



भारत सरकार  
GOVERNMENT OF INDIA  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
MINISTRY OF ENVIRONMENT, FORESTS  
& CLIMATE CHANGE

Integrated Regional Office  
Ground Floor, East Wing  
New Secretariat Building  
Civil Lines, Nagpur - 440001  
apccfcetral-ngp-mef@gov.in

F.No. FC-II/MH-192/2022-NGP /10561

Date: 4<sup>th</sup> November, 2022

✓ To,

The Principal Secretary (Forests),  
Revenue and Forest Department,  
Hutatma Rajguru Chowk  
Madam Cama Marg  
Mantralaya, Mumbai – 400032.

**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.**

Sir,

The undersigned is directed to refer to State Government of Maharashtra letter FLD-2022/CR-250/F-10 dated 13.10.2022 on the above subject seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 and to say that the said proposal has been examined in the Integrated Regional Office in light of the relevant provisions of the Forest (Conservation) Act, 1980 and guidelines issued there under and approved by the Regional Empowered Committee constituted under Section - 4 of the Forest (Conservation) Act, 1980.

After careful examination of the proposal of the State Government and on the basis of the approval of the proposal by the Regional Empowered Committee, the Central Government hereby accords 'in-principle' approval under Section - 2 of the Forest (Conservation) Act, 1980 for 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 subject to the fulfilment of the following conditions:

i. Legal status of the forest land shall remain unchanged;

ii. **NPV:**

- a) The State Government shall charge the Net Present Value(NPV) for the 1.71 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.



- 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.
- 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.
- 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.
- v. All the funds received from the user agency under the project shall be transferred/ deposited to CAMPA fund only through e-portal.
- 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;
- 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.
- viii. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.
- 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;
- x. The layout plan of the proposal shall not be changed without prior approval of Central Government.
- xi. No labour camp shall be established on the forest land.
- 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.
- 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.
- xiv. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- 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.




- xvi. The forest land shall not be used for any purpose other than that specified in the project proposal.
- 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.
- 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.
- 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 of forests & wildlife.
- xx. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).

After receipt of a report on the compliance of conditions no ii (a) and undertakings, duly authenticated by the competent authority in the State Government, in respect of all other conditions, from the State Government, formal approval will be considered in this regard under Section-2 of the Forest (Conservation) Act, 1980.

This issues with the approval of DDGF/RO (Central), IRO, MoEF & CC, Nagpur.

Yours faithfully,

  
(C.B. Tashildar)  
AIGF (Central)

Copy to:

- i. The IGF (RoHQ), MoEF&CC, Indira Paryavaran Bhawan, Jorbagh Road, Aliganj, New Delhi.
- ii. The PCCF (HoFF), Government of Maharashtra, Nagpur.
- iii. The Addl. PCCF & Nodal Officer (FCA), Government of Maharashtra, Nagpur.
- iv. User agency.
- v. Guard file.

  
(C.B. Tashildar)  
AIGF (Central)