

**Subject:-** Proposal for diversion of 0.1911 ha. Reversed Forest Land under section-2 (ii) of the Forest (Conservation) Act-1980 for construction of approach road, laying of underground electric cable and 6" diameter G.I. water pipe in view of the common and basic amenities to access the land of Shri.Pandurang Parshuram Kharpatil in survey no.195/0 of Dist. Raigad.

**PART - V**

**(To be filled up by the Secretary In charge 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-1317/CR-283/F-10**  
**Dated: 29/08/2018**



**( Virendra Tiwari )**

**Additional Principal Chief Conservator of Forests  
(Mantralaya)**

**Place: Mumbai**

**Date: 29/08/2018**

**VIRENDRA TIWARI**  
**Additional Principal**  
**Chief Conservator of Forests (Mantralaya)**  
**Revenue and Forest Department**  
**Mantralaya, Mumbai 400 032**

Wash. Post, August 10, 1935

## Government of Maharashtra

### By Speed Post

No. FLD-1317/CR-283/F-10  
Room no. 456/ 461 Annex,  
Revenue and Forest Department,  
Madam Kama Road,  
Hutatma Rajguru Chowk, Mantralaya,  
Mumbai – 400 032.  
Dated: 29/08/2018.

To,

The Additional Principal Chief Conservator of Forests (Central),  
Government of India,  
Ministry of Environment, Forests & Climate Change,  
Regional Office, West Central Region,  
Ground Floor, East Wing,  
New Secretariat Building, Civil Lines,  
Nagpur-440 001.

**Subject:-** Proposal for diversion of 0.1911 Ha. Reversed Forest Land under section-2 (ii) of the Forest (Conservation) Act-1980 for construction of approach road, laying of underground electric cable and 6" diameter G.I. water pipe in view of the common and basic amenities to access the land of Shri.Pandurang Parshuram Kharpatil in survey no.195/0 in Dist. Raigad.

Sir,

Shri. Sagar R. Kharpatil, M/s P.P. Kharpatil Construction Pvt Ltd, at post Chirner, Taluka-Uran, Distt Raigad has submitted a proposal for diversion of 0.1911 Ha. of Reserved Forest Land for construction of approach road, laying of underground Electric Cable and 6" diameter G.I. Water pipe in view of the common and basic amenities to access the land of Shri Pandurang Parshuram Kharpatil in Survey No 195/0 in Raigad district. The details of land proposed for diversion is as under:-

Village	Tehsil	District	Gut. No	Legal Status	Area (In Ha.)	Remarks
Vindhane	Uran	Raigad	221	Reserved Forest (Notified U/s 4 of IFA 1927	0.1075	<b>Approach Road to Private Land</b>
Chirner	Uran	Raigad	Unsurvyed No. (Old Sr. No. as per Gazette 268 & 269)	Reserved Forest	0.0290	
Vindhane	Uran	Raigad	221	Reserved Forest (Notified U/s 4 of IFA 1927	0.0215	<b>Laying underground Electric Cable</b>
Chirner	Uran	Raigad	Unsurvyed No. (Old Sr. No. as per Gazette 268 & 269)	Reserved Forest	0.0058	

Village	Tehsil	District	Gut. No	Legal Status	Area (In Ha.)	Remarks
Vindhane	Uran	Raigad	221	Reserved Forest (Notified U/s 4 of IFA 1927	0.0215	<b>Laying of underground 6" dia G.I. water Pipe line</b>
Chirner	Uran	Raigad	Unsurvyed No. (Old Sr. No. as per Gazette 268 & 269)	Reserved Forest	0.0058	
<b>Total Area (in Ha.)</b>					<b>0.1911</b>	

2. The Deputy Conservator of Forests, Alibag has stated that no alternate alignment is possible and the forest land required is the barest minimum.
3. No cutting and felling of trees is involved in implementation of the project.
4. Deputy Conservator of Forests, Alibag has mentioned that there is no violation of Forest (Conservation) Act 1980. However, Project Authority use the proposed forest area for approach to their private property without constructing any road or breaking of forest land.
5. The area involved does not form part of Karnala Eco Sensitive zone as per final notification of ESZ dated 22/01/2016. The proposed area is 2.98 km from protected area i.e. Karnala Bird Sanctuary as certified by the Deputy Conservator of Forests, Alibag.
6. The User Agency has submitted the compliance of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Right) Act 2006. (Collector, Raigad certificate dated 20/03/2017).
7. The proposed area belongs to Eco-value class-I and open forest.
8. The User Agency has submitted an undertaking to defray the cost of Net Present Value of the forest land proposed for diversion.
9. The Project Authority agrees to provide water supply from the storage of the project as per requirement of the Forest Department for afforestation prevailing rate at the time of water supply as fixed by Government.
10. The Deputy Conservator of Forests, Alibag has certified that the proposed project is within 10 km of the boundaries of the Karnala Bird Sanctuary. but proposed site is not part of Karnala Bird Sanctuary or it's Eco-Sentative Zone and the project will not have any adverse effect on the wildlife within the area.
11. The Deputy Conservator of Forests, Alibag has certified that 1.00 ha. degraded forest land in Gut No. 220 at village Vindhane, Ta. Uran, Dist. Raigad proposed for compensatory afforestation is suitable for plantation and free from encroachment.
12. The Deputy Conservator of Forests, Alibag has certified that the proposed area is not likely to affect any monumental site of cultural, historical, religious, archaeological or recreational importance.
13. The Deputy Conservator of Forests, Alibag has certified that the Private land of S.No. 195/0 in Village-Vindhane, Tal.-Uran, Dist.-Raigad under the project for diversion of 0.1911 ha of forest area for proposed project is not under the Maharashtra Private Forests (Acquisition) Act, 1975 nor it has been identified as "Forests" as envisaged in the interim order given by the Honourable Supreme Court dated 12/12/1996.

14. Deputy Conservator of Forests and User Agency have informed that they have examined three alternatives. 1) No. 1, involved 0.1911 Ha. forest area 2) No. 2, involved 0.2485 Ha. forest area 3) No. 3, involved 0.2408 Ha. forest area.

15. Area of the alignment 1 having no felling of tree is involved, shortest route and required forest land is barest minimum & unavoidable. Hence, Alternative one is recommended for this project.

16. The project proponent is ready to bear all the Government levies and there is no alternative available for approach road. Hence, The Deputy Conservator of Forests, Alibag has recommended the proposal for approval.

17. Chief Conservator of Forests (T.), Thane has recommended the proposal for approval.

18. 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.

19. In the circumstances explained in the aforesaid 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 the Government of India for its approval under Section-2 (ii) of the Forest (Conservation) Act, 1980, be obtained and communicated to this Government at earliest.

Yours faithfully,



( Virendra Tiwari ) 29/08/2018

Additional Principal Chief Conservator of Forests (Mantralaya)

**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. An undertaking of Project Authority for Net Present Value
7. Brief note of the project from the project authority
8. Map of non-forest land for compensatory afforestation
9. Site Inspection Report by Deputy Conservator of Forests, Alibag.
10. Certificate that there is no violation of Forest (Conservation) Act, 1980
11. Certificate in Part-V

**Copy to:**

1. Principal Secretary, Tribal Development Department, Mantralaya, Mumbai
2. Principal Chief Conservator of Forests (Wildlife), Maharashtra State Nagpur
3. Additional Principal Chief Conservator of Forests and Nodal Officer, Maharashtra State Nagpur with reference to his letter No.Desk-17/NC/II/I.D.-12517/61/879/2017-18, Dated-14/07/2017

4. Additional Principal Chief Conservator of Forests (CAMP), Maharashtra State Nagpur
5. Chief Conservator of Forests (T), Thane
6. Collector, Raigad
7. Deputy Conservator of Forests (T), Alibag
8. Shri. Sagar R. Kharpatil, M/s P.P. Kharpatil Construction Pvt Ltd, At Post-Chirner, Tehsil-Uran, District-Raigad
9. Select file F-10