

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

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Sub:- Proposal for diversion of 12.2607 ha. forest land (Mangrove) under section 2 of the Forest (Conservation) Act, 1980 for development of construction of Balkum to Gaimukh DP Road (NH-3 Connector Ghodbunder By-pass) by Thane Municipal Corporation at Village Kharigaon, Balkum, Kolshet, Kavesar, Wadavli, Bhayanderpada and Mogharpada in Tal. Thane, Dist. Thane in the State of Maharashtra (FP/MH/ROAD/155480/2022)

No.: Desk-17/Nodal/Thane/ID-13107(79)3447/2022-23  
 Nagpur – 440 001, Dated :- 15/03/2023

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

The Executive Engineer (PWD), Thane Municipal Corporation has submitted proposal for proposal for diversion of 12.2607 ha. forest land (Mangrove) under section 2 of the Forest (Conservation) Act, 1980 for development of construction of Balkum to Gaimukh DP Road (NH-3 Connector Ghodbunder By-pass) by Thane Municipal Corporation at Village Kharigaon, Balkum, Kolshet, Kavesar, Wadavli, Bhayanderpada and Mogharpada in Tal. Thane, Dist. Thane 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	Khasara/ Survey/ Compt. No.	Length & Width	Area (in ha.)	Legal Status
1	Development of Construction of Balkum to Gaimukh DP Road (NH-3 Connector Ghodbunder By-pass) by Thane Municipal in the State of Maharashtra	Thane	Kharigaon	Thane	73	25 x 40	0.1009	Un-Notified Forest
					77	92 x 40	0.3675	Reserved Forest (Section-4)
					S/3	27 x 40	0.1094	Un-Notified Forest
2		Thane	Balkum	Thane	S/2 Pt	82 x 40	0.3284	Un-Notified Forest
					178 Pt	23 x 40	0.0940	Reserved Forest (Section-4)
					182 Pt	153 x 40	0.6118	Reserved Forest (Section-4)
					R/1 Pt	126 x 40	0.5038	Un-Notified Forest
					134/1	187 x 40	0.7477	Reserved Forest (Section-4)
					O/8 Pt	28 x 40	0.1093	Un-Notified Forest
					135 Pt	23 x 40	0.0914	Reserved Forest (Section-4)
					127/1	5 x 45	0.0199	Reserved Forest (Section-4)
					59 is Pt	1 x 45	0.0050	Private forest

					P/1 Pt	63 x 45	0.2831	Un-Notified Forest
					55 Pt	6x 45	0.0274	Reserved Forest (Section-4)
					32 Pt	7 x 45	0.0311	Un-Notified Forest
3					33 Pt	10 x 45	0.0487	Private forest
					59/2	30 x 45	0.1386	Reserved Forest (Section-4)
					31 Pt	25 x 45	0.1079	Private forest
					293 Pt	28 x 45	0.1276	Private Forest
					36/1 B, 2	63 x 45	0.2816	Reserved Forest (Section-4)
					28 Pt	40 x 45	0.1812	Un-Notified Forest
					29 Pt	41 x 41	0.2040	Un-Notified Forest
					29/2	41 x 45	0.1650	Reserved Forest (Section-4)
					30/1,3	53 x 45	0.2395	Reserved Forest (Section-4)
					294 Pt	132 x 45	0.5958	Private Forest
					25/1A,2,4	60 x 45	0.2665	Reserved Forest (Section-4)
					246 Pt	3 x 45	0.0122	Un-Notified Forest
					245 Pt	52 x 45	0.2372	Private Forest/MCGM Land
					244 Pt	43 x 45	0.1961	Private Forest
					286/1	292 x 45	1.3140	Reserved Forest (Section-4)
					242 Pt	86 x 45	0.3899	Private Forest
					295 Pt	205 x 45	0.9246	Reserved Forest (Section-4)
					277 Pt	308 x 45	1.3829	Reserved Forest (Section-4)
					O/2 Pt	43 x 45	0.1926	Un-Notified Forest
					S/1 Pt	12 x 45	0.0565	Un-Notified Forest
					223 Pt	35 x 45	0.1564	Private Forest
					296 Pt	59 x 45	0.2659	Private Forest
					278 Pt	38 x 45	0.1727	Private Forest
					297 Pt	20 x 45	0.0921	Un-Notified Forest
4					314 Pt	8 x 40	0.0311	Reserved Forest (Section-4)
					315 Pt	17 x 40	0.0682	Reserved Forest (Section-4)
					Creek	36 x 40	0.1463	Un-Notified Mangrove Forest
					49Pt	5 x 40	0.0188	Un-Notified Mangrove Forest
					302/8	27 x 40	0.1079	Reserved Forest (Section-4)
					266 Pt	21 x 40	0.0843	Un-Notified Mangrove Forest
5					129 Pt	21 x 40	0.0826	Un-Notified Mangrove Forest
					128 Pt	4 x 40	0.0150	Un-Notified Mangrove Forest
					126/3	1x 40	0.0013	Reserved Forest

								(Section-4)
6			Bhayanderpada	Thane	8 Pt	50 x 45	0.2211	Private Forest
					31 Pt	18 x 45	0.0809	Private Forest
					9 Pt	5 x 45	0.0253	Un-Notified Mangrove Forest
					10 Pt	8x 45	0.0361	Private Forest
			Mogharpada	Thane	30	40 x 40	0.1619	Un-Notified Class-2 Land
<b>Total Forest Land (in ha.)</b>							<b>12.2607</b>	

2.0 Thane Municipal Corporation (TMC) has decided to develop and strengthen the linkages and connectivity. The proposed road intends to develop alternative bypass road to Ghodbunder Road. The project road starts at Ghodbunder Road (SH 42) and Ends at NH-3 near Ulhas creek on Mumbai Nashik Highway (NH-3). The link will connect Thane with regional corridors and also provide easy access for vehicles travelling between JNPT, Navi Mumbai, Mumbai, Thane and Bhiwandi that will not have to make a detour via Ghodbunder. It will divert the traffic between Navi Mumbai & Thane from Ghodbunder Road with Thane city to outside the city and will help reduce traffic congestion within the city. The proposed connectivity will be serving as connectivity between the major roads of the MMR Region i.e. Ghodbunder Road and National Highway 3 (Mumbai Nashik Highway).

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 technical/ administrative approval accorded by the Secretary, Executive Committee, Mumbai Mahanagar Pradesh Vikas Pradhikaran vide letter No. Mumpravipra/Meeting/151, dated 26/11/2021.

5) Total non forest involved in the project is 41.1242 ha.

6) The cross section map is enclosed herewith on page no.36.

7) The site inspection report of the Divisional Forest Officer, Mumbai Mangrove Conservation Unit is enclosed on page no.77 to 80.

8) No alternate alignment is possible and the forest land required is barest minimum.

9) The area belongs to Eco-value class-II having density is 0.1 to 0.4.

10) There are 1546 Mangrove and non-mangrove 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
193	680	385	121	70	64	24	5	4	1546

- 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 0.49 Km from Sanjay Gandhi National park and it is also not included in the Eco-sensitive Zone of Sanjay Gandhi National Park. Thane Creek Flamingo Sanctuary is 6.0 km from proposed area for diversion. The Sanjay Gandhi National Park Sanctuary is notified vide Government of Maharashtra gazette dated 16/01/1996 and Thane Flamingo Sanctuary is notified vide Government of Maharashtra letter dated 06/08/2015. The copy of the same is enclosed herewith.
- 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) Proposed Compensatory Afforestation over 15.00 ha. Non forest land in Survey No.34, at village Kukudheti, Tal. Sindewahim Dist. Chandrapur the said area is contiguous to the reserve/protected forest of Tadoba Buffer. The canopy density of the said land is more than 0.4 ha. Hence the area not be suitable for planation/compensatory afforestation. But the said area falls within the Tadoba Buffer Zone and is very much suitable for management from the Wildlife point of view. The details of alternate forest land for plantation is shown as under:-

The Deputy Conservator of Forests, Wadsa Forest Division, Wadsa has given suitability certificate over 15.00 ha. degraded forest land in Compt. No.45, at Village Mendhebodi, Tal. Wadsa Dist. Gadchiroli and it is contiguous, suitable for afforestation and management purpose and it is free from encroachment and an encumbrances. Though Satellite imagery shows greenery, it is due to widespread local weed called Kututranzi (*Calycopteris floribunda*). It has not economical value and it has badly affected growth of other valuable tree species. So this area should be converted into forest species. So to protect and convert this area into valuable forest afforestation is needed.

- 17) The proposed alignment is best suitable from forestry and feasibility point of view.



- 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 the CRZ clearance shall be obtained before prior to commencement of the Work.
- 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 Divisional Forest Officer, Mumbai Mangrove Conservation Unit and the Additional Principal Chief Conservator of Forests (Mangrove), Cell Mumbai have recommended the proposal for diversion of 12.2607 ha. forest land (Mangrove).

**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 15.00 ha. forest land in Compt. No.45, at Village Mendhebodi, Tal. Wadsa Dist. Gadchiroli 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 12.2607 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/> )

3.00 It is therefore, requested that Government of Maharashtra may kindly be moved for approving the proposal for Proposal for diversion of 12.2607 ha. forest land (Mangrove) under section 2 of the Forest (Conservation) Act, 1980 for development of construction of Balkum to Gaimukh DP Road (NH-3 Connector Ghodbunder By-pass) by Thane Municipal Corporation at Village Kharigaon, Balkum, Kolshet, Kavesar, Wadavli, Bhayanderpada and Mogharpada in Tal. Thane, Dist. Thane in the State of Maharashtra (FP/MH/ROAD/155480/2022) under section 2 (ii) of the Forest (Conservation) Act, 1980.

Encl. :- Proposal 2 copies



(Naresh Zurmure)

**Addl. Principal Chief Conservator of Forests  
& Nodal Officer**

Copy to the Additional Principal Chief Conservator of Forests (Mangrove), Cell Mumbai for information.

Copy to the Divisional Forest Officer, Mumbai Mangrove Conservation Unit for formation.

Copy to the Executive Engineer (PWD), Thane Municipal Corporation 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 12.2607 ha. forest land (Mangrove) under section 2 of the Forest (Conservation) Act, 1980 for development of construction of Balkum to Gaimukh DP Road (NH-3 Connector Ghodbunder By-pass) by Thane Municipal Municipal Corporation at Village Kharigaon, Balkum, Kolshet, Kavesar, Wadavli, Bhayanderpada and Mogharpada in Tal. Thane, Dist. Thane in the State of Maharashtra (FP/MH/ROAD/155480/2022). The details of land proposed for diversion is as under-

Sr. No	Item work purpose	District	Name of Village	Taluka	Khasara/ Survey/ Compt. No.	Length & Width	Area (in ha.)	Legal Status
1	Development of Construction of Balkum to Gaimukh DP Road (NH-3 Connector Ghodbunder By-pass) by Thane Municipal in the State of Maharashtra	Thane	Kharigaon	Thane	73	25 x 40	0.1009	Un-Notified Forest
					77	92 x 40	0.3675	Reserved Forest (Section-4)
					S/3	27 x 40	0.1094	Un-Notified Forest
2		Thane	Balkum	Thane	S/2 Pt	82 x 40	0.3284	Un-Notified Forest
					178 Pt	23 x 40	0.0940	Reserved Forest (Section-4)
					182 Pt	153 x 40	0.6118	Un-Notified Forest
					R/1 Pt	126 x 40	0.5038	Reserved Forest (Section-4)
					134/1	187 x 40	0.7477	Un-Notified Forest
					O/8 Pt	28 x 40	0.1093	Reserved Forest (Section-4)
					135 Pt	23 x 40	0.0914	Private forest
					127/1	5 x 45	0.0199	Un-Notified Forest
					59 is Pt	1 x 45	0.0050	Reserved Forest (Section-4)
					P/1 Pt	63 x 45	0.2831	Un-Notified Forest
					55 Pt	6x 45	0.0274	Reserved Forest (Section-4)
					32 Pt	7 x 45	0.0311	Un-Notified Forest

3			Kolshet	Thane	33 Pt	10 x 45	0.0487	Private forest
					59/2	30 x 45	0.1386	Reserved Forest (Section-4)
					31 Pt	25 x 45	0.1079	Private forest
					293 Pt	28 x 45	0.1276	Private Forest
					36/1 B, 2	63 x 45	0.2816	Reserved Forest (Section-4)
					28 Pt	40 x 45	0.1812	Un-Notified Forest
					29 Pt	41 x 41	0.2040	Un-Notified Forest
					29/2	41 x 45	0.1650	Reserved Forest (Section-4)
					30/1,3	53 x 45	0.2395	Reserved Forest (Section-4)
					294 Pt	132 x 45	0.5958	Private Forest
					25/1A,2,4	60 x 45	0.2665	Reserved Forest (Section-4)
					246 Pt	3 x 45	0.0122	Un-Notified Forest
					245 Pt	52 x 45	0.2372	Private Forest/MCGM Land
					244 Pt	43 x 45	0.1961	Private Forest
					286/1	292 x 45	1.3140	Reserved Forest (Section-4)
					242 Pt	86 x 45	0.3899	Private Forest
					295 Pt	205 x 45	0.9246	Reserved Forest (Section-4)
					277 Pt	308 x 45	1.3829	
					O/2 Pt	43 x 45	0.1926	Un-Notified Forest
					S/1 Pt	12 x 45	0.0565	Un-Notified Forest
					223 Pt	35 x 45	0.1564	Private Forest
					296 Pt	59 x 45	0.2659	Private Forest
					278 Pt	38 x 45	0.1727	Private Forest
					297 Pt	20 x 45	0.0921	Un-Notified Forest



4			Kavesar	Thane	314 Pt	8 x 40	0.0311	Reserved Forest (Section-4)
					315 Pt	17 x 40	0.0682	Reserved Forest (Section-4)
					Creek	36 x 40	0.1463	Un-Notified Mangrove Forest
					49Pt	5 x 40	0.0188	Un-Notified Mangrove Forest
					302/8	27 x 40	0.1079	Reserved Forest (Section-4)
					266 Pt	21 x 40	0.0843	Un-Notified Mangrove Forest
5			Wadavli	Thane	129 Pt	21 x 40	0.0826	Un-Notified Mangrove Forest
					128 Pt	4 x 40	0.0150	Un-Notified Mangrove Forest
					126/3	1x 40	0.0013	Reserved Forest (Section-4)
6			Bhayanderpada	Thane	8 Pt	50 x 45	0.2211	Private Forest
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					10 Pt	8x 45	0.0361	Private Forest
			Mogharpada	Thane	30	40 x 40	0.1619	Un-Notified Class-2 Land
Total Forest Land (in ha.)							12.2607	

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

*15/3/23*

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

Date: 15/03/2023  
Place: Nagpur

**Proposal for diversion of 12.2607 ha. forest land (Mangrove) under section 2 of the Forest (Conservation) Act, 1980 for development of construction of Balkum to Gaimukh DP Road (NH-3 Connector Ghodbunder By-pass) by Thane Municipal Municipal Corporation at Village Kharigaon, Balkum, Kolshet, Kavesar, Wadavli, Bhayanderpada and Mogharpada in Tal. Thane, Dist. Thane 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 12.2607 ha. forest land (Mangrove) under section 2 of the Forest (Conservation) Act, 1980 for development of construction of Balkum to Gaimukh DP Road (NH-3 Connector Ghodbunder By-pass) by Thane Municipal Municipal Corporation at Village Kharigaon, Balkum, Kolshet, Kavesar, Wadavli, Bhayanderpada and Mogharpada in Tal. Thane, Dist. Thane in the State of Maharashtra (FP/MH/ROAD/155480/2022) has been initiated by the Executive Engineer (PWD), Thane Municipal Corporation for seeking approval under Forest (Conservation) Act, 1980.
- 2) Thane Municipal Corporation (TMC) has decided to develop and strengthen the linkages and connectivity. The proposed road intends to develop alternative bypass road to Ghodbunder Road. The project road starts at Ghodbunder Road (SH 42) and Ends at NH-3 near Ulhas creek on Mumbai Nashik Highway (NH-3). The link will connect Thane with regional corridors and also provide easy access for vehicles travelling between JNPT, Navi Mumbai, Mumbai, Thane and Bhiwandi that will not have to make a detour via Ghodbunder. It will divert the traffic between Navi Mumbai & Thane from Ghodbunder Road with Thane city to outside the city and will help reduce traffic congestion within the city. The proposed connectivity will be serving as connectivity between the major roads of the MMR Region i.e. Ghodbunder Road and National Highway 3 (Mumbai Nashik Highway).
- 3) The details of the forest land proposed for diversion are as under:-

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					R/1 Pt	126 x 40	0.5038	Un-Notified

3	Thane Municipal in the State of Maharashtra							Forest
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				266 Pt	21 x 40	0.0843	Un-Notified Mangrove Forest
5			Wadavli	Thane	129 Pt	21 x 40	Un-Notified Mangrove Forest
					128 Pt	4 x 40	Un-Notified Mangrove Forest
					126/3	1x 40	Reserved Forest (Section-4)
6			Bhayanderpada	Thane	8 Pt	50 x 45	Private Forest
					31 Pt	18 x 45	Private Forest
					9 Pt	5 x 45	Un-Notified Mangrove Forest
					10 Pt	8x 45	Private Forest
			Mogharpada	Thane	30	40 x 40	Un-Notified Class-2 Land
<b>Total Forest Land (in ha.)</b>							<b>12.2607</b>

- 4) The copy of the technical/ administrative approval accorded by the Secretary, Executive Committee, Mumbai Mahanagar Pradesh Vikas Pradhikaran vide letter No. Mumpravipra/Meeting/151, dated 26/11/2021.
- 5) Total non forest involved in the project is 41.1242 ha.
- 6) The cross section map is enclosed herewith on page no.36.
- 7) The site inspection report of the Divisional Forest Officer, Mumbai Mangrove Conservation Unit is enclosed on page no.77 to 80.
- 8) No alternate alignment is possible and the forest land required is barest minimum.
- 9) The area belongs to Eco-value class-II having density is 0.1 to 0.4.
- 10) There are 1546 Mangrove and non-mangrove 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
193	680	385	121	70	64	24	5	4	1546

- 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 0.49 Km from Sanjay Gandhi National park and it is also not included in the Eco-sensitive Zone of Sanjay Gandhi National Park. Thane Creek Flamingo Sanctuary is 6.0 km from proposed area for diversion. The Sanjay Gandhi National Park Sanctuary is notified vide Government of Maharashtra gazette dated 16/01/1996 and Thane Flamingo Sanctuary is notified vide Government of Maharashtra letter dated 06/08/2015. The copy of the same is enclosed herewith.

- 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) Proposed Compensatory Afforestation over 15.00 ha. Non forest land in Survey No.34, at village Kukudheti, Tal. Sindewahim Dist. Chandrapur the said area is contiguous to the reserve/protected forest of Tadoba Buffer. The canopy density of the said land is more than 0.4 ha. Hence the area not be suitable for plantation/compensatory afforestation. But the said area falls within the Tadoba Buffer Zone and is very much suitable for management from the Wildlife point of view. The details of alternate forest land for plantation is shown as under:-
- The Deputy Conservator of Forests, Wadsa Forest Division, Wadsa has given suitability certificate over 15.00 ha. degraded forest land in Compt. No.45, at Village Mendhebodi, Tal. Wadsa Dist. Gadchiroli and it is contiguous, suitable for afforestation and management purpose and it is free from encroachment and an encumbrances. Though Satellite imagery shows greenery, it is due to widespread local weed called Kututranzi (*Calycopteris floribunda*). It has not economical value and it has badly affected growth of other valuable tree species. So this area should be converted into forest species. So to protect and convert this area into valuable forest afforestation is needed.
- 17) The proposed alignment is best suitable from forestry and feasibility point of view.
- 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 the CRZ clearance shall be obtained before prior to commencement of the Work.
- 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 Divisional Forest Officer, Mumbai Mangrove Conservation Unit and the Additional Principal Chief Conservator of Forests (Mangrove), Cell Mumbai have recommended the proposal for diversion of 12.2607 ha. forest land (Mangrove).

**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 15.00 ha. forest land in Compt. No.45, at Village Mendhebodi, Tal. Wadsa Dist. Gadchiroli 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 12.2607 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**