments, Government undertakings, Boards, Corporations etc vide letter No. 11-9/98-FC dated 13/02/2014 & 21/08/2014 for 13 activities subject to some conditions. 'Electric line and Power Sub Station' is included in these 13 activities at Ser No 3 & 9. As per this guideline, the Government of India has granted general approval under section 2 of Forest (Conservation) Act, 1980, and delegated the power to State Government.

Therefore, 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 Government of India's instructions issued from time to time are submitted by Chief Conservator of Forests (T) Thane vide letter dated 20/12/2017.

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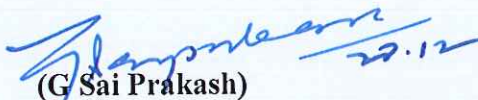
**In view of this, The Principal Chief Conservator of Forests (Head of Forest Force) Maharashtra State, Nagpur has recommended the proposal for approval under section 2 (ii) of Forest (Conservation) Act, 1980 subject to the following conditions-**

- i) The legal status of the land required will remain unchanged.
- ii) Compensatory afforestation will be raised at the cost of the User Agency on 1.0 ha degraded forest land made available by the Forest Department.
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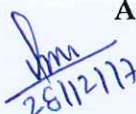
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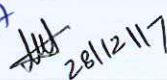
It is therefore requested that the Government of Maharashtra may kindly be moved for diversion of 0.1772 ha. of Reserved Forest land for laying of Underground Electric Cable and Construction of Sub Station (Maintenance Room) at Gharapuri Island (Elephanta Caves), Tal Uran, Distt-Raigad under section 2(ii) of the Forest (Conservation) Act, 1980.

Encls : As above

  
(G Sai Prakash)

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

  
28/12/17

  
28/12/17

Copy to Chief Conservator of Forests (T) Thane.

Copy to Deputy Conservator of Forests Alibag

Copy to Executive Engineer, Maharashtra State Electricity Distribution Co. Ltd Panvel (U)  
Division, Panvel for information.