

PART –IV

Nodal Officer or Principal Chief Conservator of Forests (Head of Forest Force)

(Detailed opinion and specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks)

Sub.:- Superintending Engineer, WSRM Cell, MMRDA, Mumbai, Bandra (East) submitted the proposal to provide 403 MLD bulk water supply to Mira Bhayander, Vasai-Virar Municipal Corporation & 27 villages outside the VVCMC area by laying underground water supply line under Surya Regional Water Supply Scheme, for which 30.399 ha of forest land required under Section - 2 of the Forest (Conservation) Act 1980 has been proposed by User Agency. The details of the forest land proposed for diversion is as under :-

Dahanu Forest Division

Item of work	Village	Sy/Gut No.	Area in ha	Legal Status
Intake	Kawdas	3	2.100	Private Forest
Pipeline		26	0.054	Private Forest
Pipeline		12	0.051	Private Forest
Pipeline		13	0.060	Private Forest
Pipeline		11	0.102	Private Forest
Pipe, road		15	0.324	Private Forest
Pipe, road		35	0.092	Private Forest
Pipe, road		36	0.180	Private Forest
Pipe, road		38	0.040	Private Forest
Pipe, road				
Pipe, road				
Water Treatment Plant	Veti	208/489	0.808	Reserved Forest
			16.637	Reserved Forest
Pipeline		203/540	0.216	Protected Forest
Pipeline	Ghol	56	0.210	Private Forest
Pipeline		61	0.120	Private Forest
Pipeline		103/116	0.525	Protected Forest
Pipeline	Burhanpur	225/292	0.148	Protected Forest
Pipeline		219/297	0.464	Reserved Forest
Tunnel	Mendhvan	28	0.018	Protected Forest
Tunnel		32	0.448	Reserved Forest
Tunnel	Khadkone	16	0.132	Reserved Forest F DCM
Tunnel Shaft		16	0.250	Reserved Forest F DCM
Pipeline	Somate	95/10	0.168	Reserved Forest F DCM
Pipeline	Varai	24/24	0.432	Protected Forest
Pipeline	Dhekal	114	0.640	Reserved Forest F DCM
	Total Forest		24.219	

Thane Forest Division

Thane Forest Division					
Item of work	Name of Village	Sy/Gut No.	Comm't No.	Area in ha	Legal Status
Pipeline	Kashidkopar	191/1/1	-	0.162	Protected Forest
MBR	Kashidkopar	191/1/1	-	1.680	Protected Forest
Pipe	Waliv	33/2	-	0.093	Private Forest

Tunnel	Sativali	104	1092	0.700	Reserved Forest
Pipeline	Sativali	41/2	-	0.042	Private Forest
Tunnel	Chandra pada	156/431	-	0.049	Protected Forest
Tunnel	Bapane	4/1	-	0.067	Protected Forest
Tunnel Shaft	Bapane	42	-	0.170	Protected Forest
Tunnel	Bapane	89 C	-	0.010	Mangrove
Tunnel Shaft	Juchandra	-	-	0.011	Mangrove
Tunnel	Sasunvaghar	186 C	-	0.009	Mangrove
Tunnel	Varsava	creek	-	0.007	Mangrove
	Total Area			3.000	

Sanjay Gandhi National Park Division Borivali

Item of work	Name of Village	Sy/Gut No.	Commt No.	Area in ha	Legal Status
Tunnel	Rajawali	347 p	1094p	0.042	Reserved Forest
Tunnel	Kolhi	48 A	1095p	0.622	Reserved Forest
Tunnel	Chandrapada	555 205/1	1094p	0.117	Reserved Forest
Pipe road	Varsava	34/3	112	0.432	Reserved Forest
Do	Varsava	34/1	112	0.119	Reserved Forest
Pipeline	Varsava	32/3	-	0.048	Reserved Forest
MBR	Chena	101	-	1.800	Reserved Forest
	Total Area	-	-	3.180	

ABSTRACT

Ser No	Name of Division	Reserved Forest in ha	Protected Forest in ha.	Private Forest in ha.	Mangrove In ha.	Total Ha.
1.	Dahanu	18.357	1.339	3.333	-	23.029
2.	FDCM Dahanu	1.190	-	-	-	1.190
3.	Thane	0.700	2.128	0.135	0.037	3.00
4.	SGNP, Borivali	3.180	-	-	-	3.18
	Total	23.427	3.467	3.468	0.037	30.399


Specific recommendation of Principal Chief Conservator of Forests (HoFF) MS Nagpur is attached on page no. 57 A.

Date : 06/07/2018

Place : Nagpur

(G Sai Prakash)

Additional Principal Chief Conservator of Forests
& Nodal Officer, Maharashtra State, Nagpur


 05/7/18 8-5
 5/7/2018

**SURYA REGIONAL WATER SUPPLY SCHEME TO PROVIDE BULK WATER SUPPLY
TO MIRA BHAYANDER & VASAI VIRAR MUNICIPAL CORPORATIONS & 27
VILLAGES OUTSIDE VVCMC BY LAYING UNDERGROUND PIPELINE**

**Specific Recommendation of Principal chief Conserver of Forests Maharashtra
State (Head of Forest Force) with regards to acceptance or otherwise of the
proposal supported by reasons**

The proposal is diversion of 30.399 ha forest land for 403 MLD Surya Regional Water Supply Scheme planned to provide the bulk water supply to Mira-Bhayander & Vasai-Virar Municipal Corporation & 27 villages out side the VVCMC area by laying underground water supply line in Thane District. Total non forest land involved in the project is 6.351 ha. The detailed Forest area statement is as under-

Dahanu Forest Division

Item of work	Village	Sy/Gut No.	Area in ha	Legal Status
Intake	Kawdas	3	2.100	Private Forest ✓
Pipeline		26	0.054	Private Forest ✓
Pipeline		12	0.051	Private Forest ✓
Pipeline		13	0.060	Private Forest ✓
Pipeline		11	0.102	Private Forest ✓
Pipe, road		15	0.324	Private Forest ✓
Pipe, road		35	0.092	Private Forest ✓
Pipe, road		36	0.180	Private Forest
Pipe, road		38	0.040	Private Forest
Pipe, road	Veti	208/489	0.808	Reserved Forest
Water Treatment Plant			16.637	Reserved Forest
Pipeline		203/540	0.216	Protected Forest
Pipeline	Ghol	56	0.210	Private Forest
Pipeline		61	0.120	Private Forest
Pipeline		103/116	0.525	Protected Forest
Pipeline	Burhanpur	225/292	0.148	Protected Forest
Pipeline		219/297	0.464	Reserved Forest
Tunnel	Mendhvan	28	0.018	Protected Forest
Tunnel		32	0.448	Reserved Forest
Tunnel	Khadkone	16	0.132	Reserved Forest F DCM
Tunnel Shaft		16	0.250	Reserved Forest F DCM
Pipeline	Somate	95/10	0.168	Reserved Forest F DCM
Pipeline	Varai	24/24	0.432	Protected Forest
Pipeline	Dhekal	114	0.640	Reserved Forest F DCM
	Total Forest		24.219	

7/84-87

Thane Forest Division

Thane Forest Division					
Item of work	Name of Village	Sy/Gut No.	Commt No.	Area in ha	Legal Status
Pipeline	Kashidkopar	191/1/1	-	0.162	Protected Forest
MBR	Kashidkopar	191/1/1	-	1.680	Protected Forest
Pipe	Waliv	33/2	-	0.093	Private Forest
Tunnel	Sativali	104	1092	0.700	Reserved Forest
Pipeline	Sativali	41/2	-	0.042	Private Forest
Tunnel	Chandra pada	156/431	-	0.049	Protected Forest
Tunnel	Bapane	4/1	-	0.067	Protected Forest
Tunnel Shaft	Bapane	42	-	0.170	Protected Forest
Tunnel	Bapane	89 C	-	0.010	Mangrove ✓
Tunnel Shaft	Juchandra	-	-	0.011	Mangrove ✓
Tunnel	Sasunvaghar	186 C	-	0.009	Mangrove ✓
Tunnel	Varsava	creek	-	0.007	Mangrove ✓
	Total Area			3.000 ✓	

Sanjay Gandhi National Park Division Borivali

Item of work	Name of Village	Sy/Gut No.	Commt No.	Area in ha	Legal Status
Tunnel	Rajawali	347 p	1094p	0.042	Reserved Forest
Tunnel	Kolhi	48 A	1095p	0.622	Reserved Forest
Tunnel	Chandrapada	555 205/1	1094p	0.117	Reserved Forest
Pipe road	Varsava	34/3	112	0.432	Reserved Forest
Do	Varsava	34/1	112	0.119	Reserved Forest
Pipeline	Varsava	32/3	-	0.048	Reserved Forest
MBR	Chena	101	-	1.800	Reserved Forest
	Total Area	-	-	3.180	

ABSTRACT

Ser No	Name of Division	Reserved Forest in ha	Protected Forest in ha.	Private Forest in ha.	Mangrove In ha.	Total IN Ha.
1.	Dahanu	18.357	1.339	3.333	-	23.029 ✓
2.	FDCM Dahanu	1.190	-	-	-	1.190 ✓
3.	Thane	0.700	2.128	0.135	0.037	3.00 ✓
4.	SGNP, Borivali	3.180	-	-	-	3.18 ✓
	Total	23.427	3.467	3.468	0.037	30.399 ✓

The project has been initiated by Superintending Engineer, WSRM Cell, MMRDA, Mumbai, Bandra (East) to provide 403 MLD bulk water supply to Mira Bhayander, Vasai-Virar Municipal Corporation & 27 villages outside the VVCMC area by laying underground water supply line under Surya Regional Water Supply Scheme.

MMRDA is the planning and implementing agency for all infrastructure development project including Water Resource Development and other related works for the Mumbai Metropolitan Region (MMR).

Mira Bhayander Municipal Corporation with an area of 79 Sq Km. Due to close proximity to greater Mumbai, the Mira Bhayander City is experiencing very rapid urban growth. The requirement of the water in the year 2011 is 122 MLD, in year 2016 - 154MLD and expected demand in year 2021 is 195 MLD. It seen that shortfall in the year 2021 is 75 MLD which is nearly 38.5%.

Vasai-Virar Sub Region is covers 380 Sq Km. Presently the City receives 140 MLD from four different sources. The requirement of the water in the year 2011 is 183 MLD, in year 2016 - 240 MLD and expected demand in year 2021 is 311 MLD. It seen that shortfall in the year 2011 is 43 MLD which is nearly 23%. The situation become alarming unless water supply is augmented.

MMRDA Mumbai has decided to take up water resources development projects and 403 MLD water supply systems to meet the growing demand of drinking water in the western region of western sub region comprising of Vasai-Virar City Municipal Corporation (VVCMC), Mira Bhayander Municipal Corporation (MBMC) and 27 villages outside VVCMC area. The project include water supply scheme to bring water from Surya source owned by Irrigation Department of Government of Maharashtra situated about 54kms beyond the boundary of western sub-region of MMR.

The project is aimed at improving enhancing the existing water supply of drinking water of Western Sub -region of MMR.

Considering the public utility of project for drinking water and is in public interest Therefore the Project Authority has submitted the proposal for approval under Section 2 of Forest (Conservation) Act 1980.

The proposal has been submitted by CCF (T) Thane vide letter Desk-10/FCA/CR-17/18-19/OW-62/17-18 dated 17/04/2018 along with following documents as prescribed in Government Circular, Revenue and Forest Department No.FLD-1081/2041/(A)/F-3, dated 20/03/1982 as well as per Government of India's instructions issued from time to time :-

- 1) The Deputy Conservator of Forests Dahanu, Thane and Chief Conservator of Forests, Sanjay Gandhi National Park, Borivali have certified that no suitable alternate Non Forest Land is available other than proposed in alignment and the demand for the land is minimum.
- 2) There are 2109 trees of various species and girth class in the area proposed for diversion.. Girth wise break up is as under :-

8/69-73

8/149-151

8/195

Name of Division	Tree Girth in Cm									Total
	30-45	46-60	61-75	76-90	91-105	106-120	121-135	135-150	150 above	
Dahanu	08	31	74	135	118	109	70	63	205	813
Thane	66	32	03	05	01	03	03	00	00	113
Sanjay Gandhi National Park, Borivali	384	275	203	136	88	45	00	52	00	1183
	458	338	280	276	207	157	73	115	205	2109

8/95

- 3) The Deputy Conservator of Forests Dahanu, Thane and Chief Conservator of Forests, Sanjay Gandhi National Park, Borivali have submitted the Site Inspections report on page No 116-126. 8/116-126
- 4) The Deputy Conservator of Forests Dahanu, Thane and Chief Conservator of Forests, Sanjay Gandhi National Park, Borivali have certified that there is no violation of Forest (Conservation) Act 1980 or its guidelines. 8/158-11
- 5) The Deputy Conservator of Forests Dahanu, Thane and Chief Conservator of Forests, Sanjay Gandhi National Park, Borivali have certified that the non forest land involved in the project are not under provisions 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 the dictionary meaning of Forests as intimated to the expert Committee appointed under interim judgment of the Hon'ble Supreme Court dated 12/12/1996. 8/170-17
- 6) The Deputy Conservator of Forests Dahanu, Thane and Chief Conservator of Forests, Sanjay Gandhi National Park, Borivali have certified that the proposed site is not likely to affect any monuments site of cultural, historical, religious archeological or recreational importance. 8/173-17
- 7) The Deputy Conservator of Forests Dahanu, and Thane, certified that the proposed area is not included in National Park/Wild Life Sanctuary. Chief Conservator of Forests, Sanjay Gandhi National Park, Borivali certified that 0.781 ha is inside Tungreshwar Wildlife Sanctuary. 8/176-17
- 8) Eco-Value class I having Dense and very dense area. 8/188-19
- 9) **Distance of Project from Protected area :-**
 - a) The Deputy Conservator of Forests Dahanu certified that the proposed area 24.219 ha is not within 10 Kms distance of Protected area. 8/205

- b) The Deputy Conservator of Forests, Thane certified that the proposed area 3.000 ha-are located at a distance of 0.00 meter to 5573.00 meter from the boundary of Tungareshwar Wildlife Sanctuary (Deemed Eco-Sensitive Zone) . P/206
- c) Chief Conservator of Forests, Sanjay Gandhi National Park, Borivali certified that the forest area 3.180 ha.is located at a distance of 0.00 meter to 300 meter from the boundary of Sanjay Gandhi National Park & Tungareshwar Wildlife Sanctuary. Private Survey No 28,21,34/2 are located within Eco Sensitive Zone of Sanjay Gandhi National Park, Borivali and Private Survey No 20,26 are located within 10 Km distance from the boundary of Tungareshwar Wildlife Sanctuary (Deemed Eco-Sensitive Zone). P/207
- 10) The Deputy Conservator of Forests Alibag, has certified that Non Forest land 31.00 ha of Survey No 23/11 of Village-Aghai, Tal-Pen, Distt-Raigad proposed for Compensatory afforestation is suitable for plantation and Management purpose also it is free from encroachment and encumbrances. P/167
- 11) The Deputy Conservator of Forests Alibag has certified that the non forest land of Survey No 23/11 of Village-Aghai, Tal-Pen, Distt-Raigad, area 31.00 ha proposed for Compensatory afforestation is not included in the area as forest as identified by the expert Committee appointed under the judgment of the Hon'ble Supreme Court order dated 12/12/1996 and also this land is not acquired under the provisions of Private Forest (Acquisition) Act 1975 by virtue of application of section 35 of the Indian Forest Act 1927 and is not recognized as deemed reserved forest. P/168
- 12) The Deputy Conservator of Forests Dahanu, Thane, and Chief Conservator of Forests, Sanjay Gandhi National Park, Borivali certified that all other alternatives for the project proposal have been explored and required forest area is barest minimum demand. P/223-225
- 13) The User Agency has submitted an undertaking to defray the cost of Net Present Value of forestland proposed for diversion. P/182-184
- 14) The User Agency agrees to bear the cost of clearance/removal of the vegetation growth from the forest land proposed for diversion. P/199
- 15) The User Agency has submitted that Environment clearance is not necessary in this project. P/211-213
- 16) The User Agency agrees to provide water supply from the storage of the project as per the requirement of Forest Department for afforestation at the rate of prevailing rate at the time of water supply as fixed by Government. P/196
- 17) The User Agency has submitted the Cost Benefit Analysis as per GOI guidelines dated 01/08/2017. P/62A
- 18) The User Agency has submitted that Catchment Area Treatment Plan is not necessary in this project. P/220-222
- 19) The User Agency has submitted the copy of CRZ Clearance for the project issued vide GOI letter dated 20/10/2017 . P/359-363
- 20) The User Agency has submitted partly compliance of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Rights) Act 2006. P/406-423

- 21) The Deputy Conservator of Forests Dahanu, Thane and Chief Conservator of Forests & Director Sanjay Gandhi National Park, Borivali have recommended the proposal considering public Utility of project for drinking water and in public interest. ✓
- 22) Chief Conservator of Forests (T), Thane has recommended the proposal for approval. ✓
- 23) The User Agency has also submitted the proposal for Wildlife Clearance. The proposal has been recommended along with the conditions and the wildlife mitigation measures stipulated by the State Wildlife Warden in Standing Committee of National Board for wildlife meeting held on 13/06/2018. ✓


In view of this, the proposal is recommended for approval under section - 2 (ii) of Forest (Conservation) Act, 1980 subject to the following conditions –


- i) The legal status of the land required will remain unchanged. ✓
- ii) The forest land shall not be used for any purpose other than specified in the project. ✓
- iii) Compensatory afforestation will be raised at the cost of User Agency on equivalent non-forest land on 31.00 ha of Survey No 23/11 of Village-Aghai, Tal-Pen, Distt-Raigad proposed for Compensatory afforestation. ✓
- iv) The User Agency will defray the cost of Net Present Value of 30.399 Ha. of forest land as per the latest guideline of Government of India ✓
- v) The User Agency will defray the additional / revised cost of Net Present Value of forestland as per the latest Guideline of Government of India ✓
- vi) The User Agency will defray the cost of removal of 2109 trees in the area. However, only the required and minimum number of trees will be felled. In situations where felling of trees is avoidable and such trees could be transplanted, all efforts to transplant such trees at a pre designated site will be taken and additional expenditure, if any, in such cases shall be at the cost of the User Agency. ✓
- vii) The User Agency in consultation with the State Government shall create and maintain an alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project. Bird's nest artificially made out of eco-friendly material shall be used in the area., including forest area and human settlements, adjoining the forest area being diverted for the project ✓
- viii) The agency will pay the cost of survey, demarcation and erection of permanent pillars , along with fencing of barbed wire on the compensatory forestation land. ✓
- ix) The User Agency will obtain Environmental Clearance from competent authority, if required. ✓
- x) Permission of Hon'ble High Court, Bombay shall be obtained for implementing the project in mangrove areas as per Bombay High Court order dated 27/01/2010 in PIL No. 87/2006. ✓


- xi) The Project Proponent shall deposit an amount equivalent 2% of the total cost of the project for carrying out the activities of protection and conservation of Tungareshwar Wildlife Sanctuary as approved by Principal Chief Conservator of Forests (Head of Forest Force). ✓
- xii) The User Agency will defray the cost of soil and moisture conservation work over 30.399 Ha. forest area to be diverted. ✓
- xiii) The Area involved in the proposal does from part of Tungareshwar Wildlife Sanctuary and declared Eco Sensitive Zone of SGNP, Borivali. Therefore the Project Authority has to submit the separate proposal for wildlife clearance from National Board for Wildlife of MoEF&CC, New Delhi through proper channel of Wildlife wing of Forest Department. ✓
- xiv) The User Agency will fulfill the complete compliance under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Rights) Act 2006 before in-principle approval. ✓
- xv) The Water pipe line will be laid well below as per norms the ground level all along its length through forest ✓
- xvi) No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- xvii) No labour camps shall be established on forest land. ✓
- xviii) The User Agency shall provide fuel-wood preferably alternate fuel to the laborers working at the site to avoid damage / felling of trees. ✓
- xix) The User Agency shall provide free of cost water supply from the storage of the project as per the requirement of Forest Department for afforestation and Nursery plantation. ✓
- xx) The User Agency shall compensate the private owner of forest lands in accordance with the prevalent laws, rules and guidelines ✓
- xxi) All necessary approvals required for the project as per prevailing laws of the land would be obtained by the User Agency before statutory sanction.
- xxii) All other conditions as may be mandatory under relevant Acts, Rules and Guidelines shall be complied with by the User Agency.


Principal Chief Conservator of Forests
(Head of Forest Force)
Maharashtra State, Nagpur.


04/7/2018


04-07/18


4/07/2018


4/7



Certified by ISO
9001:2015

Office of the Principal Chief Conservator of Forests (Head of Forest Force), Maharashtra State

**Additional Principal Chief Conservator of Forests and Nodal Officer,
Maharashtra State, Nagpur**

First Floor, 'B' Wing, Van Bhavan, Civil Lines, Nagpur-440001

Tel no. (0712) 2556916, Fax no. (0712) 2550675

E-mail- apccfnodal@mahaforest.gov.in Website: www.mahaforest.gov.in

Sub.:- Diversion of 30.399 ha forest land for 403 MLD Surya Regional Water Supply Scheme planned to provide the bulk water supply to Mira-Bhayander & Vasai-Virar Municipal Corporation & 27 villages out side the VVCMC area by laying underground water supply line in Thane District.

No. : Desk-17/NC/II/ID 12606/(64)/ **801** /2018-19
Nagpur – 440 001, Dated: **06/07/2018**

To,

The Secretary (Forests),
Revenue and Forests Department,
Mantralaya, Mumbai-32

Ref:- CCF (T) Thane letter No. Desk-10/FCA/CR-17/18-19/OW-62/17-18 dated 17/04/2018.

The project has been initiated by Superintending Engineer, WSRM Cell, MMRDA, Mumbai, Bandra (East) to provide 403 MLD bulk water supply to Mira Bhayander, Vasai-Virar Municipal Corporation & 27 villages outside the VVCMC area by laying underground water supply line under Surya Regional Water Supply Scheme. Total non forest land involved in the project is 6.351 ha. The detailed forest area statement is as under :-

Dahanu Forest Division

Item of work	Village	Sy/Gut No.	Area in ha	Legal Status
Intake	Kawdas	3	2.100	Private Forest
Pipeline		26	0.054	Private Forest
Pipeline		12	0.051	Private Forest
Pipeline		13	0.060	Private Forest
Pipeline		11	0.102	Private Forest
Pipe, road		15	0.324	Private Forest
Pipe, road		35	0.092	Private Forest
Pipe, road		36	0.180	Private Forest
Pipe, road		38	0.040	Private Forest
Pipe, road	Veti	208/489	0.808	Reserved Forest
Water Treatment Plant			16.637	Reserved Forest
Pipeline		203/540	0.216	Protected Forest

Pipeline	Ghol	56	0.210	Private Forest
Pipeline		61	0.120	Private Forest
Pipeline		103/116	0.525	Protected Forest
Pipeline	Burhanpur	225/292	0.148	Protected Forest
Pipeline		219/297	0.464	Reserved Forest
Tunnel	Mendhvan	28	0.018	Protected Forest
Tunnel		32	0.448	Reserved Forest
Tunnel	Khadkone	16	0.132	Reserved Forest F DCM
Tunnel Shaft		16	0.250	Reserved Forest F DCM
Pipeline	Somate	95/10	0.168	Reserved Forest F DCM
Pipeline	Varai	24/24	0.432	Protected Forest
Pipeline	Dhekal	114	0.640	Reserved Forest F DCM
	Total Forest		24.219	

Thane Forest Division

Thane Forest Division					
Item of work	Name of Village	Sy/Gut No.	Commt No.	Area in ha	Legal Status
Pipeline	Kashidkopar	191/1/1	-	0.162	Protected Forest
MBR	Kashidkopar	191/1/1	-	1.680	Protected Forest
Pipe	Waliv	33/2	-	0.093	Private Forest
Tunnel	Sativali	104	1092	0.700	Reserved Forest
Pipeline	Sativali	41/2	-	0.042	Private Forest
Tunnel	Chandra pada	156/431	-	0.049	Protected Forest
Tunnel	Bapane	4/1	-	0.067	Protected Forest
Tunnel Shaft	Bapane	42	-	0.170	Protected Forest
Tunnel	Bapane	89 C	-	0.010	Mangrove
Tunnel Shaft	Juchandra	-	-	0.011	Mangrove
Tunnel	Sasunvaghar	186 C	-	0.009	Mangrove
Tunnel	Varsava	creek	-	0.007	Mangrove
	Total Area			3.000	

Sanjay Gandhi National Park Division Borivali

Item of work	Name of Village	Sy/Gut No.	Commt No.	Area in ha	Legal Status
Tunnel	Rajawali	347 p	1094p	0.042	Reserved Forest
Tunnel	Kolhi	48 A	1095p	0.622	Reserved Forest
Tunnel	Chandrapada	555 205/1	1094p	0.117	Reserved Forest
Pipe road	Varsava	34/3	112	0.432	Reserved Forest
Do	Varsava	34/1	112	0.119	Reserved Forest
Pipeline	Varsava	32/3	-	0.048	Reserved Forest
MBR	Chena	101	-	1.800	Reserved Forest
	Total Area	-	-	3.180	

ABSTRACT

Ser No	Name of Division	Reserved Forest in ha	Protected Forest in ha.	Private Forest in ha.	Mangrove In ha.	Total Ha.
1.	Dahanu	18.357	1.339	3.333	-	23.029
2.	FDCM Dahanu	1.190	-	-	-	1.190
3.	Thane	0.700	2.128	0.135	0.037	3.00
4.	SGNP, Borivali	3.180	-	-	-	3.18
	Total	23.427	3.467	3.468	0.037	30.399

The project has been initiated by Superintending Engineer, WSRM Cell, MMRDA, Mumbai, Bandra (East) to provide 403 MLD bulk water supply to Mira Bhayander, Vasai-Virar Municipal Corporation & 27 villages outside the VVCMC area by laying underground water supply line under Surya Regional Water Supply Scheme .

MMRDA is the planning and implementing agency for all infrastructure development project including Water Resource Development and other related works for the Mumbai Metropolitan Region (MMR).

Mira Bhayander Municipal Corporation with an area of 79 Sq Km. Due to close proximity to greater Mumbai, the Mira Bhayander City is experiencing very rapid urban growth. The requirement of the water in the year 2011 is 122 MLD, in year 2016 - 154MLD and expected demand in year 2021 is 195 MLD. It seen that shortfall in the year 2021 is 75 MLD which is nearly 38.5%.

Vasai-Virar Sub Region is covers 380 Sq Km. Presently the City receives 140 MLD from four different sources. The requirement of the water in the year 2011 is 183 MLD, in year 2016 – 240 MLD and expected demand in year 2021 is 311 MLD. It seen that shortfall in the year 2011 is 43 MLD which is nearly 23%. The situation become alarming unless water supply is augmented.

MMRDA Mumbai has decided to take up water resources development projects and 403 MLD water supply systems to meet the growing demand of drinking water in the western region of western sub region comprising of Vasai-Virar City Municipal Corporation (VVCMC), Mira Bhayander Municipal Corporation (MBMC) and 27 villages outside VVCMC area. The project include water supply scheme to bring water from Surya source owned by Irrigation Department of Government of Maharashtra situated about 54kms beyond the boundary of western sub-region of MMR.

The project is aimed at improving enhancing the existing water supply of drinking water of Western Sub –region of MMR.

Considering the public utility of project for drinking water and is in public interest Therefore the Project Authority has submitted the proposal for approval under Section 2 of Forest (Conservation) Act 1980.

The proposal has been submitted by CCF (T) Thane vide letter Desk-10/FCA/CR-17/18-19/OW-62/17-18 dated 17/04/2018 along with following documents as prescribed in Government Circular, Revenue and Forest Department No.FLD-1081/2041/(A)/F-3, dated 20/03/1982 as well as per Government of India's instructions issued from time to time :-

- 1) The Deputy Conservator of Forests Dahanu, Thane and Chief Conservator of Forests, Sanjay Gandhi National Park, Borivali have certified that no suitable alternate Non Forest Land is available other than proposed in alignment and the demand for the land is minimum.
- 2) There are 2109 trees of various species and girth class in the area proposed for diversion.. Girth wise break up is as under :-

Name of Division	Tree Girth in Cm									Total
	30-45	46-60	61-75	76-90	91-105	106-120	121-135	135-150	150 above	
Dahanu	08	31	74	135	118	109	70	63	205	813
Thane	66	32	03	05	01	03	03	00	00	113
Sanjay Gandhi National Park, Borivali	384	275	203	136	88	45	00	52	00	1183
	458	338	280	276	207	157	73	115	205	2109

- 3) The Deputy Conservator of Forests Dahanu, Thane and Chief Conservator of Forests, Sanjay Gandhi National Park, Borivali have submitted the Site Inspections report on page No 116-126 .
- 4) The Deputy Conservator of Forests Dahanu, Thane and Chief Conservator of Forests, Sanjay Gandhi National Park, Borivali have certified that there is no violation of Forest (Conservation) Act 1980 or its guidelines.
- 5) The Deputy Conservator of Forests Dahanu, Thane and Chief Conservator of Forests, Sanjay Gandhi National Park, Borivali have certified that the non forest land involved in the project are not under provisions 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 the dictionary meaning of Forests as intimated to the expert Committee appointed under interim judgment of the Hon'ble Supreme Court dated 12/12/1996.
- 6) The Deputy Conservator of Forests Dahanu, Thane and Chief Conservator of Forests, Sanjay Gandhi National Park, Borivali have certified that the proposed site is not likely to affect any monuments site of cultural, historical, religious archeological or recreational importance.
- 7) The Deputy Conservator of Forests Dahanu, and Thane, certified that the proposed area is not included in National Park/Wild Life Sanctuary. Chief Conservator of Forests, Sanjay Gandhi National Park, Borivali certified that 0.781 ha is inside Tungareshwar Wildlife Sanctuary.
- 8) Eco-Value class I having Dense and very dense area.
- 9) **Distance of Project from Protected area :-**
 - a) The Deputy Conservator of Forests Dahanu certified that the proposed area 24.219 ha is not within 10 Kms distance of Protected area.
 - b) The Deputy Conservator of Forests, Thane certified that the proposed area 3.000 ha are located at a distance of 0.00 meter to 5573.00 meter from the boundary of Tungareshwar Wildlife Sanctuary (Deemed Eco-Sensitive Zone) .
 - c) Chief Conservator of Forests, Sanjay Gandhi National Park, Borivali certified that the forest area 3.180 ha is located at a distance of 0.00 meter to 300 meter from the boundary of Sanjay Gandhi National Park & Tungareshwar Wildlife Sanctuary. Private Survey No 28,21,34/2 are located within Eco Sensitive Zone of Sanjay Gandhi National

Park, Borivali and Private Survey No 20,26 are located within 10 Km distance from the boundary of Tungareshwar Wildlife Sanctuary (Deemed Eco-Sensitive Zone).

- 10) The Deputy Conservator of Forests Alibag, has certified that Non Forest land 31.00 ha of Survey No 23/11 of Village-Aghai, Tal-Pen, Distt-Raigad proposed for Compensatory afforestation is suitable for plantation and Management purpose also it is free from encroachment and encumbrances.
- 11) The Deputy Conservator of Forests Alibag has certified that the non forest land of Survey No 23/11 of Village-Aghai, Tal-Pen, Distt-Raigad, area 31.00 ha proposed for Compensatory afforestation is not included in the area as forest as identified by the expert Committee appointed under the judgment of the Hon'ble Supreme Court order dated 12/12/1996 and also this land is not acquired under the provisions of Private Forest (Acquisition) Act 1975 by virtue of application of section 35 of the Indian Forest Act 1927 and is not recognized as deemed reserved forest.
- 12) The Deputy Conservator of Forests Dahanu, Thane, and Chief Conservator of Forests, Sanjay Gandhi National Park, Borivali certified that all other alternatives for the project proposal have been explored and required forest area is barest minimum demand.
- 13) The User Agency has submitted an undertaking to defray the cost of Net Present Value of forestland proposed for diversion.
- 14) The User Agency agrees to bear the cost of clearance/removal of the vegetation growth from the forest land proposed for diversion.
- 15) The User Agency has submitted that Environment clearance is not necessary in this project.
- 16) The User Agency agrees to provide water supply from the storage of the project as per the requirement of Forest Department for afforestation at the rate of prevailing rate at the time of water supply as fixed by Government.
- 17) The User Agency has submitted the Cost Benefit Analysis as per GOI guidelines dated 01/08/2017.
- 18) The User Agency has submitted that Catchment Area Treatment Plan is not necessary in this project.
- 19) The User Agency has submitted the copy of CRZ Clearance for the project issued vide GOI letter dated 20/10/2017 .
- 20) The User Agency has submitted partly compliance of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Rights) Act 2006.
- 21) The Deputy Conservator of Forests Dahanu,Thane and Chief Conservator of Forests & Director Sanjay Gandhi National Park, Borivali have recommended the proposal considering public Utility of project for drinking water and in public interest.
- 22) Chief Conservator of Forests (T), Thane has recommended the proposal for approval.
- 23) The User Agency has also submitted the proposal for Wildlife Clearance. The proposal has been recommended along with the conditions and the wildlife mitigation measures stipulated by the State Wildlife Warden in Standing Committee of National Board for wildlife meeting held on 13/06/2018.

In view of this, the proposal is recommended for approval under section - 2 (ii) of Forest (Conservation) Act, 1980 subject to the following conditions –

- i) The legal status of the land required will remain unchanged.
- ii) The forest land shall not be used for any purpose other than specified in the project.
- iii) Compensatory afforestation will be raised at the cost of User Agency on equivalent non-forest land on 31.00 ha of Survey No 23/11 of Village-Aghai, Tal-Pen, Distt-Raigad proposed for Compensatory afforestation.
- iv) The User Agency will defray the cost of Net Present Value of 30.399 Ha. of forest land as per the latest guideline of Government of India
- v) The User Agency will defray the additional / revised cost of Net Present Value of forestland as per the latest Guideline of Government of India
- vi) The User Agency will defray the cost of removal of 2109 trees in the area. However, only the required and minimum number of trees will be felled. In situations where felling of trees is avoidable and such trees could be transplanted, all efforts to transplant such trees at a pre designated site will be taken and additional expenditure, if any, in such cases shall be at the cost of the User Agency.
- vii) The User Agency in consultation with the State Government shall create and maintain an alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project. Bird's nest artificially made out of eco-friendly material shall be used in the area., including forest area and human settlements, adjoining the forest area being diverted for the project
- viii) The agency will pay the cost of survey, demarcation and erection of permanent pillars , along with fencing of barbed wire on the compensatory forestation land.
- ix) The User Agency will obtain Environmental Clearance from competent authority, if required.
- x) Permission of Hon'ble High Court, Bombay shall be obtained for implementing the project in mangrove areas as per Bombay High Court order dated 27/01/2010 in PIL No. 87/2006.
- xi) The Project Proponent shall deposit an amount equivalent 2% of the total cost of the project for carrying out the activities of protection and conservation of Tungareshwar Wildlife Sanctuary as approved by Principal Chief Conservator of Forests (Head of Forest Force).
- xii) The User Agency will defray the cost of soil and moisture conservation work over 30.399 Ha. forest area to be diverted.
- xiii) The Area involved in the proposal does from part of Tungareshwar Wildlife Sanctuary and declared Eco Sensitive Zone of SGNP, Borivali. Therefore the Project Authority has to submit the separate proposal for wildlife clearance from National Board for Wildlife of MoEF&CC, New Delhi through proper channel of Wildlife wing of Forest Department.
- xiv) The User Agency will fulfill the complete compliance under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Rights) Act 2006 before in-principle approval.

- xv) The Water pipe line will be laid well below as per norms the ground level all along its length through forest
- xvi) No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- xvii) No labour camps shall be established on forest land.
- xviii) The User Agency shall provide fuel-wood preferably alternate fuel to the laborers working at the site to avoid damage / felling of trees.
- xix) The User Agency shall provide free of cost water supply from the storage of the project as per the requirement of Forest Department for afforestation and Nursery plantation.
- xx) The User Agency shall compensate the private owner of forest lands in accordance with the prevalent laws, rules and guidelines
- xxi) All necessary approvals required for the project as per prevailing laws of the land would be obtained by the User Agency before statutory sanction.
- xxii) All other conditions as may be mandatory under relevant Acts, Rules and Guidelines shall be complied with by the User Agency.

It is therefore requested that the Government of Maharashtra may kindly be moved to approve diversion of 30.399 ha. Forest Land in favour of Superintending Engineer, WSRM Cell, MMRDA, Mumbai, Bandra (East) to provide 403 MLD bulk water supply to Mira Bhayander, Vasai-Virar Municipal Corporation & 27 villages outside the VVCMC area by laying underground water supply line under Surya Regional Water Supply Scheme under section (ii) of the Forest (Conservation) Act 1980.

Encls : As above


**For Additional Principal Chief Conservator of Forests
& Nodal Officer, Maharashtra State, Nagpur**

Copy to Principal Chief Conservator of Forests (Wildlife) M.S. Nagpur for information
Copy to Chief Conservator of Forests (T) Thane.
Copy to Chief Conservator of Forests & Director SGNP, Borivali
Copy to Deputy Conservator of Forests Dahanu.
Copy to Deputy Conservator of Forests Thane.
Copy to Superintending Engineer, WSRM Cell, MMRDA, Mumbai, Bandra (East) for information