

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 3.4151 ha. Forest land under section-2 of the Forest (Conservation) Act, 1980 for Construction of underground MS Pipeline 700 mm concrete encasing for regular Water Supply Line from MIDC Water Treatment Plan, Poynad to GAIL (India) Ltd., User for PDH PP Plant of Tadvagale, Dalvi Khoroshi, Kune and Beloshi Villages of Taluka Alibag District Raigad in the State of Maharashtra (FP/MH/Pipeline/157648/2022)

No.: Desk-17/Nodal/S1/PID-157648/Thane/2023-24 **12265**
Nagpur – 440 001, Dated :- **30/10/2023**

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

The Deputy General Manager (PDH-PP Projects), GAIL (India) Limited, Usar, Tal. Alibag, Dist. Raigad-402203 has submitted diversion of 3.4151 ha. Forest land under section-2 of the Forest (Conservation) Act, 1980 for Construction of underground MS Pipeline 700 mm concrete encasing for regular Water Supply Line from MIDC Water Treatment Plan, Poynad to GAIL (India) Ltd., User for PDH PP Plant of Tadvagale, Dalvi Khoroshi, Kune and Beloshi Villages of Taluka Alibag District Raigad in the State of Maharashtra. The details of forest land proposed for diversion is as given below: - (P/18)

Sr. No	Item work purpose	District	Name of Village	Taluka	Survey/Gut No.	Compt. No.	Length X Width	Area (in ha.)	Legal Status
1	700 mm dia. Water pipeline from WTP MIDC Poynad to GAIL PDH-PP Plant Usar	Raigad	Tadvagale	Alibag	17/1	--	69.04 x 10	0.06904	Restored Private Forest
					37/1	--	116.87 x 10	0.1169	
2			Dalavi Khoroshi		13	174	1570.32 x 10	1.5703	Reserved Forest
3			Beloshi		90.110.168	188 A	1002.21 x 10.00	1.0022	
4			Kune		98 Part	173	656.73 x 10.00	0.6567	
Total Forest area involved (in ha.)								3.4151	

2.0 The proposal for laying of 700 mm underground MIDC MS Pipeline with concrete Encasing for regular water Supply line from MIDC water Treatment Plant, Poynad to GAIL (India) Limited, User for PDH PP Plant of Tadvagale, Dalvi Khoroshi, Kune and Beloshi Villages of Taluka Alibag, Dist. Raigad in Alibag Forest Division in the State of Maharashtra. The User Agency is planning to set up GAIL Petrochemical Complex Prject at

Usar wherein a 500 KTPA Propane Dehydrogenation Unit (PDH) integrated with Polypropylene Unit (PPU) is proposed to be set up. The feedstock propane shall be imported from JNPT port and a cryogenic terminal shall be set up at Uran for propane storage. From Uran the Propane shall be pumped through a cross country pipeline to USAR for processing. The proposed project shall benefit from the existing land in possession of GAIL as well as coastal location of the existing facility for both propane import, storage and product evacuation, nearby port facility, proximity to highways and ease of getting environmental clearance. The benefits of the proposal is as shown under:- (P/10)

- Meet the projected increase in domestic demand of petrochemicals.
- Maximize value addition and return on investment through.
- Production of Petrochemicals.
- Utilize existing land and infrastructure available.
- Proximity to port terminals for feedstock sourcing
- Maximize use of Indigenous Hardware.

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

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

4.1 The total non-forest involved in project is 0.5484 ha. (P/19)

4.2 The site inspection report of the Deputy Conservator of Forests, Alibag Forest Division, Alibag is enclosed on **page No.32 to 34.**

4.3 No alternate alignment is possible and the forest land required is lowest minimum. (P/21)

4.4 The area belongs to Eco-value class-I having density is 0.2 (P/27).

4.5 There are 3773 trees of various species and trees involved in implementation of the project. Girth wise break up of trees is as under:- (P/28 & P/57)

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
2226	979	318	139	51	35	15	6	4	3773

- 4.6 The area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc. (P/26)
- 4.7 Proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance. (P/25)
- 4.8 There is no violation of Forest (Conservation) Act, 1980. (P/22)
- 4.9 Proposed project is 13.85 km. away from the boundary of the Protected Area (Phansad Wildlife Sanctuary) and 13.75 Km. from the boundary of the Eco-Sensitive Zone of Phansad Wildlife Sanctuary. Proposed area is not falling in Eco-Sensitive Zone of Phansad Wildlife Sanctuary. (P/29)
- 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. (P/24)
- 4.11 Proposed Compensatory Afforestation over 7.00 ha. degraded forest land of Reserved Forest in Compt No.168 of Village Vadgaon, Tal. Alibag, Dist. Raigad and it is contiguous, suitable for afforestation and management purpose and it is free from encroachment and an encumbrances. (P/23)
- 4.12 The proposed alignment is best suitable from forestry point of view. (file P/20)

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. (P/171)
- 5.2 The User Agency has submitted an undertaking to defray the cost of Compensatory Afforestation. (P/169)
- 5.3 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. (P/186).
- 5.4 The User Agency has submitted Cross Section Map (file P/16 to 19)
- 5.5 The copy of the Administrative Approval accorded by the Chief Engineer (HQ), MIDC, Mumbai-93 vide letter No. CEO/AA/4682/2022, dated 05/05/202. (file P/11)

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 3.4151 ha. of Forest land. (P/3 to 6)

7.00 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: –

7.1 The legal status of the forest land required will remain unchanged.

7.2 Forest land will be handed over only after required non-forest land for the project is handed over to the User Agency.

7.3 Compensatory Afforestation :-

a) Compensatory afforestation shall be taken up by the Forest Department over 7.00 ha. degraded forest land of Reserved Forest in Compt. No.168 of Village Vadgaon, Tal. Alibag, 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.

7.4 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.

7.5 NPV:-

a) The State Government shall charge the Net Present Value (NPV) for the 3.4151 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.

7.6 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.

7.7 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/>)

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

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

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

7.11 No labour camp shall be established on the 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 Government 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, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.
- 7.19 The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>)

8.0 Keeping in view facts mentioned in above para this proposal for diversion of 3.4151 ha. Forest land under section-2 of the Forest (Conservation) Act, 1980 for Construction of underground MS Pipeline 700 mm concrete encasing for regular Water Supply Line from MIDC Water Treatment Plan, Poynad to GAIL (India) Ltd., User for PDH PP Plant of Tadwagale, Dalvi Khoroshi, Kune and Beloshi Villages of Taluka Alibag District Raigad in the State of Maharashtra is recommended for approval under Forest (Conservation) Act, 1980.

Encl. :- Proposal 2 copies

 30/7/23

(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, Alibag Forest Division, Alibag for formation.

Copy to the Deputy General Manager (PDH-PP Projects), GAIL (India) Limited, Usar, Tal. Alibag, Dist. Raigad-402203 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 3.4151 ha. Forest land under section-2 of the Forest (Conservation) Act, 1980 for Construction of underground MS Pipeline 700 mm concrete encasing for regular Water Supply Line from MIDC Water Treatment Plan, Poynad to GAIL (India) Ltd., User for PDH PP Plant of Tadwagale, Dalvi Khoroshi, Kune and Beloshi Villages of Taluka Alibag District Raigad in the State of Maharashtra (FP/MH/Pipeline/157648/2022). The details of land proposed for diversion is as under-

Sr. No	Item work purpose	District	Name of Village	Taluka	Survey/Gut No.	Compt. No.	Length X Width	Area (in ha.)	Legal Status
1	700 mm dia. Water pipeline from WTP MIDC Poynad to GAIL PDH-PP Plant Usar	Raigad	Tadwagale	Alibag	17/1	--	69.04 x 10	0.06904	Restored Private Forest
					37/1	--	116.87 x 10	0.1169	
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4			Kune		98 Part	173	656.73 x 10.00	0.6567	
Total Forest area involved (in ha.)								3.4151	

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: 30/10/2023
Place: Nagpur

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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 3.4151 ha. Forest land under section-2 of the Forest (Conservation) Act, 1980 for Construction of underground MS Pipeline 700 mm concrete encasing for regular Water Supply Line from MIDC Water Treatment Plan, Poynad to GAIL (India) Ltd., User for PDH PP Plant of Tadwagale, Dalvi Khoroshi, Kune and Beloshi Villages of Taluka Alibag District Raigad in the State of Maharashtra (FP/MH/Pipeline/157648/2022) has been initiated by the Deputy General Manager (PDH-PP Projects), GAIL (India) Limited, Usar, Tal. Alibag, Dist. Raigad-402203 for seeking approval under FCA 1980.

2) The details of the forest land proposed for diversion are as under:- (P/18)

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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. (P/24)

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- 2.8 The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
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- 2.10 The layout plan of the proposal shall not be changed without prior approval of Central Government.
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(Shailesh G. Tembhurnikar)
Principal Chief Conservator of Forests
(Head of Forest Force)
Maharashtra State, Nagpur