

## Government of Maharashtra

No.FLD-1223/CR-86/F-10

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

Dated:- 27.03.2023

To,

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

### Subject: Forest Land-Thane

Diversion of 12.2607 ha. forest land (Mangrove) under section 2 of the Forest (Conservation) Act, 1980 for development of construction of Balkum to Gaimukh DP Road (NH-3 Connector Ghodbunder By-pass) by Thane Municipal Municipal Corporation at Village Kharigaon, Balkum, Kolshet, Kavesar, Wadavli, Bhayanderpada and Mogharpada in Tal. Thane, Dist. Thane in the State of Maharashtra.

The Additional Principal Chief Conservator of Forests, Maharashtra State, Nagpur has submitted proposal for diversion of 12.2607 ha. forest land (Mangrove) under section 2 of the Forest (Conservation) Act, 1980 for development of construction of Balkum to Gaimukh DP Road (NH-3 Connector Ghodbunder By-pass) by Thane Municipal Municipal Corporation at Village Kharigaon, Balkum, Kolshet, Kavesar, Wadavli, Bhayanderpada and Mogharpada in Tal. Thane, Dist. Thane in the State of Maharashtra.

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

Sr. No	Item work purpose	District	Name of Village	Taluka	Khasara/ Survey/ Compt. No.	Length & Width	Area (in ha.)	Legal Status
1	Development of Construction of Balkum to Gaimukh DP Road (NH-3 Connector Ghodbunder By-pass) by Thane Municipal in the State of Maharashtra	Thane	Kharigaon	Thane	73	25 x 40	0.1009	Un-Notified Forest
					77	92 x 40	0.3675	Reserved Forest (Section-4)
					S/3	27 x 40	0.1094	Un-Notified Forest
2			Balkum	Thane	S/2 Pt	82 x 40	0.3284	Un-Notified Forest
					178 Pt	23 x 40	0.0940	Forest
					182 Pt	153 x 40	0.6118	Reserved Forest (Section-4)
					R/1 Pt	126 x 40	0.5038	Un-Notified Forest
					134/1	187 x 40	0.7477	Reserved Forest

3							(Section-4)			
					O/8 Pt	28 x 40	0.1093	Un-Notified		
					135 Pt	23 x 40	0.0914	Forest		
					127/1	5 x 45	0.0199	Reserved Forest (Section-4)		
					59 is Pt	1 x 45	0.0050	Private forest		
					P/1 Pt	63 x 45	0.2831	Un-Notified Forest		
					55 Pt	6x 45	0.0274	Reserved Forest (Section-4)		
					32 Pt	7 x 45	0.0311	Un-Notified Forest		
					33 Pt	10 x 45	0.0487	Private forest		
					59/2	30 x 45	0.1386	Reserved Forest (Section-4)		
					31 Pt	25 x45	0.1079	Private forest		
					Kolshet	Thane	293 Pt	28 x 45	0.1276	Private Forest
							36/1 B, 2	63 x 45	0.2816	Reserved Forest (Section-4)
							28 Pt	40 x 45	0.1812	Un-Notified Forest
							29 Pt	41 x 41	0.2040	Un-Notified Forest
							29/2	41 x 45	0.1650	Reserved Forest (Section-4)
							30/1,3	53 x 45	0.2395	Reserved Forest (Section-4)
							294 Pt	132 x 45	0.5958	Private Forest
							25/1A,2,4	60 x 45	0.2665	Reserved Forest (Section-4)
							246 Pt	3 x 45	0.0122	Un-Notified Forest
							245 Pt	52 x 45	0.2372	Private Forest/MCGM Land
							244 Pt	43 x 45	0.1961	Private Forest
							286/1	292 x 45	1.3140	Reserved Forest (Section-4)
							242 Pt	86 x 45	0.3899	Private Forest
							295 Pt	205 x 45	0.9246	Reserved Forest (Section-4)
							277 Pt	308 x 45	1.3829	
							O/2 Pt	43 x 45	0.1926	Un-Notified Forest
							S/1 Pt	12 x 45	0.0565	Un-Notified Forest
							223 Pt	35 x 45	0.1564	Private Forest
							296 Pt	59 x 45	0.2659	Private Forest
							278 Pt	38 x 45	0.1727	Private Forest
					297 Pt	20 x 45	0.0921	Un-Notified Forest		

4			Kavesar	Thane	314 Pt	8 x 40	0.0311	Reserved Forest (Section-4)
					315 Pt	17 x 40	0.0682	Reserved Forest (Section-4)
					Creek	36 x 40	0.1463	Un-Notified Mangrove Forest
					49Pt	5 x 40	0.0188	Un-Notified Mangrove Forest
					302/8	27 x 40	0.1079	Reserved Forest (Section-4)
					266 Pt	21 x 40	0.0843	Un-Notified Mangrove Forest
5			Wadavli	Thane	129 Pt	21 x 40	0.0826	Un-Notified Mangrove Forest
					128 Pt	4 x 40	0.0150	Un-Notified Mangrove Forest
					126/3	1x 40	0.0013	Reserved Forest (Section-4)
6			Bhayander pada	Thane	8 Pt	50 x 45	0.2211	Private Forest
					31 Pt	18 x 45	0.0809	Private Forest
					9 Pt	5 x 45	0.0253	Un-Notified Mangrove Forest
					10 Pt	8x 45	0.0361	Private Forest
			Mogharpada	Thane	30	40 x 40	0.1619	Un-Notified Class-2 Land
<b>Total Forest Land (in ha.)</b>							<b>12.2607</b>	

2. Thane Municipal Corporation (TMC) has decided to develop and strengthen the linkages and connectivity. The proposed road intends to develop alternative bypass road to Ghodbunder Road. The project road starts at Ghodbunder Road (SH 42) and Ends at NH-3 near Ulhas creek on Mumbai Nashik Highway (NH-3). The link will connect Thane with regional corridors and also provide easy access for vehicles travelling between JNPT, Navi Mumbai, Mumbai, Thane and Bhiwandi that will not have to make a detour via Ghodbunder. It will divert the traffic between Navi Mumbai & Thane from Ghodbunder Road with Thane city to outside the city and will help reduce traffic congestion within the city. The proposed connectivity will be serving as connectivity between the major roads of the MMR Region i.e. Ghodbunder Road and National Highway 3 (Mumbai Nashik Highway).

**3. The Divisional Forest Officer, Mumbai Mangrove Conservation Unit has certified that:-**

- 3.1 No alternate alignment is possible and the forest land required is barest minimum.
- 3.2 The area belongs to Eco value class-II, having Density is 0.1 to 0.4.

- 3.3 There are 1546 Mangrove and not-mangrove trees of various species and tress involved in implementation of the project. The Girth wise break up is as under:-

0-30	31-45	46-60	61-75	76-90	91-105	106-120	121-135	136-Above	Total
193	680	385	121	70	64	24	5	4	1546

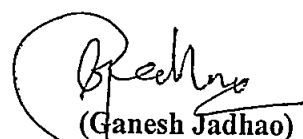
- 3.4 Proposed project is not likely to affect any monumental site of cultural, historical, religious, archaeological or recreational importance.
- 3.5 The area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc.
- 3.6 There is no violation of Forest (Conservation) Act, 1980.
- 3.7 Proposed project is 0.49 Km from Sanjay Gandhi National park and it is also not included in the Eco-sensitive Zone of Sanjay Gandhi National Park. Thane Creek Flamingo Sanctuary is 6.0 km from proposed area for diversion. The Sanjay Gandhi National Park Sanctuary is notified vide Government of Maharashtra gazette dated 16/01/1996 and Thane Flamingo Sanctuary is notified vide Government of Maharashtra letter dated 06/08/2015. The copy of the same is enclosed herewith.
- 3.8 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.
- 3.9 Proposed Compensatory Afforestation over 15.00 ha. Non forest land in Survey No.34, at village Kukudheti, Tal. Sindewahim Dist. Chandrapur the said area is contiguous to the reserve/protected forest of Tadoba Buffer. The canopy density of the said land is more than 0.4 ha. Hence the area not be suitable for planation/compensatory afforestation. But the said area falls within the Tadoba Buffer Zone and is very much suitable for management from the Wildlife point of view. The details of alternate forest land for plantation is shown as under:-

The Deputy Conservator of Forests, Wadsa Forest Division, Wadsa has given suitability certificate over 15.00 ha. degraded forest land in Compt. No.45, at Village Mendhebodi, Tal. Wadsa Dist. Gadchiroli and it is contiguous, suitable for afforestation and management purpose and it is free from encroachment and an encumbrances. Though Satellite imagery shows greenery, it is due to widespread local weed called Kututranzi (*Calycopteris floribunda*). It has not economical value and it has badly affected growth of other valuable tree species. So this area should be converted into forest species. So to protect and convert this area into valuable forest afforestation is needed.

- 3.10 The proposed alignment is best suitable from forestry and feasibility point of view.

4. The User Agency has submitted undertakings:-
- 4.1 to bear the cost of exploitation of felling of trees and their allied works in forest land.
  - 4.2 to bear the cost of Compensatory afforestation.
  - 4.3 to bear the cost of Net Present Value.
  - 4.4 to submit compliance under FRA-2006.
  - 4.5 to obtain CRZ clearance.
5. 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.
6. In the circumstances explained in the aforesaid paragraphs and enclosures, the State Government recommends that the said forest land may be allowed to be diverted subject the conditions proposed by the Principal Chief Conservator of Forests (HoFF), Maharashtra State, Nagpur as well as following additional conditions:-
- 1) User agency shall submit Record of Rights and KML File of Proposed Forest land and CA land.
  - 2) User agency shall obtain Wildlife Clearance, if required.
  - 3) If degraded forest land proposed for Compensatory Afforestation found unsuitable, Compensatory Afforestation may be carried out at other suitable land with prior permission of the Central Government.
  - 4) User agency shall obtain CRZ clearance, prior to commencement of the Work.
  - 5) Deputy Conservative of Forests shall submit details regarding alternatives examined.

The matter may kindly be placed before the Government of India for its approval under Section-2 (ii) of the Forest (Conservation) Act, 1980, be obtained and communicated to this Government.

  
(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

**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 V.

**Copy:**

1. Principal Chief Conservator of Forests & C.E.O, Maha-CAMPA, Nagpur
2. Additional Principal Chief Conservator of Forests and Nodal Officer, Maharashtra State Nagpur with reference to his letter No.Desk-17/Nodal/Thane/ID-13107(79)/3447/2022-23, Dt.15.03.2023.
3. Additional Principal Chief Conservator of Forests, Mangrove Mumbai.
4. Divisional Forest Officer, Mumbai Mangrove Conservation Unit.
5. Executive Engineer, Public Works Division, Thane Municipal Corporation.
6. Select File (F-10)

**Sub: Forest Land-Thane**

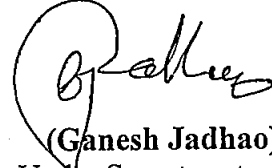
Diversion of 12.2607 ha. forest land (Mangrove) under section 2 of the Forest (Conservation) Act, 1980 for development of construction of Balkum to Gaimukh DP Road (NH-3 Connector Ghodbunder By-pass) by Thane Municipal Municipal Corporation at Village Kharigaon, Balkum, Kolshet, Kavesar, Wadavli, Bhayanderpada and Mogharpada in Tal. Thane, Dist. Thane in the State of Maharashtra.

**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-1223/CR-86/F-10  
Dated:-27/03/2023



(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:-27/03/2023**