



Government of Maharashtra
• Forest Department •

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**Office of the Deputy Conservator of Forests,
Shahapur Forest Division, Shahapur**
Shahapur-Asangaon Road, Old Agra Road, At Asangaon, Post Taluka Shahapur,
District Thane 421 601

No. Desk-6(3)/20/Land/ 1420 /2024-25

Date 31 / 7 / 2024

✓ To,
Deputy Chief Engineer (Construction),
Back side of Central Railway Reservation office,
Javhar Road, Ghatkopar west Mumbai - 400 077.

Subject:- Proposal for diversion of 16.6846 ha. forest land for construction of 3rd Railway Line between Kalyan to Kasara stations of 67.62 km in Ulhasnagar, Kalyan & Shahapur Talukas in Thane District in the state of Maharashtra (FP/MH/RAIL/41780/2019)

Ref.:- MoEF&CC, Integrated Regional Office, Nagpur letter no. FC-I/ MH-219/2023-NGP/3374, dated 19/7/2024

Please refer to the letter No. FC-I/MH-219/2023-NGP/3374, dated 19/7/2024 from GOI Regional Office (WCZ) Nagpur under which, In-Principle approval for diversion of 67.62 ha. of forest land for construction of 3rd Railway Line between Kalyan to Kasara stations of 67.62 km in Ulhasnagar, Kalyan & Shahapur Talukas in Thane District in the state of Maharashtra has been accorded.

While approving the proposal In-principle, the GOI Regional Office (WCZ) Nagpur has laid down some conditions, which are to be fulfilled by you as User Agency.

Unless the conditions are fulfilled, the proposal in question will not be considered for its final approval. So also tree felling & working permission on the forest land will not be granted by the Chief Conservator of Forests (T) Thane.

The point-wise compliance of conditions imposed by GOI Regional Office (WCZ) Nagpur is as under:-

Sr No.	Condition laid down	Action to be taken by the user agency to fulfill the same
1	2	3
i.	The legal status of forest land will remain unchanged;	The User Agency has to submit an undertaking in this regard.

ii.	The demarcation of the proposed forest area shall be carried out by erecting 4 feet high cement concrete pillars duly numbered at an interval of 20 meters from the amount realized from the User Agency;	<p>The User Agency has to deposit the total amount of Rs. 90,70,660/- for erecting four feet high reinforced cement concrete pillars on the boundary of the diverted forest land.</p> <table><tr><th>Sr. No</th><th>Division</th><th>Area in ha.</th><th>Amount</th></tr><tr><td>1.</td><td>Shahapur</td><td>15.975</td><td>84,83,150/-</td></tr><tr><td>2.</td><td>Thane</td><td>0.573</td><td>4,57,000/-</td></tr><tr><td>3.</td><td>Thane Wild Life</td><td>0.1366</td><td>1,30,510/-</td></tr><tr><td colspan="3">Total</td><td>90,70,660/-</td></tr></table>	Sr. No	Division	Area in ha.	Amount	1.	Shahapur	15.975	84,83,150/-	2.	Thane	0.573	4,57,000/-	3.	Thane Wild Life	0.1366	1,30,510/-	Total			90,70,660/-
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iii.	Compensatory Afforestation, shall be taken up by the Forest Department over 17.00 ha. Non-forest land in Survey No. 56, at Beat-Waranga, Village Bhosi, Taluka-Kalamnuri, District- Hingoli at the cost of the User Agency. As far as possible, a mixture of local indigenous species along with 10% RET species of Hingoli District shall be planted and monoculture of any species may be avoided.	<p>The User Agency has to deposit the amount of Rs. 1,43,67,176/- @ Rs. 8,45,128/- per ha. (Model No. 5 i.e. Fencing and Irrigated Plantation) for the year 2024-25 as per the ready reckoner issued by the Principal Chief Conservator of Forests (Head of Forest Force) Maharashtra State, Nagpur vide letter no. Desk-17/Nocel/CA/Estiamte. rate/1312/13-14; dated 13/11/2013 for Compensatory Afforestation on 17.00 ha. and submit an undertaking in this regard.</p>																				
iv.	Entire Non-forest area identified for CA purpose shall be fenced, CA scheme shall be revised accordingly;																					
v.	The entire extent of 17.00 ha. of non-forest land identified for CA in Survey No. 56, at Beat- Waranga, Village Bhosi, Taluka-Kalamnuri, District- Hingoli shall be transferred and mutated in the name of Forest Department and notified as RF/PF prior to Stage-II approval. A copy of the original notification declaring the non-forest land under Section 4 or Section 29 of the Indian Forest Act, 1927 or under the relevant section of the State forest Act as the case may be, will be submitted by the State Government prior to Stage-II																					

vi.	The cost of compensatory afforestation at the prevailing wages rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars on the CA land shall be deposited in advance with the designated CAMPA account by the project authority. The CA will be maintained for 10 years. The scheme my included appropriate provision for anticipated cost increase for works scheduled for subsequent years. CA scheme shall be implemented in time bound manner as per Van (SamvardhanEvamSanrakshan) Rules, 2023;	The User Agency has to deposit the total amount of Rs. 3,89,800/- for erection of permanent pillars on the CA land. And the User Agency has to submit an undertaking to pay the additional amount of CA, if so determined by the State Forest Department.																				
vii.	The State Government shall charge the Net Present Value (NPV) of the forest land being diverted (16.6846 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 28/03/2008, 24/04/2008 and 09/05/2008 in IA No. 566 in Writ Petition (Civil) No. 202/1995 and the guidelines issued by this Ministry vide its letter No. 5-1/1998-FC dated 18/9/2003, letter No. 5-2/2006-FC dated 3/10/2006, letter No. No. 5-3/2007-FC dated 05/02/2009, letter No. 5-3/2011-FC (Vol-I) dated 6/1/2022 and letter No. 5-3/2011-FC (Vol-I) dated 22/3/2022 in this regard;	<p>The User Agency has to deposit the total amount of Rs. 2,33,89,268/- of Net Present Value as per the orders of the Hon'ble Supreme Court of India dated 28/03/2008, 24/04/2008 and 09/05/2008 in Writ Petition (Civil) No. 202/1995 and the guidelines issued by this Ministry vide its letter No. 5-3/2011-FC (Vol-I) dated 06/01/2022 in this regard.</p> <table><tr><th>Sr. No</th><th>Division</th><th>Area in ha.</th><th>Amount</th></tr><tr><td>1.</td><td>Shahapur</td><td>15.975</td><td>2,19,86,441/-</td></tr><tr><td>2.</td><td>Thane</td><td>0.573</td><td>6,39,984/-</td></tr><tr><td>3.</td><td>Thane wild life</td><td>0.1366</td><td>7,62,843/-</td></tr><tr><td colspan="3">Total</td><td>2,33,89,268/-</td></tr></table>	Sr. No	Division	Area in ha.	Amount	1.	Shahapur	15.975	2,19,86,441/-	2.	Thane	0.573	6,39,984/-	3.	Thane wild life	0.1366	7,62,843/-	Total			2,33,89,268/-
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viii.	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 form the User Agency. The User Agnecy shall furnish as undertaking to this effect;	The User Agency has to submit an undertaking to pay the additional amount of NPV, if so determined by the State Forest Department.																				
ix.	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	The User Agency has to deposit the amount required for tree felling in the diverted forest land to concerned Divisions through Demand Draft as mentioned below.																				

	with the State Forest Department. Maximum numbers of trees in outer Row will be kept intact;	<table><tr><th>Sr. No</th><th>Division</th><th>Area in ha.</th><th>Amount</th></tr><tr><td>1.</td><td>Shahapur</td><td>15.975</td><td>21,82,387/-</td></tr><tr><td>2.</td><td>Thane</td><td>0.573</td><td>11,93,963/-</td></tr><tr><td>3.</td><td>Thane wild life</td><td>0.1366</td><td>2,75,950/-</td></tr><tr><td colspan="3">Total</td><td>36,52,300/-</td></tr></table>	Sr. No	Division	Area in ha.	Amount	1.	Shahapur	15.975	21,82,387/-	2.	Thane	0.573	11,93,963/-	3.	Thane wild life	0.1366	2,75,950/-	Total			36,52,300/-
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x.	All the funds received from the User Agency under the project shall be transferred/deposited to CAMPa fund only through e-portal (https://parivesh.nic.in/);	<p>The User Agency has to deposit the total amount of Rs. 4,72,16,904/- (in words Rupees Four Crore Seventy Two Lakh Sixteen Thousand Nine Hundred and Four only) in CAMPA account through through e-portal (https://parivesh.nic.in/) and submit the copy of Challan/RTGS Acknowledgement of the payment deposited with the compliance report.</p> <p>The User Agency has to deposit the amount of Rs. 21,82,387/- to DCF Shahapur and Rs. 11,93,963/- to DCF Thane and Rs.2,75,950/- to DCF Wild Life Thane required for tree felling through Demand Draft.</p>																				
xi.	The State Government, Maharashtra/Nodal Officer (FCA), Mahahrashtra shall ensure settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (No. 2 of 2007) before issuing an order for handing over of forest land to the User Agnecyas per the provision of Van (SamvardhanEvamSanrakshan) Rules, 2023;	The User Agency has to submit Original FRA, 2006 certificate issued by District Collector, Thane and District Collector, Thane along with English translated copies of documentary evidences in the form of copies of the resolutions of the concerned Forest Rights Committee(s), Gram Sabha(s), Sub-Division Level Committee(s) recording their consent for the proposal and bearing signature of the participants.																				
xii.	The User Agnecy shall strictly comply with all recommendation/mitigation measures stipulated by the SC NBWL at the project cost and State Forest Department shall ensure strict compliance to that effect;	The User Agency has to submit an undertaking in this regard.																				
xiii.	Speed regulating signages will be erected along the road at regular intervals in the Protected Areas/Forest Areas;	The User Agency has to submit an undertaking in this regard.																				
xiv.	User Agency shall obtain Environmetal Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;	The User Agency shall submit Environmetal Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.																				

xv	The layout plan of the proposal shall not be changed without prior approval of Central Government;	The User Agency has to submit an undertaking in this regard.
xvi	No labour camp shall be established on the forest land	The User Agency has to submit an undertaking in this regard.
xvii	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;	The User Agency has to submit an undertaking in this regard.
xviii	No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;	The User Agency has to submit an undertaking in this regard.
xix	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;	The User Agency has to submit an undertaking in this regard.
xx	The total forest area utilized for the project shall not exceed 16.6846 ha. and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal. The User Agency shall furnish an undertaking to this effect;	The User Agency has to submit an undertaking in this regard.
xxi	The forest land proposed to be diverted shall under no circumstances be transferred/sublet to any other agencies, department or person without prior approval of Govt. of India;	The User Agency has to submit an undertaking in this regard.
xxii	Violation of any of these conditions will amount to violation of as per the provision of Van (SamvardhanEVamSanrakshan) Adhiniyam, 1980 and rules/guidelines issued thereunder;	The User Agency has to submit an undertaking in this regard.
xxiii	Any other condition that the Ministry of Environment, Forests and Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests and wildlife	The User Agency has to submit an undertaking in this regard.
xxiv	The compliance report shall be uploaded on e-portal (https://parivesh.nic.in/);	The User Agency shall upload the compliance report on e-portal (https://parivesh.nic.in/).

xxv	Before issuing of working permission, the State Government shall ensure compliance of all such conditions as per the provision of Van (SamvardhanEvamSanrakshan) Rules, 2023 like cost towards CA, NPV etc. WL plan and RoFR certificate and notification of non forest area identified for CA in to RF/PF etc.	The User Agency shall take note that the working permission will be issued only after the compliance of all such conditions as per the provision of Van (SamvardhanEvamSanrakshan) Rules, 2023 like cost towards CA, NPV etc. WL plan and RoFR certificate and notification of non forest area identified for CA in to RF/PF etc.
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It is, therefore, requested to comply the above conditions at the earliest so as to enable this office to process the proposal further for obtaining formal approval from GOI. It is also requested to you that unless and until the working permission is issued from the Chief Conservator of Forests (T) Thane, the work under the said project should not be started in the forest area, otherwise it will be treated as violation of the provisions of Forest (Conservation) Act, 1980 and the necessary action will be taken as per the guidelines of Forest (Conservation) Act, 1980.


(Sachin Repal)

Dy. Conservator of Forests
Shahapur Forest Division, Shahapur

Copy submitted to the Additional Chief Conservator of Forest and Nodal Officer, Maharashtra State, Nagpur for information.

Copy submitted to Chief Conservator of Forest (T) Thane, and Chatrapati Sanbhaji Nagar for information.

Copy forwarded for information and necessary action to:

1. Deputy Conservator of Forests, Thane
2. Deputy Conservator of Forests, (Wildlife) Thane
3. Divisional Forest officer, Hingoli

Copy for information and necessary action to:

1. Asst. Conservator of Forest, (FLCS & CAMPA) Shahapur
2. Range Forest Officer, Shahapur, Khardi, Vihigaon

Sd/-

(Sachin Repal)

Dy. Conservator of Forests
Shahapur Forest Division, Shahapur