

Government of Maharashtra

No.FLD-1323/CR-124/F-10

Revenue and Forest Department,
Mantralaya, Mumbai - 400 032.

Dated:-06.09.2023.

To,

Deputy Director General of Forests (Central),
Regional Office, MoEF&CC,
Government of India,
Civil Lines, Nagpur.

Subject: Forest Land-Raigad

Diversion of 9.9249 ha. forest land under section 2 of the Forest (Conservation) Act, 1980 for Rehabilitation and Up-gradation of existing highway to 2 lane/4 lane with paved shoulder under configuration from Pen-Khopoli- Mahad (Km.00+000 to Km 33+328) section of NH-166 D (Pen-Khopoli-Mahad) Engineering, Procurement & Construction (EPC) Basis in the State of Maharashtra (FP/MH/ROAD/155480/2022)

The Additional Principal Chief Conservator of Forests, Maharashtra State, Nagpur has submitted proposal for diversion of 9.9249 ha. forest land under section 2 of the Forest (Conservation) Act, 1980 for Rehabilitation and Up-gradation of existing highway to 2 lane/4 lane with paved shoulder under configuration from Pen-Khopoli- Mahad (Km.00+000 to Km 33+328) section of NH-166 D (Pen-Khopoli-Mahad) Engineering, Procurement & Construction (EPC) Basis in the State of Maharashtra (FP/MH/ROAD/155480/2022)

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

Sr. No.	Item work purpose	District	Name of Village	Taluka	Survey No.	Gut No.	Comp t No.	Length & Width	Area (in ha.)	Legal Status
1	Rehabilitation and Up-gradation of existing highway to 2 lane/4 lane with paved shoulder under configuration	Raigad	Dhavte	Pen	83	78/1	488	102 x 30	0.3060	Reserved Forest
2		Raigad	Pimpa - lgaon	Pen	38/1, 38/2	13	--	83 x 11.25	0.0933	Pending in enquiry private forest
					1	1	--	92 x 11.25	0.1035	
					34	60B	--	10 x 11.25	0.0112	
					37/2, 37/6	79	--	58 x 11.25	0.0652	

3	from Pen-Khopoli-Mahad (Km. 00+000 to Km 33+328) section of NH-166 D (Pen-Khopoli-Mahad)				37/4, 37/6	77	--	33 x 11.25	0.0371	
					2/1, 2/2	2A	--	80 x 11.25	0.0900	
					2/3	3	--	84 x 11.25	0.0945	
					37/3, 37/5	76	--	100 x 11.25	0.1125	
					5/1	6	--	18 x 11.25	0.0202	
					14/1	34	--	164 x 11.25	0.1845	
					6/1, 6/2	10	--	208 x 11.25	0.2340	
					14/1, 14/3, 14/4	33	--	70 x 11.25	0.0787	
					12/1	20	--	25 x 11.25	0.0281	
					14/5	27/2	--	57 x 11.25	0.0641	
					12/2	27/1	--	80 x 11.25	0.0900	
					13/2, 13/5, 13/6	30	--	22 x 11.25	0.0247	
					12/3	26	--	71 x 11.25	0.0798	
					13/9, 13/10, 17	38	--	103 x 11.25	0.1158	
					12/3, 12/5	25	--	30 x 11.25	0.0337	
		Raigad	Kamrali	Pen	44 Pt	--	481	620 x 11.25	0.6975	Reserved Forest
					44 Pt	--	481	464 x 11.25	0.5220	
		Raigad	Gagode Budruk	Pen	70	297	--	133 x 11.25	0.1496	Pending in enquiry private forest
					71/2	298	--	190 x 11.25	0.2137	
					71/2	299	--	17 x 11.25	0.0191	
					72/3	300	--	140 x 11.25	0.1575	
					71/2	7	--	37 x 11.25	0.0416	
					71/1	8	--	121 x 11.25	0.1361	
					71/1	6	--	83 x 11.25	0.0933	
					5/8	9	--	23 x 11.25	0.258	
					5/7	10	--	14 x 11.25	0.0157	
					5/6	11	--	95 x 11.25	0.1068	
					3/2	17	--	100 x 11.25	0.1125	
					4/3	18	--	103 x 11.25	0.1158	
					5/4	15	--	100 x 11.25	0.1125	
					5/5	16	--	65 x 11.25	0.0731	
					5/3	14	--	45 x 11.25	0.0506	
					4/1	31	--	77 x 11.25	0.0866	
					5/1,6	32	--	35 x 22.5	0.0787	
					35/1	30	--	49 x 11.25	0.0551	
					6/1	35	--	52 x 11.25	0.0585	

4					8/8	36	--	63 x 11.25	0.0780	
					34/6	37	--	34 x 11.25	0.0382	
					32/4	54	--	93 x 11.25	0.1046	
					8/6	57	--	115 x 11.25	0.1293	
					31/3	69	--	34 x 11.25	0.0382	
					8/5	132	--	10 x 11.25	0.0112	
					32/2	55	--	22 x 11.25	0.0247	
					8/2, 8/3	66	--	37 x 11.25	0.0416	
					31/1	68	--	58 x 11.25	0.0652	
					30/1, 30/2, 30/4	81	--	67 x 11.25	0.0753	
					9/4, 9/5	82	--	132 x 11.25	0.1485	
					26/1	91 A	--	158 x 11.25	0.1777	
					26/1	91 B	--	74 x 11.25	0.0832	
					9/2, 9/3	90	--	74 x 11.25	0.0832	
					14/2	103	--	280 x 11.25	0.3150	
					25/1	102	--	31 x 11.25	0.0348	
					25/1	126	--	152 x 11.25	0.1710	
					14/1	124	--	65 x 11.25	0.0731	
					15	133	--	249 x 25	0.6225	
					78	185	--	65 x 11.25	0.0731	
					16	134	--	160 x 14	0.2240	
					20	135	--	225 x 11.25	0.2531	
					19/3	138	--	57 x 11.25	0.0641	
					19/2	139	--	110 x 11.25	0.1237	
					17/4	140	--	143 x 11.25	0.1608	
					17/3	141 B	--	50 x 11.25	0.0562	
					17/3	141 B	--	5 x 11.25	0.0056	
					19/2, 19/1	148 A	--	175 x 22.5	0.3937	
					18	147 A	--	55 x 8	0.0440	
					4		Raigad	Takai	Khalapur	
31A	--	--	280 x 7.5	0.2100						
31A	--	--	432 x 11.25	0.4860						
5		Raigad	Anjoshi	Khalapur	21	--	--	35 x 11.25	0.0394	Sec-4 Reserved Forest
Total Forest Land (in ha.)									9.9249	

2. The proposed project is starting from Pen-Khopoli Mahad (Km 00+000 to Km 33+328) section of NH-166 D (Pen-Khopoli-Mahad). The approximate length of project is 33.328 Km, it passes through one district of Maharashtra, Raigad. The highway further connects the important Highways. Therefore, up-gradation of existing two lane road to two-lane/four lane road with paved shoulders configuration is very necessary. The project will certainly bring better transportation in terms of fast, congestion free movement of traffic and will also ensure improvement in people to people contact in nearby towns and villages along the project road by providing easier access to business centers, livestock marketing and commercial vehicles, mines, Industries proposed thermal power plant, cultural and Tourist's places. In addition, the improved project road is expected to bring positive benefits for the road users and act as a development stimulant for the state in terms of overall socio-economic development. Widening of this section to 2 lane with paved shoulders would further improve the connectivity in terms of achieving smooth and safe traffic flow and improve level of service along with, substantial socio-economic gain in terms of reduced vehicle operating cost (VOC) and reduced travel time will be achieved. The total length of project is 33.328 km coming under Alibag Forest Division.

3. The Deputy Conservator of Forests, Thane has certified that:-

- 3.1) No alternate alignment is possible and the forest land required is lowest minimum.
- 3.2) The area belongs to Eco-value class-1 having density is 0.1.
- 3.3) There are 316 trees of various species and trees involved in implementation of the project. The Girth wise break up is as under-

Tree Girth in Cm.									
0-30	31-45	46-60	61-75	76-90	91-105	106-120	121-135	136 above	Total
18	20	41	23	28	3	15	39	129	316

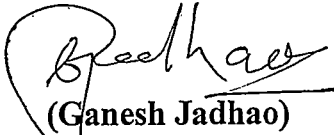
- 3.4) Proposed project is not likely to affect any monumental site of cultural, historical, religious, archaeological or recreational importance.
- 3.5) The area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc.
- 3.6) There is no violation of Forest (Conservation) Act, 1980.
- 3.7) Proposed project is about 11.280 Km. from Karnala Bird Sanctuary and 11.180 Km from the Boundary of Eco-Sensitive zone of Karnala Bird Sanctuary.

- 3.8) 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 1927 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.
- 3.9) Compensatory Afforestation is proposed over 20.00 ha. degraded forest land as Reserved Forest land in Compt No.209 at Village Shihu, Tal. Roha, Dist. Alibag and it is contiguous, suitable for afforestation management purpose and it is free from encroachment and an encumbrances.
- 3.10) No suitable alternate non-forest land is available.

4. The User Agency has submitted undertakings:-

- 4.1 to bear 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 in addition to following conditions:-
- i) User Agency shall compensate the Private landholders of the proposed Land, as per prevalent Acts and Rules in this regard.
 - ii) The concerned Deputy Conservator of Forests shall submit revised online part-2, before Stage-I approval.

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. Principal Chief Conservator of Forests & C.E.O, Maha-CAMPA, Nagpur
3. Additional Principal Chief Conservator of Forests and Nodal Officer, Maharashtra State Nagpur with reference to his letter No.Desk-17/Nodal/Thane/ID-13727(NH)/3413/22-23, Dt. 13.03.2023.
4. Chief Conservator of Forests (T), Thane.
5. Deputy Conservator of Forests, Alibag.
6. Executive Engineer, National Highway Division, Pen-Raigad.
7. Select File (F-10)

Sub: Forest Land-Raigad

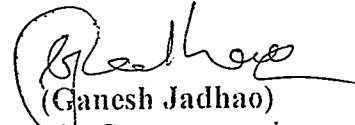
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PART - V

(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-1323/CR-124/F-10
Dated: 06 /09/2023



(Ganesh Jadhao)
Under Secretary to the
Government of Maharashtra

Place: Mumbai

Date: 06/09/2023

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