



Government of Maharashtra
• Forest Department •

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**Office of the Deputy Conservator of Forests,
Shahapur Forest Division, Shahapur**
Shahapur-Asangaon Road, Old Agra Road, At Asangaon, Post Taluka Shahapur,
District Thane 421 601

No. Desk-13(3)/20/Land/ 216 /2023-24

Date 22/05/2023

To,

Sr. Manager (S & LR)
GAIL (India) Limited,
8th Floor, GAIL Jubilee Tower,
B-35 & 36, Sector-1, Noida – 201 301 (U.P.)

Subject:- Diversion of 2.3238 ha. forest land for laying of Natural Gas Pipeline from Mumbai to Nagpur through Thane, Nashik, Ahmednagar, Aurangabad, Jalna, Buldhana, Washim, Amravati, Wardha & Nagpur Districts in the State of Maharashtra...

- Ref.:-** 1. The Government of India, MoEF&CC, GOI intergrated Regional Office (WCZ) Nagpur office letter no. FC-I/MH-326/2023-NGP/11496, dated 28/4/2023
2. Principal Chief Conservator of Forests (HoFF) M.S. Nagpur office letter no. D-17/2/Nodal/Thane/ID-13051/(79)/327/23-24, dated 2/5/2023
3. Your's office letter no. Desk-10/FCA/CR-38/22-23/73, dated 4/5/2023

Please refer to the letter No. FC-I/MH-326/2023-NGP/11496, dated 28/4/2023 from GOI Regional Office (WCZ) Nagpur under which, In-Principle approval for diversion of 2.3238 Ha of forest land under the Forest (Conservation) Act, 1980 for diversion of 2.3238 ha. forest land for laying of Natural Gas Pipeline from Mumbai to Nagpur through Thane, Nashik, Ahmednagar, Aurangabad, Jalna, Buldhana, Washim, Amravati, Wardha & Nagpur Districts in the State of Maharashtra your favour has been accorded.

While approving the proposal In-principle, the GOI Regional Office (WCZ) Nagpur has laid down some conditions, which are to be fulfilled by you as User Agency.

Unless the conditions are fulfilled, the proposal in question will not be considered for its final approval.

The point-wise compliance of conditions imposed by GOI Regional Office (WCZ) Nagpur to be done is as under:-

Sr No.	Condition laid down	Action to be taken by the user agency to fulfill the same
1	2	3
i	The legal status of forest land will remain unchanged;	The User Agency has to submit an undertaking in this regard.


ii.	Compensatory Afforestation a. Compensatory afforestation shall be taken up by the Forest Department over 5.00 ha. degraded forest land at Survey no. 99, Gat No. 156 at Village- Shei, Tal. Shahapur, Dist. Thane) at the cost of the User Agency. As far as possible, a mixture of local indigenous species along with 10% RET species of Thane District shall be planted and monoculture of any species may be avoided. Atleast one water body shall be constructed in the form of tank/stop dams etc. if the same are not available in the area or in nearby vicinity. Further, if existing tanks/stop dams are available and needs desilting/repair, same shall be carried out to meet the water requirement of wild animals throughout the year.	The User Agency has to deposit the amount of Rs. 40,24,420/- @ Rs. 804884/- per ha. (Model No. 5) for the year 2023-24 as per the ready reckoner issued by the Principal Chief Conservator of Forests (Head of Forest Force) Maharashtra State, Nagpur vide letter no. Desk-17/CA/Estimate rate/CR-40/1127/19-20; dated 04/10/2019 for Compensatory Afforestation on 2.3238 ha. and submit an undertaking in this regard.
iii.	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;	The User Agency has to submit an undertaking to pay the additional amount of CA, if so determined by the State Forest Department.
iv.	NPV a. The State Government shall charge the Net Present Value (NPV) for the 2.3238 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 this 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	The User Agency has to deposit the total amount of Rs. 32,86,635/- of Net Present Value as per the orders of the Hon'ble Supreme Court of India dated 28/03/2008, 24/04/2008 and 09/05/2008. The User Agency has to submit an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of

	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.	India.
v.	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.	The User Agency has to deposit the amount of Rs. 19,31,859/- to DCF Shahapur required for tree felling.
vi.	All the funds received from the user agency under the project shall be transferred/ deposited to CAMPA fund only through <i>e-portal</i> (https://parivesh.nic.in);	<p>The User Agency has to deposit the total amount of Rs. 75,92,555/- to CAMPA fund only through <i>e-portal</i> (https://parivesh.nic.in) And submit the copy of Challan/RTGS Acknowledgement of the payment deposited with the compliance report.</p> <p>The User Agency has to deposit the amount of Rs. 19,31,859/- to DCF Shahapur required for tree felling.</p>
vii.	The state Government Maharashtra/Nodal Officer (FCA), Maharashtra shall ensure settlement of rights under the Scheduled Tribes and Others Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 (No. 2 of 2007) before issuing an order for handing over of forest land to the User Agency as per Rule -9(6)(b)(ii) of Forest (Conservation) Rules, 2022 dated 28.06.2022	The User Agency has to submit Original FRA, 2006 certificate issued by District Collector, Thane along with English translated copies of documentary evidences in the form of copies of the resolutions of the concerned Forest Rights Committee(s), Gram Sabha(s), Sub-Division Level Committee(s) recording their consent for the proposal and bearing signature of the participants.
viii.	To improve the Forest/ Tree cover and to reduce pollution, as mandated in National Forest Policy, 1988 and Environmental (Protection) Act, 1986 respectively, the User Agency with involvement of Joint Forest Management Committees (JMFCs) and in consultation with local DCF shall raise at least 5,000 seedlings of forestry species along with bamboo, fruit bearing, medicinal, ornamental and indigenous/ local for 10 years. At least 50% of seedlings shall be planted in the vicinity of project area and remaining 50% of seedlings shall be distributed among villagers as per choice of villagers. The concerned JFMCs shall maintain record of plantation/ seedling distribution to villagers.	The User Agency has to submit an undertaking and a plan in this regard.

ix	The trees having bird nests shall not be felled written permission from the DCF concern both in forest as well as non-forest land;	The User Agency has to submit an undertaking and a detailed plan in this regard.
x.	The pipeline shall be laid down at least 1.5 meter below the ground and after lying down of pipe line the ground will be leveled;	The User Agency has to submit an undertaking in this regard.
xi.	The User Agency shall obtain the Environment Clearance as per the provisions of the Environment (Protection) Act, 1986, if required;	The User Agency has to submit an undertaking in this regard.
xii.	The layout plan of the proposal shall not be changed without prior approval of Central Government;	The User Agency has to submit an undertaking in this regard.
xiii.	No labour camp shall be established on the forest land;	The User Agency has to submit an undertaking in this regard.
xiv.	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;	The User Agency has to submit an undertaking in this regard.
xv.	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;	The User Agency has to deposit the total amount of Rs. 281500/- for erecting total 50 cement concrete pillars @ Rs. 5630/- per pillar on the boundary of the diverted forest land.
xvi	No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;	The User Agency has to submit an undertaking in this regard.
xvii	The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less;	The User Agency has to submit an undertaking in this regard.
xviii	The forest land shall not be used for any purpose other than that specified in the proposal;	The User Agency has to submit an undertaking in this regard.
xix	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;	The User Agency has to submit an undertaking in this regard.
xx	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 Guideline F.No. 11-42/2017-FC dt. 29/01/2018;	The User Agency has to submit an undertaking in this regard.
xxi	Any other condition that the Ministry of Environment, Forests & Climate Change	The User Agency has to submit an undertaking in this regard.

	may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife;	
xxii	The compliance report shall be uploaded on e-portal (https://Parivesh.nic.in/);	The User Agency has to upload the compliance report on e-portal (https://Parivesh.nic.in/).

It is, therefore, requested to comply the above conditions at the earliest so as to enable this office to process the proposal further for obtaining formal approval from GOI. It is also informed to you that unless and until the formal approval order is issued by the Central Government, the forest land will not be handed over and the works under the said project should not be started in the forest area, otherwise it will be treated as violation of the provisions of Forest (Conservation) Act, 1980 and the necessary action will be taken as per the guidelines of Forest (Conservation) Act, 1980.


(Sachin Repal)

Dy. Conservator of Forests
Shahapur Forest Division, Shahapur

Copy submitted to the Additional Chief Conservator of Forest and Nodal Officer, Maharashtra State, Nagpur for information.

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

Copy for information and necessary action to:
Range Forest Officer, Shahapur and Khardi

Sd/-

(Sachin Repal)

Dy. Conservator of Forests
Shahapur Forest Division, Shahapur