

OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS (HEAD OF FOREST FORCE), MAHARASHTRA STATE, NAGPUR

ADDITIONAL PRINCIPAL CHIEF CONSERVATOR OF FORESTS AND NODAL OFFICER, MAHARASHTRA STATE, NAGPUR,
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Sub:- 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) on Engineering, Procurement & Construction (EPC) Basis in the State of Maharashtra (FP/MH/ROAD/155480/2022)

No.: Desk-17/Nodal/Thane/ID-13727(NH)/8413/22-23
Nagpur – 440 001, Dated :- 13/03/2023

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

The Executive Engineer, National Highway Division, Pen-Raigad 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) on Engineering, Procurement & Construction (EPC) Basis in the State of Maharashtra. The details of forest land proposed for diversion is as given below: -

Sr. No	Item work purpose	District	Name of Village	Taluka	Survey No.	Gut No.	Compt No.	Length & Width	Area (in ha.)	Legal Status
1	Rehabilitation and	Raigad	Dhavte	Pen	83	78/1	488	102 x 30	0.3060	Reserved Forest
2	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)	Raigad	Pimpalgaon	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	78	--	58 x 11.25	0.0652	
					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	

3	section of NH-166 D (Pen- Khopoli- Mahad)				14/5	27/2	--	57 x 11.25	0.0641	
					12/2	27/1	--	80x 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	
		Thane	Kamarli	Pen	44 Pt	--	481	620 x 11.25	0.6975	
					44 Pt	--	481	464 x 11.25	0.5220	
		Raigad	Gagode Budruk	Pen	70	297	--	133 x 11.25	0.1496	
					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	0.0258	
					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	
					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	91A	--	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	141B	--	50 x 11.25	0.0562	
					17/3	141B	--	5 x 11.25	0.0056	
					19/2,19/1	148 A	--	175 x 22.5	0.3937	
					18	147A	--	55 x 8	0.0440	
4		Raigad	Takai	Khalapur	22	--	--	617 x 11.25	0.6941	Protected Forest
					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	

2.0 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.

3.00 Following documents as prescribed in Government Circular, Revenue and Forest Department No.FLD-1081/2041/(A)/F-3,dated 20/03/1982 and according to Government of India's instructions issued from time to time are enclosed in two copies.

3.1 Prescribed form dated 10/01/2003.

3.2 Certificate regarding minimum demand of forest land for the project,

3.3 Area Statement,

3.4 Index map in suitable scale

4) The copy of the Administrative approval accorded by the Government of India, Ministry of Road Transport & Highways (Zone-4), vide letter No.12014/150/2017-MAH, dated 20/03/2018.

- 5) The copy of the Technical approval accorded by the Government of India, Ministry of Road Transport & Highways vide letter No. RW/NH/12014/150/2017-MAH (Zone-IV), dated /03/2018.
- 6) Total non forest involved in the project is 49.7396 ha.
- 7) The cross section map is enclosed herewith on page no.33.
- 8) The site inspection report of the Deputy Conservator of Forests, Alibag Forest Division, Alibag is enclosed on page no.47 to 49.
- 9) No alternate alignment is possible and the forest land required is lowest minimum.
- 10) The area belongs to Eco-value class-I having density is 0.1.
- 11) 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

- 12) Proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance.
- 13) The area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc.
- 14) There is no violation of Forest (Conservation) Act, 1980.
- 15) 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.
- 16) 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.
- 17) The proposed Compensatory afforestation 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 and management purpose and it is free from encroachment and an encumbrances.
- 18) No suitable alternate non-forest land is available.
- 19) The User Agency has submitted an undertaking to defray the cost of Net Present Value.
- 20) The User Agency has submitted undertaking and mentioned that Environmental Clearance is not required to the project.
- 21) The User Agency has submitted an undertaking to defray the cost of Compensatory Afforestation.
- 22) The User Agency has submitted an undertaking regarding the compliance under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 has been applied and is under process and shall be submitted before final approval as per Government of India vide letter No.11-43/2013-FC, dt. 3/12/2018.

23) The Deputy Conservator of Forests, Alibag Forest Division, Alibag and the Chief Conservator of Forests (T), Thane have recommended the proposal for diversion of 9.9249 ha. forest land.

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

2.1 The legal status of the forest land required will remain unchanged.

2.2 Forest land will be handed over only after required non-forest land for the project is handed over to the User Agency.

2.3 Compensatory Afforestation :-

a) Compensatory afforestation shall be taken up by the Forest Department over 20.00 ha. degraded forest land as Reserved Forest land in Compt No.209 at Village Shihu, Tal. Roha, Dist.Alibag 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.

2.4 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.

2.5 NPV:-

a) The State Government shall charge the Net Present Value (NPV) for the 9.9249 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.

2.6 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.

- 2.7 All the funds received from the user agency under the project shall be transferred/deposited to CAMPA fund only through e-portal (<http://parivesh.nic.in/>).
- 2.8 The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector before Stage-II approval.
- 2.9 User Agency shall raise strip plantation on both sides and central verge of the road as per the IRC norms.
- 2.10 Speed regulating signage will be erected along the road at regular intervals in the Protected Areas/Forest Areas.
- 2.11 It Shall be mandatory to provide underpass for safe crossing of wild animals:-
- (a) The underpass shall have a minimum size of width 4.00 mt and Height 3.00 mt.
 - (b) Wherever natural cross drainage works are in existence, then no need to construct new underpass subject to existing structure nearly complying above mentioned dimensions, as suggested in (a) above.
 - (c) Wherever natural cross drainage works are in existence but as per engineering requirement, it is required to reconstruct then that structure shall comply with the minimum dimensions as suggested in (a) above.
 - (d) Interval between such underpasses shall not be more than 2.00 km
- 2.12 The user agency shall provide suitable under/over pass in Protected Area/ Forest Area as per recommendation of CWLW/NBWL/FAC/REC.
- 2.13 User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.
- 2.14 The layout plan of the proposal shall not be changed without prior approval of Central Government
- 2.15 No labour camp shall be established on the forest land
- 2.16 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.
- 2.17 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.
- 2.18 No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- 2.19 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.

- 2.20 The forest land shall not be used for any purpose other than that specified in the project proposal
- 2.21 The forest land proposed to be diverted shall under no circumstance be transferred to any other agencies, department or person without prior approval of Government of India.
- 2.22 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 Guidelines F.No.11-42/2017-FC, dated 29/01/2018.
- 2.23 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.
- 2.24 The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>)

8.00 It is therefore, requested that Government of Maharashtra may kindly be moved for approving 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) on Engineering, Procurement & Construction (EPC) Basis in the State of Maharashtra (FP/MH/ROAD/155480/2022 under section 2 (ii) of the Forest (Conservation) Act, 1980.

Encl. :- Proposal 2 copies

 13/9/23

(Naresh Zurmure)
Addl. Principal Chief Conservator of Forests
& Nodal Officer

Copy to the Chief Conservator of Forests (T), Thane for information.

Copy to the Deputy Conservator of Forests, Alibag Forest Division, Alibag for information.

Copy to the Executive Engineer, National Highway Division, Pen-Raigad for information.

PART -IV

**(To be filled by 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.- 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) on Engineering, Procurement & Construction (EPC) Basis in the State of Maharashtra (FP/MH/ROAD/155480/2022). The details of land proposed for diversion is as under-

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					9/2,9/3	90	--	74 x 11.25	0.0832	
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					15	133	--	249 x 25	0.6225	
					78	185	--	65 x 11.25	0.0731	
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4		Raigad	Takai	Khalapur	22	--	--	617 x 11.25	0.6941	Protected Forest
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5		Raigad	Anjoshi	Khalapur	21	--	--	35 x 11.25	0.0394	Sec-4 Reserved Forest
Total Forest Land (in ha.)									9.9249	

Specific recommendation of Principal Chief Conservator of Forests (HoFF) Maharashtra State, Nagpur is attached on page no.

 13/3/23

(Naresh Zurmure)
Additional Principal Chief Conservator of Forests
& Nodal Officer

Date: 13/03/2023

Place: Nagpur

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) on Engineering, Procurement & Construction (EPC) Basis in the State of Maharashtra (FP/MH/ROAD/155480/2022)

Specific Recommendation of Principal Chief Conservator of Forests, Maharashtra State (Head of Forest Force) Maharashtra State, Nagpur with regards to acceptance or otherwise of the proposal supported by reasons.

- 1) The proposal is 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) on Engineering, Procurement & Construction (EPC) Basis in the State of Maharashtra (FP/MH/ROAD/155480/2022) has been initiated by the Executive Engineer, National Highway Division, Pen-Raigad for seeking approval under Forest (Conservation) Act, 1980.
- 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 details of the forest land proposed for diversion are as under:-

Sr. No	Item work purpose	District	Name of Village	Taluka	Survey No.	Gut No.	Compt No.	Length & Width	Area (in ha.)	Legal Status
1	Rehabilitation and	Raigad	Dhavte	Pen	83	78/1	488	102 x 30	0.3060	Reserved Forest
2	Up-gradation of existing highway to 2 lane/4 lane with paved shoulder under configurat	Raigad	Pimpalgaon	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	78	--	58 x 11.25	0.0652	
					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	

3	ion from Pen-Khopoli-Mahad (Km.00+000 to Km 33+328) section of NH-166 D (Pen-Khopoli-Mahad)				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	--	80x 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	
		Thane	Kamarli	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	0.0258	
					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	
					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	91A	--	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	0.3150	

								11.25		
					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	141B	--	50 x 11.25	0.0562	
					17/3	141B	--	5 x 11.25	0.0056	
					19/2,19/1	148 A	--	175 x 22.5	0.3937	
					18	147A	--	55 x 8	0.0440	
4		Raigad	Takai	Khalapur	22	--	--	617 x 11.25	0.6941	Protected Forest
					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	

- 3) The copy of the Administrative approval accorded by the Government of India, Ministry of Road Transport & Highways (Zone-4), vide letter No.12014/150/2017-MAH, dated 20/03/2018.
- 4) The copy of the Technical approval accorded by the Government of India, Ministry of Road Transport & Highways vide letter No. RW/NH/12014/150/2017-MAH (Zone-IV), dated /03/2018.
- 5) Total non forest involved in the project is 49.7396 ha.
- 6) The cross section map is enclosed herewith on page no.33.
- 7) The site inspection report of the Deputy Conservator of Forests, Alibag Forest Division, Alibag is enclosed on page no.47 to 49.
- 8) No alternate alignment is possible and the forest land required is lowest minimum.
- 9) The area belongs to Eco-value class-I having density is 0.1.
- 10) 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

- 11) Proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance.
- 12) The area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc.
- 13) There is no violation of Forest (Conservation) Act, 1980.

- 14) 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.
 - 15) 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.
 - 16) The proposed Compensatory afforestation 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 and management purpose and it is free from encroachment and an encumbrances.
 - 17) No suitable alternate non-forest land is available.
 - 18) The User Agency has submitted an undertaking to defray the cost of Net Present Value.
 - 19) The User Agency has submitted undertaking and mentioned that Environmental Clearance is not required to the project.
 - 20) The User Agency has submitted an undertaking to defray the cost of Compensatory Afforestation.
 - 21) The User Agency has submitted an undertaking regarding the compliance under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 has been applied and is under process and shall be submitted before final approval as per Government of India vide letter No.11-43/2013-FC, dt. 3/12/2018.
 - 22) The Deputy Conservator of Forests, Alibag Forest Division, Alibag and the Chief Conservator of Forests (T), Thane have recommended the proposal for diversion of 9.9249 ha. forest land.
- 2.00 In view of this, the proposal is recommended for approval under the section -2 (ii) of the Forest (Conservation) Act, 1980 subject to the following conditions: –**
- 2.1 The legal status of the forest land required will remain unchanged.
 - 2.2 Forest land will be handed over only after required non-forest land for the project is handed over to the User Agency.
- 2.3 Compensatory Afforestation :-**
- a) Compensatory afforestation shall be taken up by the Forest Department over 20.00 ha. degraded forest land as Reserved Forest land in Compt No.209 at Village Shihu, Tal. Roha, Dist.Alibag 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.
- 2.4 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.

2.5 NPV:-

- a) The State Government shall charge the Net Present Value (NPV) for the 9.9249 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.

2.6 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.

2.7 All the funds received from the user agency under the project shall be transferred/deposited to CAMPA fund only through e-portal (<http://parivesh.nic.in/>).

2.8 The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector before Stage-II approval.

2.9 User Agency shall raise strip plantation on both sides and central verge of the road as per the IRC norms.

2.10 Speed regulating signage will be erected along the road at regular intervals in the Protected Areas/Forest Areas.

2.11 It Shall be mandatory to provide underpass for safe crossing of wild animals:-

- (a) The underpass shall have a minimum size of width 4.00 mt and Height 3.00 mt.
- (b) Wherever natural cross drainage works are in existence, then no need to construct new underpass subject to existing structure nearly complying above mentioned dimensions, as suggested in (a) above.
- (c) Wherever natural cross drainage works are in existence but as per engineering requirement, it is required to reconstruct then that structure shall comply with the minimum dimensions as suggested in (a) above.
- (d) Interval between such underpasses shall not be more than 2.00 km

2.12 The user agency shall provide suitable under/over pass in Protected Area/ Forest Area as per recommendation of CWLW/NBWL/FAC/REC.

2.13 User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.

2.14 The layout plan of the proposal shall not be changed without prior approval of Central Government

2.15 No labour camp shall be established on the forest land

2.16 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.

2.17 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.

- 2.18 No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- 2.19 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.
- 2.20 The forest land shall not be used for any purpose other than that specified in the project proposal
- 2.21 The forest land proposed to be diverted shall under no circumstance be transferred to any other agencies, department or person without prior approval of Government of India.
- 2.22 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 Guidelines F.No.11-42/2017-FC, dated 29/01/2018.
- 2.23 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.
- 2.24 The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>)


(Dr. Y.L.P Rao)

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