

Sub.: Forest Land-Thane, Palghar.


Diversion of 30.399 ha of Forest Land for laying of underground water pipeline under 403 MLD Surya Regional Water Supply Scheme.

PART - V

(To be filled up by the Secretary Incharge 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-2018/C.R.215/F-10
Dated: 18.07.2018



(C.D. Tarange)
Under Secretary to the
Government of Maharashtra
Under Secretary
~~Revenue and Forests Department~~
Hutatawale, 10045
Mandla, 10045
Mandla, 10045

Place: Nagpur

Date: 18.07.2018

Government of Maharashtra

No.FLD-2018/ C.R.215/ F-10
Revenue and Forest Department,
Hutatma Rajguru Chowk,
Madame Cama Road, Mantralaya,
Mumbai-400032
Date:- 18.07.2018

To,

The Additional Principal Chief Conservator of Forests (Central),
Government of India,
Ministry of Environment, Forests & Climate Change,
Regional Office, West Central Region,
Ground Floor, East Wing,
New Secretariat Building, Civil Lines,
Nagpur-440 001.

Sub:- Forest Land-Thane, Palghar.

Diversion of 30.399 ha of Forest Land for laying of underground water pipeline under 403 MLD Surya Regional Water Supply Scheme.

Sir,

Additional Principal Chief Conservator of Forests and Nodal Officer has submitted a proposal for diversion of 30.399 ha of Forest Land for laying of underground pipeline for water supply to Mira Bhayandar, Vasai-Virar Municipal Corporation & 27 villages under 403 MLD Surya Regional Water Supply Scheme.

2. The details of proposed forest land for diversion are as follows:

i) Dahanu Forest Division-

Item of work	Village	Sy/Gut No.	Area in ha	Legal Status
Intake	Kawdas	3	2.100	Private Forest
Pipeline		26	0.054	Private Forest
Pipeline		12	0.051	Private Forest
Pipeline		13	0.060	Private Forest
Pipeline		11	0.102	Private Forest
Pipe, road		15	0.324	Private Forest
Pipe, road		35	0.092	Private Forest
Pipe, road		36	0.180	Private Forest
Pipe, road		38	0.040	Private Forest
Pipe, road				
Pipe, road	Veti	208/489	0.808	Reserved Forest
Water Treatment Plant			16.637	Reserved Forest
Pipeline		203/540	0.216	Protected Forest
Pipeline	Ghol	56	0.210	Private Forest
Pipeline		61	0.120	Private Forest
Pipeline		103/116	0.525	Protected Forest
Pipeline	Burhanpur	225/292	0.148	Protected Forest
Pipeline		219/297	0.464	Reserved Forest
Tunnel	Mendhvan	28	0.018	Protected Forest
Tunnel		32	0.448	Reserved Forest

Tunnel	Khadkone	16	0.132	Reserved Forest FDCM
Tunnel Shaft		16	0.250	Reserved Forest FDCM
Pipeline	Somate	95/10	0.168	Reserved Forest \ FDCM
Pipeline	Varai	24/24	0.432	Protected Forest
Pipeline	Dhekal	114	0.640	Reserved Forest FDCM
Total (ha.)			24.219	

ii) Thane Forest Division

Item of work	Name of Village	Survey / Gut No.	Commt No.	Area (ha.)	Legal Status
Pipeline	Kashidkopar	191/1/1	-	0.162	Protected Forest
MBR	Kashidkopar	191/1/1	-	1.680	Protected Forest
Pipe	Waliv	33/2	-	0.093	Private Forest
Tunnel	Sativali	104	1092	0.700	Reserved Forest
Pipeline	Sativali	41/2	-	0.042	Private Forest
Tunnel	Chandra pada	156/431	-	0.049	Protected Forest
Tunnel	Bapane	4/1	-	0.067	Protected Forest
Tunnel Shaft	Bapane	42	-	0.170	Protected Forest
Tunnel	Bapane	89 C	-	0.010	Mangrove
Tunnel Shaft	Juchandra	-	-	0.011	Mangrove
Tunnel	Sasunvaghar	186 C	-	0.009	Mangrove
Tunnel	Varsava	creek	-	0.007	Mangrove
Total Forest Area				3.000	

iii) Sanjay Gandhi National Park, Borivali

Item of work	Name of Village	Sy/Gut No.	Commt No.	Area in ha	Legal Status
Tunnel	Rajawali	347 p	1094p	0.042	Reserved Forest
Tunnel	Kolhi	48 A	1095p	0.622	Reserved Forest
Tunnel	Chandrapada	555 205/1	1094p	0.117	Reserved Forest
Pipe road	Varsava	34/3	112	0.432	Reserved Forest
Do	Varsava	34/1	112	0.119	Reserved Forest
Pipeline	Varsava	32/3	-	0.048	Reserved Forest
MBR	Chena	101	-	1.800	Reserved Forest
Total Area		-	-	3.180	

iv) Abstract:-

Sr. No	Name of Division	Reserved Forest (ha.)	Protected Forest (ha.)	Private Forest (ha.)	Mangrove (ha.)	Total (ha.)
1.	Dahanu	18.357	1.339	3.333	-	23.029
2.	FDCM Dahanu	1.190	-	-	-	1.190
3.	Thane	0.700	2.128	0.135	0.037	3.00
4.	SGNP, Borivali	3.180	-	-	-	3.18
	Total (ha.)	23.427	3.467	3.468	0.037	30.399

2. The project has been initiated by Superintendant Engineer, WSRM Cell, MMRDA, Mumbai, Bandra (East). MMRDA is the planning and implementing agency for all infrastructure development project including Water Resource Development and other related works for the Mumbai Metropolitan Region (MMR).

Mira Bhayander Municipal Corporation with an area of 79 Sq. Km. Due to close proximity to greater Mumbai, the Mira Bhyander City is experiencing very rapid urban growth. The requirement of the water in the year 2011 is 122 MLD, in year 2016 – 154 MLD and expected demand in year 2021 is 195 MLD. It seen that shortfall in the year 2021 is 75 MLD which is nearly 38.5%.

Vasai-Virar Sub Region is covers 380 Sq Km. Presently the City receives 140 MLD from four different sources. The requirement of the water in the year 2011 is 183 MLD, in year 2016 – 240 MLD and expected demand in year 2021 is 311 MLD. It seen that shortfall in the year 2011 is 43 MLD which is nearly 23%. The situation become alarming unless water supply is augmented.

MMRDA Mumbai has decided to take up water resources development projects and 403 MLD water supply systems to meet the growing demand of drinking water in the western region of western sub region comprising of Vasai-Virar City Municipal Corporation (VVCMC), Mira Bhayander Municipal Corporation (MBMC) and 27 villages outside VVCMC area. The project include water supply scheme to bring water from Surya source owned by Irrigation Department of Government of Maharashtra situated about 54kms beyond the boundary of western sub-region of MMR.

The project is aimed at improving enhancing the existing water supply of drinking water of Western Sub –region of MMR.

Considering the public utility of project for drinking water and is in public interest Therefore the Project Authority has submitted the proposal for approval under Section 2 of Forest (Conservation) Act 1980.

3. The Deputy Conservator of Forests Dahanu, Thane and Chief Conservator of Forests, Sanjay Gandhi National Park, Borivali have certified that no suitable

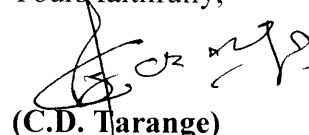
alternate Non Forest Land is available other than proposed in alignment and the demand for the land is minimum.

4. The Project involves felling of 2109 trees.
5. The Deputy Conservator of Forests Dahanu, Thane and Chief Conservator of Forests, Sanjay Gandhi National Park, Borivali have certified that there is no violation of Forest (Conservation) Act 1980 or its guidelines.
6. The Deputy Conservator of Forests Dahanu, Thane and Chief Conservator of Forests, Sanjay Gandhi National Park, Borivali have 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.
7. The Deputy Conservator of Forests Dahanu, Thane and Chief Conservator of Forests, Sanjay Gandhi National Park, Borivali have certified that the proposed site is not likely to affect any monuments site of cultural, historical, religious archeological or recreational importance.
8. The Deputy Conservator of Forests Dahanu, and Thane, certified that the proposed area is not included in National Park/Wild Life Sanctuary. Chief Conservator of Forests, Sanjay Gandhi National Park, Borivali certified that 0.781 ha is inside Tungareshwar Wildlife Sanctuary.
9. Eco-Value class I having Dense and very dense area.
10. **Distance of Project from Protected area :-**
 - a) The Deputy Conservator of Forests Dahanu certified that the proposed area 24.219 ha is not within 10 Kms distance of Protected area.
 - b) The Deputy Conservator of Forests, Thane certified that the proposed area 3.000 ha are located at a distance of 0.00 meter to 5573.00 meter from the boundary of Tungareshwar Wildlife Sanctuary (Deemed Eco-Sensitive Zone) .
 - c) The Chief Conservator of Forests, Sanjay Gandhi National Park, Borivali certified that the forest area 3.180 ha is located at a distance of 0.00 meter to 300 meter from the boundary of Sanjay Gandhi National Park & Tungareshwar Wildlife Sanctuary. Private Survey No 28,21,34/2 are located within Eco Sensitive Zone of Sanjay Gandhi National Park, Borivali and Private Survey No 20,26 are located within 10 Km distance from the boundary of Tungareshwar Wildlife Sanctuary (Deemed Eco-Sensitive Zone).

11. The Deputy Conservator of Forests Alibag, has certified that Non Forest land 31.00 ha of Survey No 23/11 of Village-Aghai, Tal-Pen, Distt-Raigad proposed for Compensatory afforestation is suitable for plantation and Management purpose also it is free from encroachment and encumbrances.
12. The Deputy Conservator of Forests Alibag has certified that the non forest land of Survey No 23/11 of Village-Aghai, Tal-Pen, Distt-Raigad, area 31.00 ha proposed for Compensatory afforestation is not included in the area as forest as identified by the expert Committee appointed under the judgment of the Hon'ble Supreme Court order dated 12/12/1996 and also this land is not acquired under the provisions of Private Forest (Acquisition) Act 1975 by virtue of application of section 35 of the Indian Forest Act 1927 and is not recognized as deemed reserved forest.
13. The Deputy Conservator of Forests Dahanu, Thane, and Chief Conservator of Forests, Sanjay Gandhi National Park, Borivali certified that all other alternatives for the project proposal have been explored and required forest area is barest minimum demand.
14. The User Agency has submitted an undertaking to defray the cost of Net Present Value of forestland proposed for diversion.
15. The User Agency agrees to bear the cost of clearance/removal of the vegetation growth from the forest land proposed for diversion.
16. The User Agency has submitted that Environment clearance is not necessary in this project.
17. The User Agency agrees to provide water supply from the storage of the project as per the requirement of Forest Department for afforestation at the rate of prevailing rate at the time of water supply as fixed by Government.
18. The User Agency has submitted the Cost Benefit Analysis as per GOI guidelines dated 01/08/2017.
19. The User Agency has submitted that Catchment Area Treatment Plan is not necessary in this project.
20. The User Agency has submitted the copy of CRZ Clearance for the project issued vide GOI letter dated 20/10/2017 .
21. The User Agency has submitted partly compliance of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Rights) Act 2006.
22. The User Agency has also submitted the proposal for Wildlife Clearance. The proposal has been recommended along with the conditions and the wildlife mitigation measures stipulated by the State Wildlife Warden in Standing Committee of National Board for wildlife meeting held on 13/06/2018.

23. 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.
24. 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 on the 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,



(C.D. Tarange)
Under Secretary to the
Government of Maharashtra

Encl:

- A) Set of case papers
- 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. Brief note of the project from the Project Authority
 6. Map of non-forest land for Compensatory Afforestation
 7. Site Inspection Report.
 8. Certificate that there is no violation of Forest (Conservation) Act, 1980.
 9. Certificate in Part-V

Copy to:

1. Secretary (Tribal), Tribal Development Department, Mantralaya, Mumbai.
2. Additional Principal Chief Conservator of Forests and Nodal Officer, Maharashtra State, Nagpur with reference to his letter no. Desk-17/NC/II/I.D-12606/(64)/801/2018-19, dated 06.07.2018.
3. Additional Principal Chief Conservator of Forests (CAMPA), M. S., Nagpur.
4. Chief Conservator of Forests (T), Thane.
5. Collector, Thane / Palghar.
6. Superintendant Engineer, WSRM Cell, MMRDA, Mumbai, Bandra (East).
7. Select File F-10.