



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

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FC-I/MH-151/2019-NGP/5492

Dated: 9th July, 2019

To

The Secretary (Forests),
Government of Maharashtra,
Revenue & Forest Department,
Mantralaya, Mumbai-400032

Sub: Diversion of 0.2260 ha Reserved Forest land in favour of Divisional Forest Officer, Mumbai Mangrove Conservation Unit, Mumbai for Development of Mangrove Conservation Centre and Mangrove Park at Village- Gorai, Tal. Borivali, in Mumbai Suburban District in the State of Maharashtra - regarding.

Sir,

I am directed to refer to the Addl. PCCF & Nodal Officer (FCA), Government of Maharashtra letter no. Desk-17/NC/II/ID 12701/(67)/2415/2018-19 dated 25.03.2019 on the above subject seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 and letter no Desk-17/NC/II/ID-12701/(67)/485/19-20 dated 25.06.2019 forwarding information on shortcomings raised by Regional Office vide letter dated 3.05.2019 and to say that the said proposal has been examined by the Regional Office (WCZ) in light of relevant provisions of the Forest (Conservation) Act, 1980 and Guidelines issued thereunder.

After careful examination of the proposal of the State Government and on the basis of the recommendation of the Addl. PCCF & Nodal Officer (FCA), Government of Maharashtra, the Central Government hereby accords 'in-principle' approval under Section - 2 of the Forest (Conservation) Act, 1980 for diversion of 0.2260 ha Reserved Forest land in favour of Divisional Forest Officer, Mumbai Mangrove Conservation Unit, Mumbai for Development of Mangrove Conservation Centre and Mangrove Park at Village- Gorai, Tal. Borivali, in Mumbai Suburban 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. **Compensatory afforestation**
 - a. Compensatory afforestation shall be taken up by the Forest Department by planting 100 numbers of mangroves or ten time number of mangroves getting trimmed, whichever is more at the cost of the user agency. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided;
- iii. The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars if required on the CA land shall be deposited in advance with the Forest Department by the project authority. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years;
- iv. **NPV:**
 - a. The State Government shall charge the Net Present Value(NPV) for the 0.2260 ha forest area to be diverted under this proposal from the User Agency as per the orders

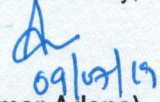
of the Hon'ble Supreme Court of India dated 30/10/2002, 01/08/2003, 28/03/2008, 24/04/2008 and 09/05/2008 in IA No. 566 in WP (C) No. 202/1995 and as per the guidelines issued by the Ministry vide letters No. 5-1/1998-FC (Pt.II) dated 18/09/2003, as well as letter No. 5-2/2006-FC dated 03/10/2006 and 5-3/2007-FC dated 05/02/2009 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;
- v. 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;
- vi. 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/>);
- vii. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector;
- viii. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;
- ix. The layout plan of the proposal shall not be changed without prior approval of Central Government;
- x. No labour camp shall be established on the forest land;
- xi. 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;
- xii. 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;
- xiii. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;
- xiv. 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;
- xv. The forest land shall not be used for any purpose other than that specified in the project proposal;
- xvi. 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;
- xvii. The user agency should fulfil the compliance of conditions mentioned in CRZ Clearance issued vide State Level Environment Impact Assessment Authority vide letter dated 05/03/2019.
- xviii. The user agency should fulfil the compliance of condition mentioned in approval of Executive Committee of Maharashtra Eco-Tourism Development Board, Nagpur in its meeting held on dated 17/11/2018.
- xix. 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;

- xx. 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;
- xxi. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>);


After receipt of a report on the compliance of conditions no iii, iv (a), vi, vii 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.

Yours faithfully,


(Suresh Kumar Adapa)
Scientist 'D'

Copy to:

- i. The PCCF, Government of Maharashtra, Nagpur.
- ii. The Addl. PCCF & Nodal Officer (FCA), Government of Maharashtra, Nagpur.
- iii. Director (RoHQ), Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jorbagh Road, Aliganj, New Delhi.
- iv. User agency.
- v. Guard file.


(Suresh Kumar Adapa)
Scientist 'D'