

**OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS (HEAD OF
FOREST FORCE), MAHARASHTRA STATE, NAGPUR**
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Sub:- Proposal for diversion of 0.5669 ha. Private Forest land under section-2 of the Forest (Conservation) Act, 1980 for Widening of existing NH-4B, NH-348A to 6/8 lanes on the boundaries of proposed Navi Mumbai International Airport and JNPT connectivity between NH-348B and NH 348 at Village Vahal, Taluka Panvel, Dist. Raigad in the State of Maharashtra (FP/MH/ROAD/124967/2021).

No. : Desk-17/Nodal/Thane /I.D-13120(77)/ **760** /2022-23
Nagpur – 440 001, Dated **29/06/2022**

To,
The Principal Secretary (Forests),
Revenue & Forest Department,
Mantralaya, Mumbai – 400032

The GM (Tech) & Project Director, PIU-Panvel has proposal for diversion of 0.5669 ha. Private Forest land under section-2 of the Forest (Conservation) Act, 1980 for Widening of existing NH-4B, NH-348A to 6/8 lanes on the boundaries of proposed Navi Mumbai International Airport and JNPT connectivity between NH-348B and NH 348 at Village Vahal, Taluka Panvel, Dist. Raigad in the State of Maharashtra. The details of forest land proposed for diversion is as given below: -

Sr. No	Item work purpose	District	Taluka	Name of Village	Gut No.	Length X Width (in Mtr.)	Area (in ha)	Legal Status
1	Road Cross Sectional Area	Raigad	Panvel	Vahal	427/1	114.31 x 32.50	0.3715	Private Forest
2	For Future Expansion Area of Road (RoW) (LHS)					101.26 x 8.75	0.0886	
3	For Future Expansion Area of Road (RoW) (RHS)					122.06 x 8.75	0.1068	
Total Forest Land (in ha.)							0.5669	

2) The proposed project consists of 3 roads NH-4B (A1-E & D-G) section, part of SH-54 (Km. 5.300 to Km 14.850) and Amra Marg (NH-348) from Km 0.0000 to Km 6.200 (NH-348) in the State of Maharashtra. The project roads connect Jawaharlal Nehru Port and are present on boundaries of proposed Navi Mumbai International Airport. The project orads have been planned for Widening to 6/8 lane configuration by Mumbai JNPT Port Road Company Ltd. a SPV of National Highway Authority of India (NHAI). The necessity of the said project is as under:-

- Enhances safety of the traffic, the road users and the people living close to the highway
- Enhanced operational efficiency of the highway
- Fulfillment of the access need of the local population.
- Minimal adverse impact on the road users and the local population due to construction
- Feasible and constructible option for the project with least cost option.
- Economic benefits to the local population during & after construction.
- Easy transport of Agriculture Goods & access to greater markets.
- Easy access to health care and emergency services.
- Improved quality of life in the project area.

- (x) Increased Employment opportunity.
- (xi) Enhanced Environment & Increased Safety.

3.0 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 copy.

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 cross sectional map is enclosed on page no.64 & 65.
- 5) The copy of the Administrative and technical approval accorded by the Government of India vide letter No. 2A/1/2013-PPP, dated 14th June, 2013 enclosed on page no.63.
- 6) The site inspection report of the Deputy Conservator of Forests, Alibag Forest Division, Alibag is enclosed on page no.109 to 111.
- 7) No alternate alignment is possible and the forest land required is barest minimum.
- 8) The area belongs to Eco-value class-I having density is 0.1.
- 9) There is no tree felling involved in the proposal.
- 10) The area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc.
- 11) Proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance.
- 12) There is no violation of Forest (Conservation) Act 1980.
- 13) Proposed project is 8.75 kms of Karnala Bird Sanctuary and not included in Eco-Sensitive zone of Karnala Bird Sanctuary or Matheran ESA. This project will not have any adverse effect on the Wildlife within National Park/Sanctuary. The notification of the Karnala Bird Sanctuary dated 22nd January, 2016 is enclosed herewith as **(Annexure No.13)**
- 14) Proposed Compensatory Afforestation over 1.20 ha. degraded Forest land of Reserved Forest in Survey No.346 at Village Gavhan, Taluka Uran, Dist. Raigad it is contiguous, suitable for afforestation and management purpose and it is free from encroachment and an encumbrances.
- 15) The User Agency has submitted an undertaking to defray the cost of Net Present Value
- 16) The User Agency has submitted an undertaking to defray the cost of Compensatory Afforestation.
- 17) 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 formal approval as per Government of India vide letter No.11-43/2013-FC, dt.3/12/2018.
- 18) The Deputy Conservator of Forests, Alibag Forest Division, Alibag and Chief Conservator of Forest (T), Thane have recommended the proposal for diversion of **0.5669** ha. of Private 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 Compensatory Afforestation :-


- a) Compensatory afforestation shall be taken up by the Forest Department over 1.20 ha. degraded Forest land of Reserved Forest in Survey No.346 at Village Gavhan, Taluka Uran, Dist. Raigad 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.

- 2.3 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.
- 2.4 NPV:-**
- a) The State Government shall charge the Net Present Value (NPV) for the 0.5669 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 and File No.5-3/2011-FC(Vol-I), Dated 06/01/2022 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.
- 2.5 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.
- 2.6 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/>)
- 2.7 The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
- 2.8 User Agency shall raise strip plantation on both sides and central verge of the road as per the IRC norms.
- 2.9 Speed regulating signage will be erected along the road at regular intervals in the Protected Areas/Forest Areas.
- 2.10 It Shall 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
- 2.11 The user agency shall provide suitable under/over pass in Protected Area/ Forest Area as per recommendation of CWLW/NBWL/FAC/REC.
- 2.12 User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act,1986, if applicable.
- 2.13 The layout plan of the proposal shall not be changed without prior approval of Central Government.
- 2.14 No labour camp shall be established on the forest land.

- 2.15 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.
- 2.16 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.
- 2.17 No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- 2.18 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.
- 2.19 The forest land shall not be used for any purpose other than that specified in the project proposal.
- 2.20 The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Government of India.
- 2.21 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.
- 2.22 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.
- 2.23 The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>)

3.0 This proposal falls in the category of critical development initiatives for public. In this proposal area requirement is less than 1.00 ha. and there is no tree felling involved in the proposal. Hence, this proposal fit in the category of Construction/widening of roads under 4.3 guidelines of FCA Handbook. Approval of such proposal rest with State Government, therefore this proposal is recommended for diversion of 0.5669 ha. Private Forest land under section-2 of the Forest (Conservation) Act, 1980 for Widening of existing NH-4B, NH-348A to 6/8 lanes on the boundaries of proposed Navi Mumbai International Airport and JNPT connectivity between NH-348B and NH 348 at Village Vahal, Taluka Panvel, Dist. Raigad in the State of Maharashtra.

Encl. :- Proposal 2 copies

 29/6/22

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

Copy to the Chief Conservator of Forests (Territorial), Thane for information.
Copy to the Deputy Conservator of Forests, Alibag Forest Division, Alibag for information.
Copy to the GM (Tech) & Project Director, PIU-Panvel 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)

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Total Forest Land (in ha.)							0.5669	

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



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

Date 29/06/2022
Place: Nagpur

Proposal for diversion of 0.5669 ha. Private Forest land under section-2 of the Forest (Conservation) Act, 1980 for Widening of existing NH-4B, NH-348A to 6/8 lanes on the boundaries of proposed Navi Mumbai International Airport and JNPT connectivity between NH-348B and NH 348 at Village Vahal, Taluka Panvel, Dist. Raigad in the State of Maharashtra (FP/MH/ROAD/124967/2021).

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 0.5669 ha. Private Forest land under section-2 of the Forest (Conservation) Act, 1980 for Widening of existing NH-4B, NH-348A to 6/8 lanes on the boundaries of proposed Navi Mumbai International Airport and JNPT connectivity between NH-348B and NH 348 at Village Vahal, Taluka Panvel, Dist. Raigad in the State of Maharashtra has been initiated by the GM (Tech) & Project Director, PIU-Panvel for seeking approval under Forest (Conservation) Act, 1980.
- 2) The proposed project consists of 3 roads NH-4B (A1-E & D-G) section, part of SH-54 (Km. 5.300 to Km 14.850) and Amra Marg (NH-348) from Km 0.0000 to Km 6.200 (NH-348) in the State of Maharashtra. The project roads connect Jawaharlal Nehru Port and are present on boundaries of proposed Navi Mumbai International Airport. The project orads have been planned for Widening to 6/8 lane configuration by Mumbai JNPT Port Road Company Ltd. a SPV of National Highway Authority of India (NHAI). The necessity of the said project is as under:-
 - (i) Enhances safety of the traffic, the road users and the people living close to the highway
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 - (vii) Easy transport of Agriculture Goods & access to greater markets.
 - (viii) Easy access to health care and emergency services.
 - (ix) Improved quality of life in the project area.
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- 3) The details of the forest land proposed for diversion are as under:-

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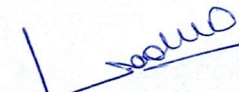
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- 2.21 Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF&CC Guidelines F.No.11-42/2017-FC, dated 29/01/2018.
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- 2.24 This proposal falls in the category of critical development initiatives for public. In this proposal area requirement is less than 1.00 ha. and there is no tree felling involved in the proposal. Hence, this proposal fits in the category of Construction/widening of roads under 4.3 guidelines of FCA Handbook. Approval of such proposal rests with State Government, therefore this proposal is recommended for diversion of 0.5669 ha. Private Forest land under section-2 of the Forest (Conservation) Act, 1980 for Widening of existing NH-4B, NH-348A to 6/8 lanes on the boundaries of proposed Navi Mumbai International Airport and JNPT connectivity between NH-348B and NH 348 at Village Vahal, Taluka Panvel, Dist. Raigad in the State of Maharashtra.


(Dr.Y.L.P Rao)

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