

**Government of Maharashtra**

No.FLD- 2023/CR-188/F-10

Revenue and Forest Department,  
Mantralaya, Mumbai - 400 032.

Dated:- 28.06.2023.

To,

Regional Officer (Central),  
Integrated Regional Office, MoEF&CC,  
Government of India, Civil Lines, Nagpur.

**Subject: Forest Land-Mumbai Suburban**

Diversion of 0.018 ha. Unclassed forest land under section 2 of the Forest (Conservation) Act, 1980 for widening of existing Kulupwadi Road connecting Western Express Highway, Borivali (East), Mumbai Municipal Corporation of Greater Mumbai in the State of Maharashtra (FP/MH/ROAD/37039/2018)

The Additional Principal Chief Conservator of Forests, Maharashtra State, Nagpur has submitted proposal for Diversion of 0.018 ha. Unclassed forest land under section 2 of the Forest (Conservation) Act, 1980 for widening of existing Kulupwadi Road connecting Western Express Highway, Borivali (East), Mumbai Municipal Corporation of Greater Mumbai.

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

Sr. No	Item work purpose	District	Name of Village	Survey/ Gut No.	Length & Width	Area (in ha.)	Legal Status
1	widening of existing Kulupwadi Road connecting Western Express Highway, Borivali (East), Mumbai Municipal Corporation of Greater Mumbai	Mumbai Suburban	Kanheri	CTS No.537(pt)	20.00 x 9.00	0.018	Unclassed Forest
Total Forest Land (in ha.)						0.018	

2. The said road is 18.30 mtr. D.P.Road i.e. Kulupwadi Road is running from Western Express Highway junction to Horizon Green Society and having near about 40 housing societies, 2 corporate offices and 2 no. of schools exists in the locality. The land under reference having CTS No.537 is situated at the junction of the Western Express Highway and

the existing road which is known as Kulupwadi Road. MCGM has sanctioned road line of 18.30 mts wide for this road. At this junction, a bottleneck is created due to existing bungalow structures of forest department creating a blind turn while negotiating and therefore causing a great hardship and hurdle to the vehicular traffic of local users, public transport and private school buses during peak hours.

**3. The Conservator of Forests & Director, Sanjay Gandhi National Park, Borivali has certified that:-**

- No alternate alignment is possible and the forest land required is lowest minimum.
- The area belongs to Eco-value class-I having density is below 0.1.
- There are 12 trees of various species and trees involved in implementation of the project. The Girth wise break up is as under:-

Tree Girth in Cm.									
0-30	31-45	46-60	61-75	76-90	91-105	106-120	121-135	136 above	Total
0	1	4	0	2	3	2	0	0	12

- Proposed project is not likely to affect any monumental site of cultural, historical, religious, archaeological or recreational importance.
- There is no violation of Forest (Conservation) Act, 1980.
- Proposed project is within 10.00 Km of the protected area of Sanjay Gandhi National Park and part of ESZ.
- 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.
- The proposed project is State Government's Critical Public Utility & Welfare Project. The project involves forest land to the extent of 0.018 ha. which is less than 1.00 ha.. As per para 2.6 (1) (b) & (e) of the handbook of FCA, 1980 & FCA, 2003 (Guidelines & Clarification), no compensatory afforestation is to be insisted upon.
- There is no alternative alignment possible as this is widening of existing road.
- The proposed area is part of the Sanjay Gandhi National Park. But, the said area is outside the protected area of Sanjay Gandhi National Park. Therefore, there is no need for wildlife mitigation plan.

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

4.1 to bear the cost of Net Present Value.

4.2 to defray the cost of Compensatory Afforestation.

5. User Agency has submitted certificate under FRA, 2006 for village Magathane CTS No. 537 (Part).

6. The Conservator of Forests & Director, Sanjay Gandhi National Park, Borivali has recommended the said proposals subject to compliances of the following conditions:-

- Getting prior permission of monitoring committee of ESZ of Sanjay Gandhi National Park before commencement of the road works in the project area.
- Construction of cement concrete wall with barbed wire fencing on top of it (as per specifications given by SGNP Authorities) along the boundary of the Sanjay Gandhi National Park parallel to Western Express Highway from Kulupwadi Junction to Dahisar River.
- Construction of cement concrete wall with barbed wire fencing on top of it (as per specifications given by SGNP Authorities) along the boundary of the Sanjay Gandhi National Park from Dharkhadi to Rongte Khadan (1680 Mtr)
- Construction of 6 Type-II staff quarter building for field staff of SGNP as per the design and dimensions provided by the SGNP Authorities.

7. As per Central Government guidelines, it is necessary to have number of trees to be felled less than 10 to get approval from the State Government level. However, in the said proposal there will be felling of 12 trees.

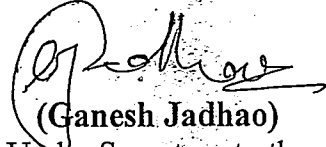
8. The Principal Chief Conservator of Forests (HoFF), Maharashtra State, Nagpur has recommended the proposal subject to the conditions, given in his specific recommendations, under Section-2 (ii) of the Forest (Conservation) Act, 1980. His specific recommendations are enclosed in the proposal.

9. In the circumstances explained in aforesaid paragraphs and enclosures, the State Government recommends that the said forest land may be allowed to be diverted subject to the conditions proposed by the Conservator of Forests & Director, Sanjay Gandhi National Park and Principal Chief Conservator of Forests (HoFF), Maharashtra State, Nagpur in addition to following conditions:-

*- Conservator of Forests & Director, Sanjay Gandhi National Park shall ensure that the certificate under FRA-2006 submitted by the User Agency is valid for the proposed forest area.*

*- User Agency shall obtain any other Statutory Clearances, if needed.*

The matter may kindly be placed before the Central Government for approval under Section-2 (ii) of the Forest (Conservation) Act, 1980.



(Ganesh Jadhao)  
Under Secretary to the  
Government of Maharashtra  
Under Secretary  
Revenue and Forests Department  
Hutalima 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. Commitment from the Applicant for defraying the cost of Net Present Value & Compensatory Afforestation.
4. Brief note of the project
5. Site Inspection Report.
6. Certificate in Part IV.

**Copy:**

1. Secretary, Ministry of Environment, Forests & Climate Change, New Delhi
2. Regional Officer (Central), Integrated Regional Office, Nagpur
3. Principal Chief Conservator of Forests & C.E.O, Maha-CAMPA, Nagpur
4. Additional Principal Chief Conservator of Forests and Nodal Officer, Nagpur
5. Additional Principal Chief Conservator of Forests (Wildlife) West, Mumbai
6. Conservator of Forests & Director, Sanjay Gandhi National Park, Borivali
7. Executive Engineer (DP), P & R Ward, Municipal Corporation Greater Mumbai, Mumbai
8. Select File (F-10)

**Sub:- Forest Land-Mumbai Suburban**

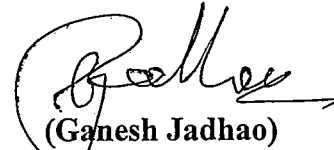
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(FP/MH/ROAD/37039/2018)

**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-2023/CR-188/F-10  
Dated:-28.06.2023



**(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

**Place: Mumbai**

**Date:-28.06.2023**