

Sub.:- Forest Land- Raigad

Diversion of 0.1186 ha of Reserved Forest (MPFA, 1975 & U/s 4 IFA, 1927), Reserved Forest and Unclassed Forest land for laying of under ground 1100 mm water pipeline for industries use & 400 mm dia water pipeline for drinking purpose nearby villages from Patansai (Tal Roha) to Karav (Tal Pen) in Raigad district

PART - V

(To be filled up by the Secretary Incharge of Forest Department or by any other authorized officer of the State Government not below the rank of an Under Secretary)

1. Recommendation of the State Government

The proposal is recommended
vide Government letter
No.FLD-1316/CR-251/F-10
Dated: 14/10/2016



(Virendra Tiwari)

Chief Conservator of Forests (Mantralaya)

Chief Conservator of Forests (Mantralaya)
Revenue and Forest Department
Mantralaya, Mumbai 400 032

Place : Mumbai

Date : 14/10/2016

Chief, Division of Forests (Malaysia)
Forestry and Forest Department
Kuala Lumpur, Malaysia 400 032

Government of Maharashtra**By Speed Post**

No.FLD-1316/CR-251/F-10
Revenue and Forest Department,
Room No.456/461 Annex,
Hutatma Rajguru Chowk,
Madam Cama Marg,
Mantralaya, Mumbai-400 032
Dated: 14/10/2016

To,
The Additional Principal Chief Conservator of Forests (C),
Government of India,
Ministry of Environment, Forests & Climate Change,
Regional Office (WCZ),
Ground Floor, Eastern Wing,
New Secretariat Building, Opposite Old VCA Stadium,
Civil Lines, Nagpur-440001

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Sir,

M/s. JSW Steel Ltd., Geetapuram, Dolvi, Tal. Pen, Dist Raigad has submitted a proposal for diversion of 0.1186 ha of Reserved Forest (MPFA, 1975 & U/s 4 IFA, 1927), Reserved Forest and Unclassed Forest land for laying of under ground 1100 mm water pipeline for industries use & 400 mm dia water pipeline for drinking purpose nearby villages from Patansai (Tal. Roha) to Karav (Tal. Pen) in Raigad district. The details of land proposed for diversion is as under-

Village	Taluka	Dist.	Sur. No.	Legal Status	Area in Ha
Nagothane	Roha	Raigad	6/P	Reserved Forest (MPFA, 1975)	0.0540
			2A/1A	Restored Private Forest	0.0360
			237/0	Reserved Forest (U/s 4 of IFA, 1927)	0.0186
Nigade	Pen		Gut No. 7/C	Unclassed Forest	0.0061
Salinde			138/P	Reserved Forest	0.0039
Total area in Ha.					0.1186

2. Total non-forest area involved in this project is 6.2980 ha. The total water requirement for the proposed expansion project and township will be around 112.16 MLD (4673 cum/hrs). To cater this additional water requirement, new water pipeline of 1100 mm dia is being laid from Chikni (Nagothane) to Dolvi Complex. The line is route along NH-17 within utility corridor approved by NHAI. The pipeline is going to be utilized to cater the increased water requirement of the expanded Dolvi Steel Complex of JSW Steel Ltd. And laying of 400 mm dia pipeline in utility corridor of NH-17 to meet the drinking water requirement of ~~enroute~~ villages at User Agency cost. Both the pipeline are routed along NH-17 within utility corridor approved by NHAI.
3. The Deputy Conservator of Forests, Alibag has certified that no alternate alignment is possible and the forest land required is the barest minimum.
4. No cutting and felling of trees is involved in implementation of the project.
5. There is a violation of Forest (Conservation) Act, 1980 as certified by the Deputy Conservator of Forests, Alibag. However, it is not violation of Forest (Conservation) Act, 1980 but violation of Indian Forest Act, 1927 as the agency is a private entity. User Agency has constructed the bridge & laid pipeline over an area of 0.1136 ha forest land in the year 2013 to 2015. As per report of violation, this is case of mistake of fact the utility corridor provided by National Highway 17 and in the agreement with JSW Steel Ltd (User Agency) regarding uses of utility corridor it was presumed that all land related permission were granted by the various Government agencies hence the work was undertaken. Violation report is enclosed in the proposal.
6. The project area belongs to Eco-Value class I of Category open.
7. The User Agency has submitted an undertaking to defray the cost of Net Present Value of the forest land proposed for diversion.
8. The Deputy Conservator of Forests, Alibag has certified that the proposed project is beyond 10 km of the boundaries of the Protected Area (Sachin Wildlife Sanctuary).
9. The area involved does not form part of any existing National Park, Wildlife Sanctuary or Nature Reserve etc.

10. The Deputy Conservator of Forests, Alibag has certified that proposed project is not likely to affect any monuments site of cultural, historical, religious archeological or recreational importance.

11. The Deputy Conservator of Forests, Alibag has certified that the private area / non forest area which is to be acquired for the project is neither deemed Reserve Forest under the Maharashtra Private Forests (Acquisition) Act, 1975 nor it has been identified as "Forests" as envisaged in the interim order given by the Honorable Supreme Court dated 12/12/1996.

12. The Deputy Conservator of Forests, Alibag has certified that 1.00 ha. degraded forest land in Comptt. No. 384/A at village Sukeli, Ta. Roha, Dist. Raigad proposed for Compensatory Afforestation is suitable for afforestation & management purpose and also free from encroachment and encumbrances.

13. The User Agency has fulfilled the compliance under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Rights) Act, 2006.

14. The Principal Chief Conservator of Forests (HoFF), Maharashtra State, Nagpur has recommended the proposal subject to the conditions, given in his specific recommendations, under Section-2 (ii) of the Forest (Conservation) Act, 1980. His specific recommendations are enclosed in the proposal.

15. In the circumstances explained in above paragraphs and enclosures, the State Government recommends that the said forest land may be allowed to be diverted for the non-forestry use on the conditions proposed by the Principal Chief Conservator of Forests (HoFF), Maharashtra State, Nagpur. The matter may kindly be placed before Government of India for its approval under Section-2 (ii) of the Forest (Conservation) Act, 1980 and the same may please be obtained and communicated to this Government at earliest.

Yours faithfully,



(Virendra Tiwari)

Chief Conservator of Forests (Mantralaya)

Chief Conservator of Forests (Mantralaya)
Revenue and Forest Department
Mantralaya, Mumbai 400 032

Encl: A) Set of case papers

b) **The following documents are enclosed:-**

1. Prescribed form as per Rules.
2. Certificate regarding minimum demand for forest land for the project
3. Area Statement

4. Index map of suitable scale
5. Commitment from the Applicant for defraying the cost of exploitation as well as cost of compensatory plantation.
6. User Agency has given an undertaking of Net Present Value.
7. Brief note of the project from the project authority
8. Site Inspection Report by Deputy Conservator of Forests, Alibag
9. Certificate that there is violation of Forest (Conservation) Act, 1980
10. Certificate in Part V.

Copy to:

- 1) Secretary (Tribal), Tribal Development Department, Mantralaya, Mumbai.
- 2) Additional Principal Chief Conservator of Forests and Nodal Officer, Maharashtra State, Nagpur, with reference to his letter Desk-17/NC/II/I.D 12454/(60)/222/16-17, dt.30/07/2016
- 3) Additional Principal Chief Conservator of Forests (CAMP), Maharashtra State, Nagpur
- 4) Chief Conservator of Forests (T), Thane
- 5) Collector, Raigad
- 6) Deputy Conservator of Forests, Alibag
- 7) M/s. JSW Steel Ltd., Geetapuram, Dolvi, Tal. Pen, Dist Raigad
- 8) Select File F-10.

Chief Conservator of Forests (Mantralaya)
Revenue and Forest Department
Mantralaya, Mumbai 400 032