



भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE
Regional Office, Ground Floor, East Wing,
New Secretariat Building Civil Lines, Nagpur – 440001,
apccfcetral-ngp-mef@gov.in



F.No. FC-III/MH-219/2023-NGP/ 13374

Date: 19.07.2024

To,

The Principal Secretary (Forests),
Revenue and Forest Department,
Hutatma Rajguru Chowk
Madam Cama Marg, Mantralaya, Mumbai– 400032.

Sub: Diversion of 16.6846 ha of forest land in favour of Central Railway, Ghatkopar for construction of third Railway line between Kalyan to Kasara station of 67.62 km in Ulhasnagar, Kalyan and Shahapur Talukas in Thane District in the State of Maharashtra- regarding.

Sir,

The undersigned is directed to refer to the Government of Maharashtra's letter no. FLD-1923/CR.20/F-10 dated 25.05.2023 and APCCF & Nodal Officer (FCA), Maharashtra Letter No. Desk-17/Nodal/Thane/ID-13361(78)/2430/2022-23 dated 19.12.202 on the above subject seeking prior approval of the Central Government under Section-2 of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.

After careful consideration of the proposal and with the approval of the **Regional Empowered Committee (REC)**, I am directed to convey the Central Government's **In-principle** approval under **Section '2' of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980** for diversion of **16.6846 ha** of forest land in favour of Central Railway, Ghatkopar for construction of third Railway line between Kalyan to Kasara station of 67.62 km in Ulhasnagar, Kalyan and Shahapur Talukas in Thane District in the State of Maharashtra, subject to the fulfilment of the following conditions:

- i. Legal status of the forest land shall remain unchanged;
- 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;
- 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.
- 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 approval;**

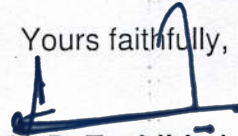
- vi. The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars on the CA land shall be deposited in advance with the designated CAMPA account by the project authority. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years. CA scheme shall be implemented in time bound manner as per **Van (Samvardhan Evam Sanrakshan) Rules, 2023;**
- vii. The State Government shall charge the Net Present Value (NPV) for the **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 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, letter No. 5-2/2006-FC dated 03/10/2006, letter No. 5-3/2007-FC dated 05/02/2009, letter No. 5-3/2011-FC(Vol-I) dated 06.01.2022 and letter No. 5-3/2011-FC(Vol-I) dated 22.03.2022 in this regard;
- 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 from the User Agency. **The User Agency shall furnish an undertaking to this effect;**
- 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 with the State Forest Department. Maximum numbers of trees in outer RoW will be kept intact;
- 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/>);
- xi. The State Government, Maharashtra/ Nodal Officer (FCA), Maharashtra 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 Agency **as per the provision of Van (Samvardhan Evam Sanrakshan) Rules, 2023;**
- xii. **The User Agency 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;**
- xiii. Speed regulating signages will be erected along the road at regular intervals in the Protected Areas/ Forest Areas;
- xiv. User Agency shall obtain Environmental 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;
 - xvi. No labour camp shall be established on the forest land;
 - 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;
 - xviii. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;
 - 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;
 - 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;**
 - 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;
 - xxii. Violation of any of these conditions will amount to violation of **as per the provision of Van (Samvardhan Evam Sanrakshan) Adhiniyam, 1980 and rules / guidelines issued thereunder;**
 - xxiii. 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;
 - xxiv. The compliance report shall be uploaded 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 (Samvardhan Evam Sanrakshan) Rules, 2023 like cost towards CA, NPV et, WL plan and RoFR certificate and notification of non forest area identified for CA in to RF/PF etc.**

The in-principle approval shall be valid for a period of **2 years** from the date of issue of the same. In the event of non- compliance of the above conditions within the stipulated period, this in-principle approval **shall be deemed to be null and void.**

This order issues with the approval of DDGF(C), Regional Office, MoEF&CC, Nagpur.

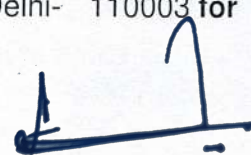
Yours faithfully,

(C.B. Tashildar)
AIGF (Central)

Copy to:

- i. The IGF (RoHQ), Ministry of Environment, Forest and Climate Change, Indira

Paryavaran Bhawan, Jorbagh Road, Aliganj, New Delhi- 110003 for
information please.

- ii. The PCCF (HoFF), Government of Maharashtra, Nagpur.
- iii. User agency.
- iv. Guard file.



(C.B. Tashildar)
AIGF (Central)