

**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 0.9984 ha. of Reserved Forest land under Forest (Conservation), 1980 for Construction of Service Road from Kolshet to Bhaindarpada in Thane Municipal Corporation at Village- Kavesar, Tal./Dist. Thane in the State of Maharashtra (FP/MH/ROAD/145871/2021).

No. : Desk-17/Nodal/Thane /I.D-12986(76)/1758 /2021-22
 Nagpur - 440 001, Dated : 10/12/2021

To,
 The Deputy Director General (Central)
 Ministry of Environment, Forests, and Climate Change,
 Regional Office, Ground Floor, East Wing,
 New Secretariat Building,
 Civil Lines, Nagpur-440001

Sir,

The Project Authority, Town Development & Planning Officer, Thane Municipal Corporation, Thane for seeking approval under Forest (Conservation) Act, 1980. The proposed road is passing through Kolshet, Kavesar to Bhaindarpada, Tal. Thane, Dist. Thane to connect left side of existing highways from Thane to Ghodbundar.

2.00 The details of forest land proposed for diversion is as given below: -

Sr. No	Item work purpose	District	Taluka	Name of Village	Survey No.	Length & Width	Area (in ha)	Legal Status
1	Construction of Service Road from Kolshet to Bhaindarpada in Thane Municipal Corporation at Village Kavesar, Taluka. Thane in the State of Maharashtra	Thane	Thane	Kolshet	291 Pt	65.00 x 10.00	0.0650	Reserved Forest
2				Kevesal	291	73.00 x 20.00	0.1460	
3					292 Pt	65.00 x 25.00	0.1625	
4					142	126.55x 9.00	0.1139	Private Forest
5					158	313.33 x 9.00	0.2820	Private Forest
6				Bhaindarpada	New 16 Old 289	99.56 x 23.00	0.2290	Finally Acquired
Total Forest Land (in ha.)							0.9984	



3.0 The User Agency has certified that the forest land admeasuring 0.9984 ha is the minimum demand for the project. Therefore the User Agency has decided to undertake construction of Service Road from Kolshet to Bhaindarpada in Thane Municipal Corporation at Village Kavesar, Taluka. Thane in the State of Maharashtra. Because of the project, over all road safety situation will be improved. Summarily, widening of the project road will have following benefits.

- a) The proposed project is rehabilitation and up-gradation of existing two lane alignment to four lane configuration.
- b) There is no suitable alternatives non-forest land to construct the road as the proposed rehabilitation is along the existing road.
- c) Earthwork cutting and banking is minimum.
- d) Minimum numbers of trees are affected.
- e) Road gradients are suitable for traffic.

3.1 The total non forest land involved in project is 5.3708 ha. The site inspection report of the Conservation of Forests & Director, Sanjay Gandhi National Park, Borivali & Deputy Conservator of Forest, Thane Forest Division, Thane is enclosed on page no.63 & 73.

4.00 The Conservation of Forests & Director, Sanjay Gandhi National Park, Borivali & Deputy Conservator of Forest, Thane Forest Division, Thane have certified that:-

- 4.1 no suitable alternate land is available and the forest land required is lowest minimum.
- 4.2 (i) the area belongs to Eco-value class-I and Density of forest is 0.2 to 0.3
(ii) the area belongs to Eco-value class-I and Density of forest is below 0.4
- 4.3 there are 267 trees of various species and trees are involved in implementation of the Project. The Girth wise break up is as under:-

Tree Girth in Cm.						
Village Kolshet, Survey NO.291 and Village Kavesar Survey No.291, 292						
Below 30 cm	31-60 cm	61-90 cm	91-120 cm	121-150 cm	Above 150 cm	Total
35	85	22	05	01	01	149
Village Ovela, Survey NO.289						
01	77	32	06	01	01	118
36	162	54	11	02	02	267

- 4.4 The area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc.
- 4.5 proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance.
- 4.6 there is violation of Forest (Conservation) Act 1980. The violated area is 0.3959 ha. The detail violation report is enclosed on file page No.56
- 4.7 (i) the proposed area for the project is within 10km and some part of the project in Sanjay Gandhi National Park.

- (ii) the proposed area for the project is 0.9.25 km. from the Thane Creek Flamingo Sanctuary Boundary and Part area is within Sanjay Gandhi National Park Eco-Sensitive Zone Boundary.
- 4.8 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.
- 4.9 and proposed Compensatory Afforestation over 3.00 ha. Reserved Forest land in Survey No.419, Compartment No. 1144 at Village Majiwade, Taluka Thane, Dist. Thane and it is contiguous, suitable for afforestation and management purpose and it is free from encroachment and an encumbrances.
- 4.10 There is no other alternate alignment possible as proposed forest area is narrow patches and both sides of forest area (in private area) there exist the building which are already constructed. Now there is no option to examine other alternatives
- 4.11 The Deputy Conservator of Forests, Thane Forest Division, Thane has submitted the site specific justification to this office are as under:- (P/61)
"The specific alignment decided after detailed study and exploring various alternatives, therefore, the project is site specific. Wherever possible non forest land has been used but in view of above reason, the patch of Highway passing through forest cannot be located non forest land"

5.00 **The User Agency has submitted an undertaking that:-**

- 5.1 to defray the cost of compensatory afforestation.
- 5.2 to defray the cost of Net Present Value of the forest land proposed under diversion.
- 5.3 Government of India vide letter No.11-43/2013-FC, dt.3.12/2018 has issued guidelines regarding compliance of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forests Right) Act, 2006. As per these guidelines:-

'Accordingly, it is clarified that within the time period stipulated for compliance of Stage I condition, Deputy Commissioner shall complete the process of compliance of FRA (including forwarding its findings to be concerned CF), hence for the purpose of the MoEF & CC, as per the provisions under the Forest (Conservation) amendment rules, 2016 the compliance under FRA is not required for consideration of in-principle approval. This has to be furnished by the State Government for consideration of the proposal by the Ministry for final approval'.

Hence, the user agency has given 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.

- 5.4 The cross section map is enclosed herewith on file page No.8
- 5.5 The copy of the technical approval accorded by the Town Development & Planning Officer Thane Municipal Corporation Thane vide letter No. E/TMC/Service road/180/2012, dated 10/04/2012

6.00 The Conservator of Forests & Director, Sanjay Gandhi National Park, Borivali has recommended following conditions:-

- (i) Depositing of 2% the project cost by the project agency for protection and Conservation of the Sanjay Gandhi National Park (SGNP).
- (ii) Getting prior permission of the State Board of Wildlife (SBWL) and National Board of Wildlife (NBWL) before commencement of the work in the proposed project area.
- (iii) Getting prior permission of monitoring committee of ESZ of Sanjay Gandhi National Park (SGNP) before commencement of the road works in the project area.
- (iv) Conservation of all culverts in the project into a Box type culverts (3 M x 4 M) so as to allow free movement of wildlife like leopard etc.
- (v) Construction of four Type-II quarter building for field staff of SGNP as per the design provided by the SGNP Authorities on Survey No.291 adjacent to proposed road.
- (vi) Installation of four big bill boards (Hoardings) of size (4 meters length x 3 meters width x 5 meters height) near the diverted forest land along the road and hand it over to SGNP authorities for displaying wildlife related education contents/ alert message.
- (vii) Construction of cement concrete wall with barbed wire fencing on top of it along the boundary of the Sanjay Gandhi National Park, Borivali in the patches of diverted forest area.

7.00 The Conservation of Forests & Director, Sanjay Gandhi National Park, Borivali & Deputy Conservator of Forest, Thane Forest Division, Thane and Additional Principal Chief Conservator of Forests (Wildlife), West Mumbai have recommended the proposal for diversion of 0.9984 ha. forest land.

8.00 The revised KML file of the diverted area and C.A area is placed in CD's on file at the top. The said KML file received by the User Agency on 03/12/2021.

9.0 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: -

9.1 The legal status of the forest land required will remain unchanged.

9.2 Forest land will be handed over only after required non-forest land for the project is handed over to the User Agency.

9.3 Compensatory Afforestation :-

Compensatory afforestation shall be taken up by the Forest Department over 3.00 ha. reserved forest land in Survey No.419 Compt. No: 1144 Old Survey No 344 at Village-Majiwada, Taluka /Dist. Thane at the cost of the user agency.

9.4 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.

9.5 NPV:-

a) The State Government shall charge the Net Present Value (NPV) for the 0.9984 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.

- 9.6 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.
- 9.7 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/>)
- 9.8 The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
- 9.9 User Agency shall raise strip plantation on both sides and central verge of the road as per the IRC norms.
- 9.10 Speed regulating signage will be erected along the road at regular intervals in the Protected Areas/Forest Areas.
- 9.11 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
- 9.12 The user agency shall provide suitable under/over pass in Protected Area/ Forest Area as per recommendation of CWLW/NBWL/FAC/REC.
- 9.13 User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.
- 9.14 The layout plan of the proposal shall not be changed without prior approval of Central Government.
- 9.15 No labour camp shall be established on the forest land.
- 9.16 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.
- 9.17 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.
- 9.18 No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- 9.19 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.
- 9.20 The forest land shall not be used for any purpose other than that specified in the project proposal.
- 9.21 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.
- 9.22 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.
- 9.23 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.
- 9.24 The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>)

10. It is therefore, requested that Government of India may kindly be moved for approving the proposal for diversion of 0.9984 ha. of Reserved Forest land under Forest (Conservation), 1980 for Construction of Service Road from Kolshet to Bhaindarpada in Thane Municipal Corporation at Village- Kavesar, Tal./Dist. Thane in the State of Maharashtra under section 2 (ii) of the Forest (Conservation) Act, 1980.

Encl. :- Proposal 1 copy

Yours sincerely,

[Handwritten signature] 10/12/21

(Naresh Zurmure)

Addl. Principal Chief Conservator of Forests
& Nodal Officer

[Handwritten signature]
10/12/21

Copy submitted to the Principal Secretary (Forests), Revenue & Forest Department, Mantralya, Mumbai – 400032

Copy to the Chief Conservator of Forests (Territorial) Thane for information.

Copy to the Deputy Conservator of Forests, Thane Forest Division, Thane for information.

Copy to the Project Authority, Town Development & Planning Officer, Thane Municipal Corporation, Thane for information

Proposal for diversion of 0.9984 ha. of Reserved Forest land under Forest (Conservation), 1980 for Construction of Service Road from Kolshet to Bhaindarpada in Thane Municipal Corporation at Village Kavesar, Tal./Dist. Thane in the State of Maharashtra (FP/MH/ROAD/145871/2021).

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.

1.0 Proposal is for diversion of 0.9984 ha. Reserved Forest & Private Forest land under section-2 of the Forest (Conservation) Act, 1980 in favour of Town Development & Planning Officer, Thane Municipal Corporation, Thane for construction of Service Road from Kolshet to Bhaindarpada in Thane Municipal Corporation at Village Kavesar, Taluka. Thane in the State of Maharashtra. (FP/MH/Road/144244(New 145871)/2021).

2.0 The details of the forest land proposed for diversion are as under:-

Sr. No	Item work purpose	District	Taluka	Name of Village	Survey No.	Length & Width	Area (in ha)	Legal Status
1	Construction of Service Road from Kolshet to Bhaindarpada in Thane Municipal Corporation at Village Kavesar, Taluka. Thane in the State of Maharashtra	Thane	Thane	Kolshet	291 Pt	65.00 x 10.00	0.0650	Reserved Forest
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6				Bhaindarpada	New 16 Old 289	99.56 x 23.00	0.2290	Finally Aquired
Total Forest Land (in ha.)							0.9984	

3.0 The proposal has been initiated by the Project Authority, Town Development & Planning Officer, Thane Municipal Corporation, Thane for seeking approval under Forest (Conservation) Act, 1980. The proposed road is passing through Kolshet, Kavesar to Bhaindarpada, Tal. Thane, Dist. Thane to connect left side of existing highways from Thane to Ghodbundar. This road is beneficial for control over traffic as well as easily and safety road for nearest village.

3.1 The User Agency has certified that the forest land admeasuring 0.9984 ha is the minimum demand for the project. Therefore the User Agency has decided to undertake construction of Service Road from Kolshet to Bhaindarpada in Thane Municipal Corporation at Village Kavesar, Taluka. Thane in the State of Maharashtra. Because of the project, over all road safety situation will be improved. Summarily, widening of the project road will have following benefits.

- a) The proposed project is rehabilitation and up-gradation of existing two lane alignment to four lane configuration.
- b) There is no suitable alternatives non-forest land to construct the road as the proposed rehabilitation is along the existing road.
- c) Earthwork cutting and banking is minimum.
- d) Minimum numbers of trees are affected.
- e) Road gradients are suitable for traffic.

3.2 The total non forest land involved in project is 5.3708 ha. The site inspection report of the Conservation of Forests & Director, Sanjay Gandhi National Park, Borivali & Deputy Conservator of Forest, Thane Forest Division, Thane is enclosed on page no.63 & 73.

4.00 The Conservation of Forests & Director, Sanjay Gandhi National Park, Borivali & Deputy Conservator of Forest, Thane Forest Division, Thane have certified that:-

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- 4.2 (i) the area belongs to Eco-value class-I and Density of forest is 0.2 to 0.3
(ii) the area belongs to Eco-value class-I and Density of forest is below 0.4
- 4.3 there are 267 trees of various species and trees is involved in implementation of the Project. The Girth wise break up is as under:-

Tree Girth in Cm.						
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Village Ovela, Survey NO.289						
01	77	32	06	01	01	118
36	162	54	11	02	02	267

- 4.4 The area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc.
- 4.5 Proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance.

- 4.6 There is violation of Forest (Conservation) Act 1980. The violated area is 0.3959 ha. The detail violation report is enclosed on page No.56
- 4.7 (i) The proposed area for the project is within 10 km and some part of the project in Sanjay Gandhi National Park.
(ii) The proposed area for the project is 0.9125 km. from the Thane Creek Flamingo Sanctuary Boundary and Part area is within Sanjay Gandhi National Park Eco-Sensitive Zone Boundary.
- 4.8 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.
- 4.9 Proposed Compensatory Afforestation over 3.00 ha. Reserve Forest land in Survey No.419, Compartment No. 1144 at Village Majiwade, Taluka Thane, Dist. Thane and it is contiguous, suitable for afforestation and management purpose and it is free from encroachment and an encumbrances.
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- 4.11 The Deputy Conservator of Forests, Thane Forest Division, Thane has submitted the site specific justification to this office are as under:- (P/61)
"The specific alignment decided after detailed study and exploring various alternatives, therefore, the project is site specific. Wherever possible non forest land has been used but in view of above reason, the patch of Highway passing through forest cannot be located non forest land"

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- 5.2 to defray the cost of Net Present Value of the forest land proposed under diversion.
- 5.3 Government of India vide letter No.11-43/2013-FC, dt.3/12/2018 has issued guidelines regarding compliance of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forests Right) Act, 2006. As per these guidelines:-

'Accordingly, it is clarified that within the time period stipulated for compliance of Stage I condition, Deputy Commissioner shall complete the process of compliance of FRA (including forwarding its findings to be concerned CF), hence for the purpose of the MoEF & CC, as per the provisions under the Forest (Conservation) amendment rules, 2016 the compliance under FRA is not required for consideration of in-principle approval. This has to be furnished by the State Government for consideration of the proposal by the Ministry for final approval'.

Hence, the user agency has given 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.

5.4 The cross section map is enclosed herewith on file page No.8

5.5 The copy of the technical approval accorded by the Town Development & Planning Officer Thane Municipal Corporation Thane vide letter No. E/TMC/Service road/180/2012, dated 10/04/2012

6.00 The Conservator of Forests & Director, Sanjay Gandhi National Park, Borivali has recommended following conditions:-

- (i) Depositing of 2% the project cost by the project agency for protection and Conservation of the Sanjay Gandhi National Park (SGNP).
- (ii) Getting prior permission of the State Board of Wildlife (SBWL) and National Board of Wildlife (NBWL) before commencement of the work in the proposed project area.
- (iii) Getting prior permission of monitoring committee of ESZ of Sanjay Gandhi National Park (SGNP) before commencement of the road works in the project area.
- (iv) Conversion of all culverts in the project into a Box type culverts (3 M x 4 M) so as to allow free movement of wildlife like leopard etc.
- (v) Construction of four Type-II quarter building for field staff of SGNP as per the design provided by the SGNP Authorities on Survey No.291 adjacent to proposed road.
- (vi) Installation of four big bill boards (Hoardings) of size (4 meters length x 3 meters width x 5 metres height) near the diverted forest land along the road and hand it over to SGNP authorities for displaying wildlife related education contents/ alert message.
- (vii) Construction of cement concrete wall with barbed wire fencing on top of it along the boundary of the Sanjay Gandhi National Park, Borivali in the patches of diverted forest area.

7.00 The Conservation of Forests & Director, Sanjay Gandhi National Park, Borivali & Deputy Conservator of Forest, Thane Forest Division, Thane and Additional Principal Chief Conservator of Forests (Wildlife), West Mumbai have recommended the proposal for diversion of 0.9984 ha. forest land.

8.00 The revised KML file of the diverted area and C.A area is placed in CD's on file at the top. The said KML file received by the User Agency on 03/12/2021

9.0 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: -

9.01 The legal status of the forest land required will remain unchanged.

9.02 Forest land will be handed over only after required non-forest land for the project is handed over to the User Agency.

9.03 Compensatory Afforestation :-

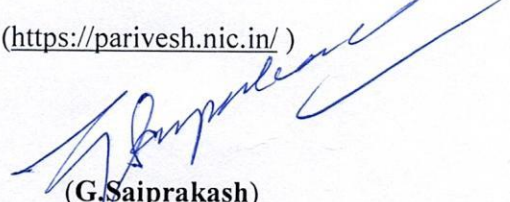
Compensatory afforestation shall be taken up by the Forest Department over 3.00 ha. reserved forest land in Survey No.419 Compt. No: 1144 Old Survey No 344 at Village-Majiwada, Taluka /Dist. Thane at the cost of the user agency.

9.04 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.

9.05 NPV:-

- a) The State Government shall charge the Net Present Value (NPV) for the 0.9984 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.
- 9.06 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.
- 9.07 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/>)
- 9.08 The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
- 9.09 User Agency shall raise strip plantation on both sides and central verge of the road as per the IRC norms.
- 9.10 Speed regulating signage will be erected along the road at regular intervals in the Protected Areas/Forest Areas.
- 9.11 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
- 9.12 The user agency shall provide suitable under/over pass in Protected Area/ Forest Area as per recommendation of CWLW/NBWL/FAC/REC.
- 9.13 User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.

- 9.14 The layout plan of the proposal shall not be changed without prior approval of Central Government.
- 9.15 No labour camp shall be established on the forest land.
- 9.16 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.
- 9.17 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.
- 9.18 No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- 9.19 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.
- 9.20 The forest land shall not be used for any purpose other than that specified in the project proposal.
- 9.21 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.
- 9.22 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.
- 9.23 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.
- 9.24 The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>)


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

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 0.9984 ha. of Reserved Forest land under Forest (Conservation), 1980 for Construction of Service Road from Kolshet to Bhaindarpada in Thane Municipal Corporation at Village- Kavesar, Tal./Dist. Thane in the State of Maharashtra. (FP/MH/ROAD/145871/2021). The details of land proposed for diversion is as under-

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2				Kevesal	291	73.00 x 20.00	0.1460	
3					292 Pt	65.00 x 25.00	0.1625	
4					142	126.55x 9.00	0.1139	Private Forest
5				158	313.33 x 9.00	0.2820	Private Forest	
6				Bhaindarpada	New 16 Old 289	99.56 x 23.00	0.2290	Finally Acquired
Total Forest Land (in ha.)							0.9984	

Specific recommendation of Principal Chief Conservator of Forests (HoFF) Maharashtra State, Nagpur is attached on page no. 47-49 .

Naresh Zurmure, 10/12/21

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

Date: 10/12/2021

Place: Nagpur