

Part-II

(To be filled by the concerned Deputy Conservator of Forest)

State Serial No. of Proposal FP/MH/RAIL/28822/2017

Location of Project/ Scheme		
(i)	State/ Union territory	Maharashtra.
(ii)	District	Mumbai Suburban.
(iii)	Forest Division	Mumbai Mangroves Conservation Unit
(iv)	Area of forest land proposed for diversion (in ha.)	3.2744 (3.3) Ha.
(v)	Legal status of forest	Mangrove Forest
(vi)	Density of vegetation	Density- 0.4-0.6 Eco-value Class II
(vii)	Species-wise [Scientific names] and diameter class-wise enumeration of trees [to be enclosed. In case of Irrigation / hydro projects enumeration at FRL, FRL-2 meter & FEL-4 meter also to be enclosed.]	Avicenna Marina Detail of diameter class-wise enumeration of trees is enclosed at (Page No.)
(viii)	Brief note on vulnerability of the forest area to erosion	The Project is the marshy land and too small size hence there is no vulnerability to forest land from erosion.
(ix)	Approximate distance of proposed site for diversion from boundary of forest	Within Mangrove Forest
(x)	Whether forms part of National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor, etc. [If so, the details of the chief wildlife warden to be annexed.]	No 4.3 km distance from Sanjay Gandhi National Park & 16.1 Km distance from flamingo Sanctuary
(xi)	Whether any rare/ Endangered species of Flora and Fauna found in the area.[If so, details thereof.	No.
(xii)	Whether any protected archeological/ heritage site/ defense establishment or any other important monument is located in the area. if so, the details thereof with NOC from competent authority, if required.	No.
(xiii)	Whether the requirement of forest land as proposed by the user agency in col. 2 of Part-I is unavoidable and barest minimum for the project. If no, recommended area with item wise break-up and details of alternatives examined.	Yes. The land affected by mangrove is unavoidable and barest minimum required for this project.
(ix)	Whether any work in violation of the Act has been carried out (Yes/No). If yes, details of the same including period of work had done, action taken on erring officials. Whether work in violation	During the Site Visit it was observed that the project work

is still in progress.

has been started and user agency has dumped debris in and around 50 Meters from mangroves area but the user agency has not started any work in mangroves tree area. As per order of 06.10.2005 in PIL 87 of 2006, Hon High Court has restricted dumping debris in 50 meters from the mangroves area. This could be violation of Hon High Court order. But as per the direction of the Hon High Court in Notice of Motion 538 of 2006 dated 28 July 2008, specified projects mentioned in category 1 such as Road, railway, bridges, culverts, pipe outlet, water supply/sewerage system etc. which do not involved cutting of mangroves but within the 50 Meters from mangroves area can be exempted for requiring Hon High Court permission. The User agency had submitted the proposal which requires mangroves cutting for the diversion under section 2 of the Forest Conservation Act 1980. Prima facie it may be a violation but the exemption as per the above referred order shields the

		violations. As per guideline 4 B (ii) of Ministry of Environment, Forest and climate, change dt.29 th January 2018, in the case of public utility projects of the government the penalty shall be 20% of the penalty proposed in Para (I) above. Thus this offices has recommended the user agency has to pay additional 20 % NPV as per above mentioned circular, as additional compensation in lieu of the project. The user agency has submitted the undertaking in this regard.
(x)	Details of compensatory Afforestation scheme:	
(i)	Details of Non-forest area/ degraded forest area identified for compensatory Afforestation, its distance from adjoining forest number of patches, size of each patch.	Attached on Pg. No.
(ii)	Map showing non-forest / degraded forest area identified for compensatory Afforestation and adjoining forest boundaries.	Attached on Pg. No.
(iii)	Detailed compensatory Afforestation scheme including species to be planned, implementing agency, time schedule, cost structure, etc.	Attached on Pg. No.
(iv)	Total financial outlay for compensatory Afforestation scheme.	Attached on Pg. No.
(v)	Certificates from competent authority regarding suitability of area identified for compensatory Afforestation and from management of points of view. (To be signed by the concerned Deputy Conservator of Forest)	Attached on Pg. No.
(xi)	Site inspection report of the DFO (to be enclosed) specially highlighting facts asked in col.7 (Xi, Xii), 8 and 9 above.	Attached on Pg. No.
(xii)	Division /District Profile :	
(i)	Geographical area of the district	955300 ha.
(ii)	Forest area of the district	408689 ha.
(iii)	Total forest area diverted since 1980 with number of cases.	1389.211 Ha. with 96 cases

(iv)	Total compensatory Afforestation stipulated in the 1980 on (a) forest land including penal compensatory Afforestation (b) non-forest land.	a)1403.15 ha b) 133.959 ha.
(v)	Progress of compensatory afforestation as on (date) -31.03.2013 on Progress of compensatory afforestation as on (date) - 31.03.2013 on (a) forest land (b) Non-forest land.	a) 1423.149 ha. b) 118.382 ha.
13.	Specific recommendations of the DCF for acceptance or otherwise of the proposal with reasons.	The project is recommended as it is critical infrastructure project for the benefit of society.

Date: 30/06/2018

Place: Mumbai


(M.M.Panditrao)
Divisional Forest Officer
Mumbai Mangrove Conservation Unit
(M. M. Panditrao)
Divisional Forest Officer
Mumbai Mangrove Conservation Unit