



भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FORESTS &
CLIMATE CHANGE
Regional Office, Ground Floor, East Wing,
New Secretariat Building Civil Lines,
Nagpur – 440001,
apccfcetral-ngp-mef@gov.in



File No: FC-I/MH-340/2023-NGP/ 13166 Date: 06.05.2024

To,

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

Sub: Diversion of 0.018 ha. Unclassed forest land under section 2 of the Forest (Conservation) Act, 1980 for widening of existing Kulupwadi Road connecting Western Express Highway, Borivali (East), Mumbai Municipal Corporation of Greater Mumbai in the State of Maharashtra-reg. (FP/MH/ROAD/37039/2018) - in principle approval - regarding.

Sir,

Please refer to the Government of Maharashtra letter no FLD-2023/C.R.-188/F-10 dated 28.06.2023 and the Addl. PCCF and Nodal Officer (FCA), Government of Maharashtra, vide his letter no. Desk-17/FCA-S1/PID-37039/Thane/2023-24/3554 dated 28.03.2024 and online application No **FP/MH/ROAD/37039/2018** seeking prior approval of the Central Government under Section-2 (1) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.

After careful consideration of the proposal submitted by the State Government, I am directed to convey the Central Government's ***In-principle*** approval under **Section '2' (1) of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980** for diversion of **0.018 ha.** Unclassed forest land under section 2 of the Forest (Conservation) Act, 1980 for widening of existing Kulupwadi Road connecting Western Express Highway, Borivali (East), Mumbai Municipal Corporation of Greater Mumbai in the State of Maharashtra, subject to the fulfilment of the following conditions: -

1. The legal status of forest land shall remain unchanged;
2. The demarcation of the proposed forest area shall be carried out at suitable places as per the direction of the DCF concerned at the cost of the User Agency;
3. The State Government shall realize cost towards raising and maintenance of 10 times the trees to be felled under the project at the cost of the User Agency;

4. The State Government shall charge the Net Present Value of the diverted forest land measuring **0.018 ha.** from the User Agency as per the orders of the Hon'ble Supreme Court dated 28.03.2008 and 09.05.2008 in IA Nos.826 in 566 with related IA's in Writ Petition (Civil) No.202/1995 and Ministry's guideline.
5. Additional amount of the Net Present Value (NPV) of the diverted forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future, shall be charged by the State Government from the User Agency. **The User Agency shall furnish an undertaking to this effect;**
6. All the funds received from the User Agency under the project shall be transferred/ deposited to CAMPA fund only through e-portal (<https://parivesh.nic.in/>);
7. **Tree feeling shall be carried out in the forest area wherever necessary under the strict supervision of the State Forest Department;**
8. **The following conditions as recommended by the CF & Director, SGNP shall be complied with by the User**
 - a. **Prior permission of the Monitoring Committee of ESZ shall be obtained, if required for the project**
 - b. **Construction of cement concrete wall with barbed wire fencing on top of it (as per specifications given by SGNP authorities) along the boundary of the SGNP parallel to Western Express Highway from Kulupwadi Junction to Dahisar River**
 - c. **Construction of cement concrete wall with barbed wire fencing on top of it (as per specifications given by SGNP authorities) along the boundary of the SGNP from Dharkhadi to Rongte Khadan (1680 mtrs)**
 - d. **Construction of 6 type II staff quarters building for field staff of SGNP as per design and dimension provided by the SGNP authorities. The State Government shall ensure all approvals from the competent authorities before constructing any such staff quarters in the forest area**
9. **The State Government and the User Agency shall implement proposed Wildlife Conservation Plan with Mitigation Measures at the cost of the User Agency;**
10. The State / UA shall ensure all other approvals / permission under relevant rules / regulation, if any required prior to commencement of the project work.
11. Proper labour camps shall be constructed in the non-forest area and in any case, labour camp shall not be made within the RF area;
12. **After ensuring settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (2 of 2007) and compliance to all such conditions, the State Government shall issue order for working permission or diversion as the case may be;**
13. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;

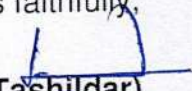


14. Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourers after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel;
15. No additional or new path will be constructed inside the forest area for the transportation of construction materials for execution of the project work;
16. The forest land proposed to be diverted shall under no circumstances be transferred or sublet to any other agencies, department or person without prior approval of Govt. of India;
17. The total forest area utilized for the project shall not exceed **0.018 ha.** and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal. **The User Agency shall furnish an undertaking to this effect;**
18. The User Agency and the State Government shall ensure compliance to the all acts, rules, regulation and guidelines of the Ministry, for the time being in force, as applicable to the subject project;
19. Any other condition that the Regional Office, Nagpur may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area shall be complied by the User Agency;
20. In the event of failure to comply with any of the above conditions the User Agency is liable for penal action as per the rules / guidelines issued under **Van(Sanrakshan Evam Samvardhan) Adhiniyam, 1980;**
21. The State Government shall process and submit compliance report on the above conditions through online (<https://parivesh.nic.in/>).

After receipt of the Compliance report on the above conditions, the proposal will be considered to accord final approval. The in-principle approval shall be valid for a period of **2 years** from the date of issue of the same. In the event of non-compliance of the above conditions within the stipulated period, this in-principle approval **shall be deemed to be null and void;**

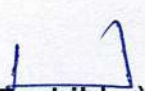
This issues with the approval of DDGF (Central), Regional Office, MoEF & CC, Nagpur.

Yours faithfully,


(C.B. Tashildar)
AIGF (Central)

Copy to:

- i. The IGF (RoHQ), Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jorbagh Road, Aliganj, New Delhi- 110003 **for information please**
- ii. The PCCF (HoFF), Government of Maharashtra, Nagpur.
- iii. User agency.
- iv. Guard file.


(C.B. Tashildar)
AIGF (Central)