

## Government of Maharashtra

By Speed Post

No.FLD-1224/C.R.46/F-10  
Revenue and Forest Department,  
Mantralaya, Mumbai - 400 032.  
Dated:- 01.03.2024

To,

The Secretary,  
Ministry of Environment, Forests & Climate Change,  
Government of India,  
New Delhi.

**Subject: Forest Land-Thane**

Diversion of Revised area 0.1461825 (original area 0.325 ha. )  
Forest land under section-2 of the Van (Sanrakshan Evam  
Samvardhan) Adhiniyam, 1980 for construction of approach road,  
in Protected Forest/ Private Forest Gut No.29, and 213 & 214 at  
Village Karade & Savroli, Tal. Shahapur, Dist. Thane in the State  
of Maharashtra. (FP/MH/Road/155030/2022)

The Additional Principal Chief Conservator of Forests and Nodal Officer has submitted  
proposal for diversion of 0.325 ha. Forest land under section-2 of the Van (Sanrakshan Evam  
Samvardhan) Adhiniyam, 1980 for construction of approach road, in Protected Forest/ Private  
Forest Gut No.29, and 213 & 214 at Village Karade & Savroli, Tal. Shahapur, Dist. Thane in  
the State of Maharashtra.

The details of revised area of forest land proposed for diversion are as under: -

Sr. No.	Item Work Purpose	District	Village	Taluka	Gut No.	Survey No.	Length x Width (in meter)	Area (in ha)	Legal Status
1	Constru- ction of approac h road.	Thane	Savroli Bk.	Shaha- pur	213	119/1/pt. 119/2/pt. 119/3/pt.	144.65 X 4.5	0.06509 25	Finally Acquired Private Forest.
					214	119/1/ pt.	21.70 X 4.5	0.00976 5	
			Karade		29	----	158.50 X 4.5	0.07132 5	Protected Forest
Total Forest land required (in ha.)								0.1461 825	

2. The Project Authority has proposed social activities like Goshala and old age home in  
their Private Lands in G.No.12, 26/1/2 & 26/1/3 of Village Karade owned by the project  
authority. By using minimum forest land for construction of approach road this project will be

beneficial for the citizen of the Savroli Bk., Karade and nearby areas by providing access to the proposed social activities. The Project Authority tried to construct the Pacca road on the area which was earlier used by the local villagers to communicate to their households.

**3. The Deputy Conservator of Forest, Shahapur Forest Division, Shahapur has certified that:-**

- 3.1) No alternate alignment is possible and the forest land required is lowest minimum.
- 3.2) The area belongs to Eco-value class-I having density is below 0.1 (Open Forest).
- 3.3) There is no tree felling involved in the project.
- 3.4) The area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc.
- 3.5) Proposed project is not likely to affect any monumental site cultural, historical, religious, archeological or recreational importance.
- 3.6) There is violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. The User Agency has carried out work 0.224 ha.
- 3.7) Proposed project is within 10 Kms from boundary of Tansa Wildlife Sanctuary.
- 3.8) 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.
- 3.9) Proposed Compensatory Afforestation over 1.00 ha. in Gut No.156, Survey No.99, at Village Shei, Taluka Shahapur, Dist. Palghar and it is contiguous, suitable for afforestation and management purpose and it is free from encroachment and an encumbrances.
- 3.10) The proposed alignment No.1 is best suitable from forestry point of view.

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

- 4.1 to defray the cost of Net Present Value.
  - 4.2 to defray the cost of Compensatory Afforestation.
  - 4.3 to submit compliance under FRA-2006.
5. The Deputy Conservator of Forest, Shahapur has recommended the proposal for approval under Section-2 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.
6. Additional Principal Chief Conservator of Forests & Nodal Officer, Maharashtra State, Nagpur, has recommended the proposal subject to the conditions, given in his recommendations, under Section-2 (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. His recommendations are enclosed in the proposal.

7. 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 Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. His specific recommendations are enclosed in the proposal.
8. It come to the notice of the State Government many individuals and institutions apply for diversion of forest land for approach road passing through the forest land, many times in area, having high density vegetation or area prone to erosion. User Agencies used to propose the width of the road ranging from 3 to 18 Meter, as per the prevailing conditions under MRTP Act, 1966.

In order to avoid large-scale damage to the valuable forest resources and to comply with the basic principle of forest diversion as envisioned in the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, recently Government of Maharashtra has taken conscious policy decision with respect to length & width of the approach roads in forest area, under section 154 of MRTP Act, 1966 vide Government Resolution dated 09.01.2024. State Government has directed Planning Authorities as under:-

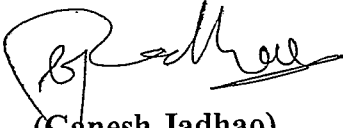
- a) Roads in forest areas having length of maximum 150 meter and width of 4.5 meter shall be considered as approach roads.
- b) If the width of the main road is less than 4.5 meter at the junction point of approach road connecting to it, forest department will allow the diversion of forest land only within the limit of existing main road at the junction point.
- c) Provided that, considering the factors such as site specificity, necessity and public importance of the project, Forest Department will have discretionary powers, it can decide / recommend / reject the cases for diversion of forest land for approach roads requiring more length and / or width specified above.

Government of Maharashtra has decided to allow the diversion of forest land for site specific approach road projects only within the limit of 4.5 meter width. However, Additional Principal Chief Conservator & Nodal officer had already submitted the proposal for diversion of 0.325 Ha. forest land for the approach road vide letter dated-20.02.2023.

The instant proposal was kept in abeyance, as the policy decision was under consideration of the Government. Considering the time lapse already incurred and to avoid the further delay, State government is recommending the diversion of 0.1461825 Ha. forest land considering the 4.5 Meter width only though, the document submitted by the user agency and authorities are for entire 0.325 Ha. Proposal may be considered for Stage-I approval as there is only reduction in the width of road.

User Agencies and authorities will submit revised documents at the time of Compliance of the Conditions in Stage-I approval, if required.

9. In the circumstances explained in aforesaid paragraphs and enclosures, the State Government recommends that 0.1461825 ha. forest land may be allowed to be diverted under Section-2 (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, subject to conditions proposed by the Principal Chief Conservator of Forests (HoFF) and Addl. PCCF & Nodal Officer, Nagpur. The matter may kindly be placed before the Government of India for its approval under Section-2 (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.



(Ganesh Jadhao)

Under Secretary to the  
Government of Maharashtra

Under Secretary  
Revenue and Forests Department  
Hutatma Rajguru Chowk  
Madam Cama Road, Mantralaya  
Mumbai 400 032

**Encl:** A) Set of case papers

B) The following documents are enclosed:-

1. Prescribed form as per Rules.
2. Area Statement
3. Undertaking for defraying the cost of Net Present Value & Compensatory Afforestation.
4. Brief note of the project
5. Site Inspection Report.
6. Certificate in Part V.

**Copy:**

1. Principal Chief Conservator of Forests (HoFF), Maharashtra Stage, Nagpur.
2. Deputy Director General of Forest (Central), Integrated Regional Office, Ministry of Environment, Forests & Climate Change, Government of India, Nagpur.
3. Principal Chief Conservator of Forests & C.E.O, Maha-CAMPA, Nagpur.
4. APCCF and Nodal Officer, Nagpur with reference to his letter No.Desk-17/Nodal/Thane/ID-14500 (79)/3143/2022-23, Dt.20.02.2023.
5. Chief Conservator of Forests (T), Thane.
6. Deputy Conservator of Forest, Shahapur.
7. Project Authority Mr. D.K.Kargal, Thane.
8. Select File (F-10)

**Subject: Forest Land-Thane**

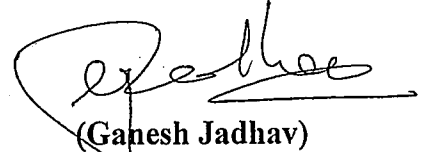
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(FP/MH/Road/155030/2022)

**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- 1224/C.R.46/F-10  
Dated:-01.03.2024



**(Ganesh Jadhav)  
Under Secretary to the  
Government of Maharashtra**

**Under Secretary  
Revenue and Forests Department  
Hutatma Rajguru Chowk  
Madam Cama Road, Mantralaya  
Mumbai 400 032**

**Place: Mumbai.**

**Date:- 01.03.2024**