

**Sub.:- Forest Land- Thane**

Diversion of 17.01 Ha. of forest land in favour of Executive Engineer, Maharashtra State Road Development Corporation Ltd., Mumbai for rehabilitation and up gradation of Shahapur Patgaon Section-1 (KM 0.000 to KM 20.130) part of NH-3 Shahapur-Murbad-Patgaon-Karjat-Khopoli-NH4 section of newly declared NH-548A in the State of Maharashtra.

**PART - V**

**(To be filled up by the Secretary In charge of Forest Department or by any other authorized officer of the State Government not below the rank of an Under Secretary)**

**1. Recommendation of the  
State Government**

The proposal is recommended  
vide Government letter

**No.FLD-1220/ CR-239/ F-10**

**Dated: 10/03/2021**

*Arvind*  
*10/03/2021*

**(Arvind Apte)**

**Chief Conservator of Forests (Mantralaya)**

**Arvind Apte**

**Chief Conservator of Forests (Mantralaya)  
Revenue and Forests Department  
Mantralaya, Mumbai - 400032**

**Place : Mumbai**

**Date : 10/03/2021**

## Government of Maharashtra

**By Speed Post**

No.FLD-1220/ C.R.239/ F-10  
Revenue and Forest Department,  
Room No.456/461 Annex,  
Hutatma Rajguru Chowk,  
Madam Cama Marg,  
Mantralaya, Mumbai- 400 032.  
Date:- 10/03/2021

**To,**  
Regional Officer (Central),  
Government of India,  
Ministry of Environment, Forests & Climate Change,  
Integrated Regional Office,  
Ground Floor, East Wing,  
New Secretariat Building, Civil Lines,  
Nagpur-440 001.

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Sir,

Executive Engineer, Maharashtra State Road Development Corporation Ltd., Mumbai has submitted a proposal for diversion of 17.01 Ha. of forest land for rehabilitation and up gradation of Shahapur Patgaon Section-1 (KM 0.000 to KM 20.130) part of NH-3 Shahapur-Murbad-Patgaon-Karjat-Khopoli-NH4 section of newly declared NH-548A in the State of Maharashtra. There is no non-forest land involved in this project. The detailed area statement of forest land is attached herewith as Annexure-I.

2. The User Agency has highlighted that the MoRTH, GOI has decided to take up the development of section-I-Shahapur-Patgaon NH-548A in the State of Maharashtra for augmentation of capacity for safe and efficient movement of traffic by upgrading to two lane with paved shoulder configuration based on the traffic demand. The existing project road predominantly has a carriage way width 7 meter wide with earthen shoulder 0.5 to 1.5 mtr on the both sides with exception in few locations. Paved shoulder is observed at some major build ups along the project stretch. The existing width incapable to cope up with the increasing traffic because the highway is declared as National Highway. The project road require minimum two lane with paved shoulder configuration. The proposed project is starting from existing KM 0+000 to 20+130. The approximate length of project is 20.130 KM in this package from which road is passing through forest area Shahapur Forest Division. The proposed widening requires

17.01 Ha. forest land. Hence, User Agency has submitted the proposal for diversion of 17.01 Ha. forest land under section-2(ii) of FCA, 1980.

**3. Deputy Conservator of Forests, Shahapur has certified that:-**

- i. No suitable alternate non forest land is available for the proposed project and demand for the forest land is the barest minimum.
- ii. The proposed area belongs to Eco Value Class-I, Dense Forest & Open Forest having density below 0.3 to 0.4.
- iii. There are 2586 trees of various species involved in the implementation of the project.
- iv. The proposed project is located on existing alignment of NH-548A. No need to examine the alternate route for this purpose. Only few realignment for new bypass has been taken up by the project proponent in non-residential area through private land acquisition.
- v. Forest area involved in project is not included in the area of any National Park, Wildlife Sanctuary and the Nature Reserve. The nearest Tansa WLS is located at 3.09 KM away from the project boundary. Thus there is no impact on wildlife.
- vi. Proposed project is not likely to affect any monumental site of cultural, historical, religious, archaeological or recreational importance.
- vii. There is a violation of Forest (Conservation) Act, 1980. Details of violation are attached herewith as Annexure-II.
- viii. The non-forest land 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 under interim judgment of the Hon'ble Supreme Court, dated 12/12/1996.
- ix. Deputy Conservator of Forests, Shahapur has submitted the site inspection report.
- x. Deputy Conservator of Forests, Shahapur certified that 34.02 Ha. Protected forest area as per following details has been selected for Compensatory Afforestation. The said land is suitable for afforestation and management purpose and also it is free from encroachment and encumbrances. CA Scheme for 10 years submitted.

Village	Taluka	District	Survey No	Total Area	Area suitable for CA	Legal Status
Ras	Shahapur	Thane	57, 69	25.00	20.00	PF
Kukambe			36/1 (old 684)	22.60	14.02	
Total Area in Hectare				47.60	34.02	PF

**4. The User Agency has submitted the following undertakings:-**

- i. To defray the cost of Net Present Value of the forest land proposed for diversion.

- ii. To defray the cost of Compensatory Afforestation as determined by the forest Department.
  - iii. The User Agency has not submitted the FRA-2006 certificate. However, submitted the undertaking stating that the same will be submitted on receipt from respective District Collector or with Stage-1 compliance.
  - iv. Agree to bear the cost of clearance/ removal of the vegetation growth from the proposed forest land.
  - v. Copy of administrative/ technical approval accorded by GOI, MoRTH, New Delhi, vide letter dated 16/01/2018.
5. The Deputy Conservator of Forests, Shahapur and Chief Conservator of Forests (T), Thane have recommended the proposal.
6. The Principal Chief Conservator of Forests (HoFF), Maharashtra State, Nagpur has recommended the proposal subject to the conditions, given in his specific recommendations, under Section-2 (ii) of the Forest (Conservation) Act, 1980. His specific recommendations are enclosed in the proposal.
7. In the circumstances explained in above paragraphs and enclosures, the State Government recommends that the said forest land may be allowed to be diverted for the non-forestry use subject to conditions proposed by the Principal Chief Conservator of Forests (HoFF), Maharashtra State, Nagpur. The matter may kindly be placed before Government of India for its approval under Section-2 (ii) of the Forest (Conservation) Act, 1980 and the same may please be obtained and communicated to this Government at earliest.

Yours faithfully,

O/C

ap  
90/03/2024  
(Arvind Apte)

Chief Conservator of Forests (Mantralaya)

Email/10.03.2024

Encl: A) Set of case papers

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b) The following documents are enclosed:-

1. Prescribed form as per Rules
2. Certificate regarding minimum demand for forest land for the project
3. Area Statement
4. Index map of suitable scale
5. Commitment from the Applicant for defraying the cost of exploitation as well as cost of compensatory plantation
6. User Agency has given an undertaking of Net Present Value
7. Brief note of the project from the project authority

8. Map of non-forest land for compensatory afforestation
9. Site Inspection Report
10. Violation of Forest (Conservation) Act, 1980
11. Certificate in Part-V

**Copy to:**

1. Secretary (Roads), Public Works Department, Mantralaya, Mumbai
  2. Additional Principal Chief Conservator of Forests and Nodal Officer, Maharashtra State, Nagpur
  3. Additional Principal Chief Conservator of Forests (CAMPA), Maharashtra State, Nagpur
  4. Chief Conservator of Forests (T), Thane
  5. Collector, Thane
  6. Deputy Conservator of Forests, Shahapur
  7. Executive Engineer, Maharashtra State Road Development Corporation Ltd., Mumbai, Opposite Bandra Reclamation Bus Depot, Near Lilavati Hospital, KC Marg, Bandra (West), Mumbai-400 050.
  8. Select File F-10.
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