

PART -IV

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

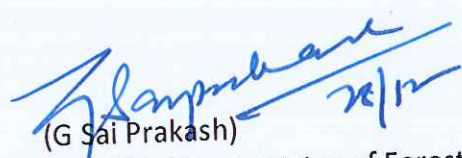
(Detailed opinion and specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks)


Sub.: - Executive Engineer (Engineering Division), MMRDA, Bandra Kurla complex, Bandra (E), Mumbai submitted the proposal for construction of link road between Thane-Belapur Road to N.H. 4 including Tunnel through Parsik Hill, Taluka & District for which 18.1824 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 :-

Village, Taluka and District	Details of Forest land				
	Old survey No	Survey No/ Gut No	Compt No	Area in Ha.	Legal Status
Vill- Chinchavali, Taluka & Distt Thane	66/1	108	-	0.0400	Acquired Forest
	66/1	109	-	0.0350	-do-
	66/1	109	-	0.0696	-do-
	66/4	102	-	0.7930	-do-
	66/5	105	-	0.0336	-do-
	65/5	85	-	0.0117	-do-
	66/5	102	-	0.0345	-do-
	65/6	85	-	0.3170	-do-
	65/4	86	-	0.2340	-do-
	102	87	-	1.6055	Protected Forest
	Total			3.1739	
Vill-Rabale, Taluka & Distt Thane	256/A	110	1153 pt	3.5880	Reserved Forest
	256/B	221	-	1.2980	Protected Forest
	Total			4.8860	
Vill-Kausa, Taluka & Distt Thane	99/1,2	99/1,2	-	0.7885	Acquired Forest
	161/1	161/1	1153 pt	9.3340	Reserved Forest
	Total			10.1225	
G Total				18.1824	

Specific recommendation of Principal Chief Conservator of Forests (HoFF) MS Nagpur is attached on page no. 18A.

Date : 28/12/2017
Place : Nagpur


(G Sai Prakash)
Additional Principal Chief Conservator of Forests
& Nodal Officer, Maharashtra State, Nagpur


22/12/17

**Construction of Link Road between Thane-Belapur Road N.H.4 including
Tunnel through Parsik Hill Taluka and District Thane**

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

The proposal is for diversion of Reserved Forest, Protected forest, Acquired Private Forest for construction of Link road between Thane Belapur Road to N.H. 4 including Tunnel through Parsik Hill, Taluka and District Thane . Total non forest land involved in the project is 4.5078 ha) The detailed Forest area statement is as under-

Village, Taluka and District	Details of Forest land				
	Old survey No	Survey No/ Gut No	Compt No	Area in Ha.	Legal Status
Vill- Chinchavali, Taluka & Distt Thane	66/1	108	-	0.0400	Acquired Forest
	66/1	109	-	0.0350	-do-
	66/1	109	-	0.0696	-do-
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	66/5	105	-	0.0336	-do-
	65/5	85	-	0.0117	-do-
	66/5	102	-	0.0345	-do-
	65/6	85	-	0.3170	-do-
	65/4	86	-	0.2340	-do-
	102	87	-	1.6055	Protected Forest
	Total			3.1739	
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	161/1	161/1	1153 pt	9.3340	Reserved Forest
	Total			10.1225	
G Total				18.1824	

ABSTRACT OF AREA INVOLVED IN THE PROJECT

Village, Taluka and District	Details of Forest land				Non Forest Land	Total Area (Forest land + Non Forest Land)
	Protected Forest	Reserved Forest	Acquired Forest	Total		
Vill- Chinchavali, Taluka & Distt Thane	1.6055	-	1.5684	3.1739	2.6126	5.7865
Vill-Rabale, Taluka & Distt Thane	1.2980	3.5880	-	4.8860	-	4.8860
Vill-Kausa, Taluka & Distt Thane	-	9.3340	0.7885	10.1225	1.9582	12.0807
Total	2.9035	12.9220	2.3569	18.1824	4.5708	22.7532

The project has been initiated by Executive Engineer (Engineering Division), MMRDA, Bandra Kurla complex, Bandra (E), Mumbai for construction of link road between Thane-Belapur Road to N.H. 4 including Tunnel through Parsik Hill, Taluka & District Thane from Village Chinchavali, Rabale and Kause. The project has been administratively approved by Secretary MMRDA vide letter MMRDA/Meeting/134 dated 19/08/2014. The commercial capital of India has developing with vast resources. At present there is heavy traffic load on Belapur Road. The vehicles being routed through Mumbai wash road from Belapur and they have to take about 18 kms round to reach Pune road i.e. National Highway No 4. The proposed link road will save time energy and fuel.

The alignment of proposed link road crosses the Thane Belapur Railway Line and Thane Belapur road, The interchange is proposed at the junction of Thane Belapur Road. The alignment will then pass through land owned by M/s Bharat Bijalee in MIDC area at the elevated corridor. After crossing MIDC central road alignment passes through Hilly terrain of Parsik Hill (Protected/Reserved Forest) In order to reduce the length of alignment , 1.75 kms flat tunnel is proposed to cross the Parsik Hill area . The tunnel is planned considering twin tubes each with 3 lane carriageway. At the end of Parsik Hill alignment taken a left turn on Mumbra side and crosses the built up area till it reaches the existing Mumbra bypass on N.H.4. An interchange is proposed at this junction to exchange traffic with N.H.4.

Considering the necessity of Mumbai Metropolitan Region to provide direct connectivity to the existing built up area of the Thane Belapur Road to N.H.4 (Mumbra Pune Road) which will save time, fuel and energy, therefore Projecty Authority has submitted the proposal for diversion of 18.1824 ha forest land under section 2 of Forest (Conservation) Act 1980 for construction of link road between Thane Belapur orad to NH4 Pune road. Proposed Thane

Belapur Link Road to N.H. 4 is 3.280 Km which includes Tunnel 1.749 kms, Fly over 0.603 kms and At grade 0.928.62 kms.

The proposal has been submitted by CCF (T) Thane vide letter Desk-10/FCA/CR-48/16-17/OW-599/17-18 dated 10/10/2017 alongwith 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 Thane certified that alternatives have been examined and no suitable alternate Non Forest Land is available other than proposed alignment and the demand for the link road project is the barest minimum.
- 2) There are 325 trees of various species and girth class in the area proposed for diversion.. Girth wise break up is as under-

Tree Girth in Cm									
15-30	31-45	46-60	61-75	76-90	91-105	106-120	121-150	150 above	Total
14	132	84	32	23	16	04	08	12	325

- 3) Deputy Conservator of Forests, Thane certified that there is no violation of Forest (Conservation) Act 1980 .
- 4) The User Agency has fulfilled the compliance under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Rights) Act 2006.
- 5) The User Agency has submitted an undertaking to defray the cost of Net Present Value of the forestland proposed for diversion.
- 6) The User Agency has submitted that Environment clearance is not necessary in this project, and submitted the undertaking , if necessary, the project Authority will get the Environment clearance as per Environment Act 2006.
- 7) The project area belongs to Eco-Value class I having density 0.1 to 0.3.
- 8) The Deputy Conservator of Forests, Thane has certified that proposed site is not likely to affect any monuments site of cultural, historical, religious archeological or recreational importance.
- 9) The Deputy Conservator of Forests, Thane has certified that the proposed project is within 10 Km from boundaries of the Sanjay Gandhi National Park, Borivali, Mumbai but outside the notified Eco Sensitive Zone of SGNP, Borivali. The distance from the boundary of SGNP Borivali 7.400 kms.
- 10) The Deputy Conservator of Forests, Thane has certified that the area involved in project does not included of any existing National Park, Wildlife Sanctuary and the Nature Reserve etc. The project will not have any adverse effect/impact on the Wildlife within

Sanjay Gandhi National Park Borivali, Mumbai. The distance from the boundary of SGNP Borivali 7.400 kms.


- 11) The Deputy Conservator of Forests , Thane 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.
- 12) The User Agency has submitted the Cost Benefit analysis
- 13) The User Agency has proposed alternative non-forest land for Compensatory Afforestation at Sur/Gut. No. 425 of village Dahiwadi, Tal. Tuljapur, Dist. Osmanabad Area 18.50 ha.
- 14) The Project Authority has submitted that proposed tunnel is approx 1750m and approximately 5,66,900 cum quantity of stone/earth will be diverted from excavation of tunnel. Partly about 89600 cum suitable quality of derived material will be utilized for construction of road and balance 4,77,000 cum will be used for MMRDA's other projects. The extracted quantity of material will disposed/dispatched at early as possible from site and no damage will be done to the nearby forest area. The cost of quantity used for construction and disposed by the Project Agency will be paid if necessary as per Government order.
- 15) Site Inspection of Deputy Conservator of Forests Thane is on Page No 34 to 36
- 16) The Deputy Conservator of Forests Thane has recommended the proposal being public interest and most of the alignment is under tunnel and embankment with minimum disturbance of Forest surface.
- 17) Chief Conservator of Forests (T), Thane has recommended the proposal for approval.

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) Compensatory afforestation will be raised at the cost of User Agency on equivalent non-forest land made available by the User Agency.
- iii) The forest land shall not be used for any purpose other than specified in the project.
- iv) The User Agency will defray the cost of Net Present Value of 18.1824 Ha. of forest land as per the latest guideline of Government of India.
- v) The User Agency will defray the cost of removal of 325 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.

- vi) The agency will pay the cost of survey, demarcation and erection of permanent pillars on the compensatory forestation land.
- vii) The User Agency will defray the additional / revised cost of Net Present Value of forestland as per the latest Guideline of Government of India.
- viii) All vehicles of forest department will not be charged Toll Tax while using this road.
- ix) The User Agency will obtain Environmental Clearance from competent authority, if required.
- x) The tunnel will be laid well below as per norms the ground level all along its length through forest.
- xi) No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- xii) 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.
- xiii) The User Agency will defray the cost of soil and moisture conservation work over 18.1824 Ha forest area to be diverted.
- xiv) All other conditions as may be mandatory under relevant Acts, Rules and Guidelines shall be complied with by the User Agency.
- xv) All necessary approvals required for the project as per prevailing laws of the land would be obtained by the User Agency before statutory sanction.


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



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 18.1824 ha of Forest land for construction of link road between Thane- Belapur road to NH-4 including tunnel through Parsik hill in Thane District.

No. : Desk-17/NC/II/ID 12540/(61)/ 2287 /2017-18
Nagpur - 440 001, Dated: 28/12/2017

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

Ref:- CCF (T) Thane letter No. Desk-10/FCA/CR-48/16-17/OW-599/17-18 dated 10/10/2017.

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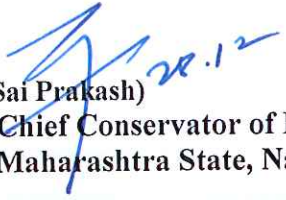
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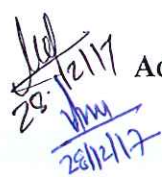
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- xiii) The User Agency will defray the cost of soil and moisture conservation work over 18.1824 Ha forest area to be diverted.
- xiv) All other conditions as may be mandatory under relevant Acts, Rules and Guidelines shall be complied with by the User Agency.
- xv) All necessary approvals required for the project as per prevailing laws of the land would be obtained by the User Agency before statutory sanction.

It is therefore requested that the Government of Maharashtra may kindly be moved to approve diversion of 18.1824 ha. Forest Land in favour of Executive Engineer (Engineering Division), MMRDA, Bandra Kurla complex, Bandra (E), Mumbai for construction of link road between Thane-Belapur Road to N.H. 4 including Tunnel through Parsik Hill, Taluka & District Thane under section (ii) of the Forest (Conservation) Act 1980.

Encls : As above


(G Sai Prakash)
Additional Principal Chief Conservator of Forests
& Nodal Officer, Maharashtra State, Nagpur


28/12/17
mm
28/12/17

Copy to Chief Conservator of Forests (T) Thane.

Copy to Deputy Conservator of Forests Thane

Copy to Executive Engineer (Engineering Division), MMRDA, Bandra Kurla complex, Bandra (E), Mumbai