

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,
First Floor, 'B' Wing, Van Bhavan, Civil Lines, Nagpur-440001.

Tel no. (0712) 2530166, 2556916, Fax no. (0712) 2550675 E-mail- apccfnodal@mahaforest.gov.in

No. Desk-17/Nodal/Thane/ID-13050(78)/2263/2022-23

Nagpur - 440 001, Date : 06/12/2022

To,

The Deputy Director General (Central)
Government of India,
Ministry of Environment, Forests, and Climate Change,
Integrated Regional Office, Ground Floor, East Wing,
New Secretariat Building,
Civil Lines, Nagpur-440001

Sub :- Re-diversion of 18.1150 ha forest land in favour of GAIL (India) Limited for laying of Natural Gas Pipeline from Mumbai to Nagpur along with its OFC Passing through Thane, Shahapur, West Nashik, Ahmednagar, Aurangabad, Buldhana, Washim, Amravati, Wardha and Nagpur in Thane District in the State of Maharashtra- regarding.

Ref :- 1) Government of India, Ministry of Environment Forests & Climate Change, Integrated Regional Office, Nagpur letter No. F.No. FC-II/MH-192/2022-NGP/10561, dated 04/11/2022. P/94

2) The Chief Conservator of Forests (T), Thane letter No. Desk-10/FCA/CR-13/22-23/OW-464, dated 02/12/2022 P/145

Sir,

Ministry of Environment, Forests and Climate Change, Government of India, Integrated Regional Office, Nagpur vide letter under reference No. 1 has accorded in-principle approval. Accordingly, the Chief Conservator of Forests (T), Thane vide letter under reference No.2 has submitted the compliance of conditions of in-principle approval to this office. The same is as under:-

Sr. No.	Conditions put forth by Government of India letter dt.04/11/2022	Compliance
i.	Legal status of the forest land shall remain unchanged	The User Agency has submitted an undertaking. A copy of the same is enclosed herewith as (Annexure No.I) P/134
ii.	NPV:	
a.	The State Government shall charge the Net Present Value(NPV) for the 18.1150 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, letter No. 5-2/2006-FC dated 03/10/2006, letter No. 5-3/2007-FC dated 05/02/2009 and letter No. 5-3/2011-FC(Vol-I) dated 06.01.2022 in this regard.	The User Agency has deposited an amount of Rs.1,99,70,067/- towards Net Present Value in Ad-hoc CAMPA Account. A copy of the same is enclosed herewith as (Annexure No.II-A) P/133 & 113
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	The User Agency has submitted an undertaking. A copy of the same is enclosed herewith as (Annexure No.II-B) P/132
iii.	User Agency shall also abide with the all the conditions as mentioned under the primary Forest Clearance of entire 18.115 ha forest land.	The User Agency has submitted an undertaking. A copy of the same is enclosed herewith as (Annexure No.III) P/131

iv.	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 deposited an amount of Rs.1,39,694/- towards Tree felling amount in Deputy Conservator of Forests, Buldana Forest Division Account vide DD.No.126506, dated 25/11/2022 and Rs.12,00,064/- towards cost of tree felling in DCF, Thane account vide RTGS No. ICICR52022112500365882. A copy of the same is enclosed herewith as (Annexure No.IV) P/30			
v.	All the funds received from the user agency under the project shall be transferred/ deposited to CAMPA fund only through e-portal	Total amount of Rs.1,99,70,067/-has been transferred to Ad-hoc Compensatory Afforestation Fund Management & Planning Agency (CAMPA). The details are as below.- (Annexure No.V) P/129 & 113			
		Sr. No	Particulars	Amount transferred to Ad-hoc CAMPA (Rs.)	Details of amount transferred
		1	NPV	Rs.1,99,70,067/-	UTR No. SBIN322328881374, dated 24/11/2022
		Total Amount		Rs.1,99,70,067/-	
vi.	The State Government, Maharashtra/ Nodal Officer (FCA), Maharashtra shall ensure settlement of rights under the Scheduled Tribes and Other 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, if same has not been done by the primary User Agency;	The User Agency has submitted that settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (No.2 of 2007) is done by primary user agency. Hence, FRA not required to be done by the User Agency. The User Agency has submitted an undertaking in this regard. A copy of the same is enclosed herewith as (Annexure No. VI). P/128			
vii.	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 submitted an undertaking. A copy of the same is enclosed herewith as (Annexure No.VII) P/127			
viii.	User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.	The User Agency has submitted an undertaking. A copy of the same is enclosed herewith as (Annexure No.VIII) P/126			
ix.	To improve the Forest/ Tree cover and to reduce pollution in the State, as mandated in National Forest Policy, 1988 and Environmental (Protection) Act, 1986 respectively, the User Agency with involvement of Joint Forest Management Committees (JFMC's) and in consultation with local DCF shall raise at least 25,000 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 JFMC's shall maintain record of plantation/ seedling distribution to villagers;	The User Agency has submitted an undertaking. A copy of the same is enclosed herewith as (Annexure No.IX) P/125			
x.	The layout plan of the proposal shall not be changed without prior approval of Central Government.	The User Agency has submitted an undertaking. A copy of the same is enclosed herewith as (Annexure No.X) P/124			

xi.	No labour camp shall be established on the forest land.	The User Agency has submitted an undertaking. A copy of the same is enclosed herewith as (Annexure No.XI) P/1123
xii.	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 submitted an undertaking. A copy of the same is enclosed herewith as (Annexure No.XII) P/1122
xiii.	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 submitted an undertaking. A copy of the same is enclosed herewith as (Annexure No.XIII) P/1121
xiv.	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 submitted an undertaking. A copy of the same is enclosed herewith as (Annexure No.XIV) P/1120
xv.	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 submitted an undertaking. A copy of the same is enclosed herewith as (Annexure No.XV) P/1119
xvi.	The forest land shall not be used for any purpose other than that specified in the project proposal.	The User Agency has submitted an undertaking. A copy of the same is enclosed herewith as (Annexure No.XVI) P/1118
xvii.	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 submitted an undertaking. A copy of the same is enclosed herewith as (Annexure No.XVII) P/1117
xviii.	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 submitted an undertaking. A copy of the same is enclosed herewith as (Annexure No.XVIII) P/1116
xix.	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 offorests & wildlife.	The User Agency has submitted an undertaking. A copy of the same is enclosed herewith as (Annexure No.XIX) P/1115
xx.	The compliance report shall be uploaded on e-portal (https://lparivesh.nic.in/).	The User Agency has submitted an undertaking. A copy of the same is enclosed herewith as (Annexure No.XX) P/1114

In view of the above, it is requested that the Government of India may kindly be moved for approval under section-2 (ii) of the Forest (Conservation) Act-1980, at the earliest.

Encl : As above

Yours sincerely,

(Naresh Zurmure)

Addl. Principal Chief Conservator of Forests
& Nodal Officer

Copy submitted to the Principal Secretary (Forests), Revenue and Forest Department, Mantralaya, Mumbai -32 for information.

Copy to the Chief Conservator of Forests (T), Thane for information.

Copy to the Deputy Conservator of Forests, Shahapur Forest Division, Shahapur for information.

Copy to the Dy. General Manager (Cons.) GAIL, India Nagpur for information.