

**Government of Maharashtra**

No.FLD-2023/CR-84/F-10

Revenue and Forest Department,

Mantralaya, Mumbai - 400 032.

Dated:- 03 April, 2023

To,

Regional Officer (Central),

Integrated Regional Office, MoEF&amp;CC,

Government of India, Civil Lines, Nagpur.

**Subject: Forest Land - Palghar, Mumbai Suburban & Thane**

Diversion of 12.7808 ha. Un-notified Mangrove forest land for construction of 5<sup>th</sup> and 6<sup>th</sup> lines between Borivali to Virar stations (MUTP-III A Project) in Tal. Vasai, Dist. Palghar, Tal. Borivali, Dist. Mumbai Suburban & Tal. Thane, Dist. Thane in the State of Maharashtra.

The Additional Principal Chief Conservator of Forests, Maharashtra State, Nagpur has submitted proposal for diversion of 12.7808 ha. Un-notified Mangrove forest land for construction of 5th and 6th lines between Borivli to Virar stations (MUTP-III A Project) in Tal. Vasai, Dist. Palghar, Tal. Borivali, Dist. Mumbai Suburban and Tal. & Dist. Thane in the State of Maharashtra.

The details of forest land proposed for diversion are as under:-

[illegible]

2	Construction of Railway Line	Dahisar	Borivali	Mumbai Suburban	Railway land	874 X 42	3.6879	Railway land (Un-surveyed)
		Penpada	Thane	Thane	(Unsurveyed)	594 X 24	1.4274	
(B) Total Forest Area in Mangrove Conservation Unit (in ha.)							5.1153	
Grant Total (A + B) (in ha.)							12.7808	

2. The Assistant Engineer, Mumbai Railway Vikas Corporation Ltd. Mumbai has submitted proposal for diversion of 12.7808 ha. Un-notified mangrove forest land for construction of 5th & 6th lines between Borivali to Virar stations (MUTP-III A Project) in Tal. Vasai, Borivali & Thane, Dist. Thane in the State of Maharashtra. This project is undertaken by Govt. of India (MRVC) is part of public infrastructure facility and essential for convenient, fast and safe travel. Hence, this public infrastructure is of utmost need and the un-notified mangroves land involved is unavoidable due to the existing alignment of the railway line over non forest land. The total non forest land involved in the project is 8.543 ha.

**3. The Deputy Conservator of Forests, Dahanu & Divisional Forest Officer, Mumbai Mangrove Conservation Unit have certified that:-**

- 3.1 No alternate alignment is possible and the forest land required is barest minimum.
- 3.2 The area belongs to Eco-value class-II having density is below 0.6 (Dense Forest).
- 3.3 There are 633 mangrove trees in Dahanu Forest Division and 1465 mangroves and 514 non mangroves trees proposed to be felled in the area proposed for diversion. Girth and species wise break up of Mangrove trees is as under:-

Tree Girth in Cm.										
Division	Below 30	31-45	46-60	61-75	76-90	91-105	106-120	121-150	150 above	Total
Dahanu	117	370	107	30	6	1	0	1	1	663
Mangrove Conservation Unit	101	559	506	413	211	134	43	12	0	1979
<b>Total</b>	<b>218</b>	<b>929</b>	<b>613</b>	<b>443</b>	<b>217</b>	<b>135</b>	<b>43</b>	<b>13</b>	<b>1</b>	<b>2612</b>

- 3.4 The area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc.
- 3.5 Proposed project is not likely to affect any monumental site of cultural, historical, religious, archaeological or recreational importance.
- 3.6 There is no violation of Forest (Conservation) Act 1980.

3.7 (i) Proposed project is 2.58 Km from the nearest boundary of Tugreshwar Wildlife Sanctuary.

(ii) The proposed project distance is 1.8.Km from Sanjay Gandhi National Park and 16.3Km distance Thane Creek Flamingo Sanctuary. The proposed alignment does not fall within Eco-Sensitive Zone of Thane Creek Flamingo Sanctuary.

3.8 Compensatory Afforestation is proposed over 30.00 ha degraded forest land in Compartment No:10 at village Deloda, Taluka-Wadsa, Dist.Gadchiroli is contiguous & suitable for afforestation and management purpose, it is also free from encroachment and encumbrances.

3.9 The non-forest area covered under the project is not under the provision of Maharashtra Private Forest (Acquisition) Act 1975 by virtue of application of Section 35 of Indian Forest Act 197 and are not recognized as deemed reserved forest as well as not included in the area identified as "forest" as per dictionary meaning of forest as intimated to the expert committee appointed under interim judgment of the Hon'ble Supreme Court dated 12/12/1996.

3.10 The proposed alignment is best suitable from forestry point of view.

4. **The User Agency has submitted undertakings:-**

4.1 to defray the cost of Net Present Value.

4.2 to defray the cost of Compensatory Afforestation.


4.3 to submit compliance under FRA-2006.

5. 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.

6. 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 subject the conditions proposed by the Principal Chief Conservator of Forests (HoFF), Maharashtra State, Nagpur as well as following additional conditions:-

(1)	<i>User agency shall abide by the mitigation measures recommended by the Forest Department, because there is presence of wildlife and avifauna across the proposed area and the proposed area is within 2.58 km of the Tugreshwar Wildlife Sanctuary.</i>
(2)	<i>User Agency shall submit the Record of Rights Proposed Forest land at Dahisar, Tal. Borivali &amp; at Penpada, Tal. Thane and CA land at village Delod, Taluka-Wadsa, Dist.Gadchiroli (Compartment No. 10), before Stage-I approval.</i>

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.



(Ganesh Jadhao)

Under Secretary to the  
Government of Maharashtra

Under Secretary  
Revenue and Forests Department  
Hutatma Rajguru Chowk  
Madam Cama Road, Mantralaya  
Mumbai-400 032

**Encl:** A) Set of case papers

B) The following documents are enclosed:-

1. Prescribed form as per Rules.
2. Area Statement
3. Commitment from the Applicant for defraying the cost of Net Present Value & Compensatory Afforestation.
4. Brief note of the project
5. Site Inspection Report.
6. Certificate in Part V.

**Copy:**

1. Secretary, Ministry of Environment, Forests & Climate Change, New Delhi
2. Regional Officer (Central), Integrated Regional Office, Nagpur
3. Principal Chief Conservator of Forests & C.E.O, Maha-CAMPA, Nagpur
4. Additional Principal Chief Conservator of Forests and Nodal Officer, Maharashtra State Nagpur with reference to his letter No.Desk-17/Nodal/Thane/ID-12927 (79)/3064/2022-23, Dt. 10.02.2023.
5. Additional Principal Chief Conservator of Forests, Mangrove Cell, Mumbai.
6. Chief Conservator of Forests (T), Thane.
7. Deputy Conservator of Forests, Thane.
8. Divisional Forest Officer, Mumbai Mangrove Conservation Unit.
9. Deputy Chief Engineer, Mumbai Railway Vikas Corporation Ltd., CSMT-Mumbai.
10. Select File (F-10).

**Sub: Forest Land - Palghar, Mumbai Suburban & Thane**

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**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-2023/CR-84/F-10**  
**Dated: 03 April, 2023**



**(Ganesh Jadhao)**

Under Secretary to the  
Government of Maharashtra

**Under Secretary**

**Revenue and Forests Department  
Hutatma Rajguru Chowk  
Madam Cama Road, Mantralaya  
Mumbai 400 032**

**Place: Mumbai**

**Date:- 03 April, 2023**