



**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
Telephone No.: 02527/272096 Fax No.: 02527/272096
Email: dcfshahapur@gmail.com, dycfshahapur@mahaforest.gov.in

Subject:- Diversion of 383.8535 ha. (Final area 385.6147 ha.) of forest land in favour of Maharashtra State Road Development Corporation Limited, Bandra (W), Mumbai for construction of Nagpur-Mumbai Super Communication Expressway (Package-V) passing through from Village Taranganpada, Igatpuri Tauka, Nashik District to Village Amane, Bhiwand Taluka, Thane District of 78 Kms in the state of Maharashtra – Regarding.

No. Desk-6(3)/20/Land/ 5694 /2018-19
Shahapur 421 601 Dated 16/03/2019

To,

Executive Engineer,
Maharashtra State Road Development
Corporation Limited,
Opposite Bandra Reclamation Bus stop,
Near Lilavati Hospital, K. C. Road,
Bandra (W) Mumbai – 400 050.

Please refer to the letter No. FC-III/MH-35/2018-NGP/4906, dated 06/02/2019 from GOI Regional Office (WCZ) Nagpur under which, In-Principle approval for diversion of 383.8535 ha. (Final area 385.6147 ha.) of forest land for construction of Nagpur-Mumbai Super Communication Expressway (Package-V) passing through from Village Taranganpada, Igatpuri Tauka, Nashik District to Village Amane, Bhiwand Taluka, Thane District of 78 Kms in the state of Maharashtra in your favour 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 to be done 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.	Compensatory Afforestation, over 383.8535 ha. non-forest land shall be raised and maintained by the State Forest Department at the cost of the User Agency;	The User Agency has to deposit the amount of Rs. 40,68,90,220/- @ Rs. 10,55,173/- per ha. (Model No. 5) for the year 2019-20 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 385.6147 ha. and submit an undertaking in this regard.
iii.	CA land for increase in area (385.6147 – 383.8535 ha.) should be identified and submitted adjoining to present CA land along with map on suitable scale, suitability certificate and CA scheme. The proposal shall be considered for working permission from the State Government after receipt of additional CA land;	The User Agency has to arrange additional 1.7612 Ha. non-forest land for CA, adjoining to present CA Land along with map on suitable scale, suitability certificate and CA scheme.
iv.	The non-forest land identified for raising compensatory afforestation shall be transferred and mutated in favour of the State Forest Department before issue of the Stage-II clearance;	The User Agency has to transfer the non-forest land for CA and get mutated in favour of the State Forest Department.
v.	The non-forest land transferred and mutated in favour of the State Forest Department shall be notified by the State Government as RF under Section-4 or PF under Section-29 of the Indian Forest Act, 1927 or under the relevant Section(s) of the local Forest Act, 1927 latest within a period of six months from the date of issue of Stage-II approval. The Nodal Officer shall report compliance in this regard along with a copy of the original notification declaring the non-forest land under Section-4 or Section-29 of the Indian Forest Act, 1927, as the case may be, within the stipulated period to the Central Government for information and record;	The User Agency has no concern, as it relates to DCF Aurangabad.
vi.	The User Agency shall transfer the cost of raising and maintaining the compensatory afforestation, at the current wage rate, to the State Forest Department. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years;	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 (385.6147 ha.) 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	The User Agency has to deposit the total amount of Rs. 33,29,04,494/- 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

	09/05/2008 in Writ Petition (Civil) No. 202/1995 and the guidelines issued by this Ministry vide its letter No. 5-3/2007-FC dated 05/02/2009 in this regard;	the guidelines issued by this Ministry vide its letter No. 5-3/2007-FC dated 05/02/2009 in this regard.																				
		<table><tr><th>Sr. No</th><th>Division</th><th>Area in ha.</th><th>Amount</th></tr><tr><td>1.</td><td>W.Nashik</td><td>39.6679</td><td>24832105</td></tr><tr><td>2.</td><td>Shahapur</td><td>319.1189</td><td>285473657</td></tr><tr><td>3.</td><td>Thane</td><td>26.8279</td><td>22598732</td></tr><tr><td colspan="3">Total</td><td>332904494</td></tr></table>	Sr. No	Division	Area in ha.	Amount	1.	W.Nashik	39.6679	24832105	2.	Shahapur	319.1189	285473657	3.	Thane	26.8279	22598732	Total			332904494
Sr. No	Division	Area in ha.	Amount																			
1.	W.Nashik	39.6679	24832105																			
2.	Shahapur	319.1189	285473657																			
3.	Thane	26.8279	22598732																			
Total			332904494																			
viii.	At the time of payment of the Net Present Value (NPV) at the then prevailing rate, the User Agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;	The User Agency has to submit an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India.																				
ix.	All the funds received from the user agency under the project, except the funds realized for regeneration/ demarcation of safety zone, shall be transferred to CAMPA through e-challan in the Saving Bank Account pertaining to the State concerned;	<p>The User Agency has to deposit the total amount of Rs. 74,79,08,214/- in CAMPA account through e-challan/RTGS available in the login ID of the User Agency on www.forestsclearance.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. 5,55,83,435/- to DCF Shahapur and Rs. 1,43,449/- to DCF Thane required for tree felling.</p>																				
x.	The User Agency shall obtain the Environment Clearance as per the provisions of the Environment (Protection) Act, 1986, if required;	The User Agency has to submit an undertaking in this regard.																				
xi.	The boundary of the diverted forest land, shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number forward and back bearing and distance from pillar to pillar;	<p>The User Agency has to deposit the total amount of Rs. 42,58,500/- 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>W.Nashik</td><td>39.6679</td><td>357000</td></tr><tr><td>2.</td><td>Shahapur</td><td>319.1189</td><td>3646500</td></tr><tr><td>3.</td><td>Thane</td><td>26.8279</td><td>255000</td></tr><tr><td colspan="3">Total</td><td>4258500</td></tr></table>	Sr. No	Division	Area in ha.	Amount	1.	W.Nashik	39.6679	357000	2.	Shahapur	319.1189	3646500	3.	Thane	26.8279	255000	Total			4258500
Sr. No	Division	Area in ha.	Amount																			
1.	W.Nashik	39.6679	357000																			
2.	Shahapur	319.1189	3646500																			
3.	Thane	26.8279	255000																			
Total			4258500																			
xii.	The User Agency shall arrange to raise strip plantation on either side of the road and central verge at project cost, as per IRC specification, with maintenance of 7-10 years. Three tier plantations shall be done on the either side of the express way and in the median as per the existing norms. Selection of species to be planted and afforestation of the same shall be done in consultation with the State Forest Department/FDCM Limited at the project	The User Agency has to submit an undertaking and a plan in this regard.																				

	cost. A plan along with plantation design shall be submitted along with the Stage-I compliance report;	
xiii.	The reclamation of quarry should be done under the supervision of the State Forest Department. The quarry shall be reclaimed and afforested completely before the project is closed;	The User Agency has to submit an undertaking in this regard.
xiv.	Overburden shall not be dumped outside the width of the road. The muck generated in the earth cuttings will be disposed of at the designated dumping sites and in no case the muck/debris will be allowed to roll down the hill slopes;	The User Agency has to submit an undertaking in this regard.
xv.	The User Agency will provide retaining walls, breast walls and drainage as per requirement to make the slope stable.	The User Agency has to submit an undertaking in this regard.
xvi.	The User Agency, if required, shall undertake comprehensive soil conservation measures at the project cost in consultation with the State Forest Department. A Plan on the same shall be submitted along with the compliance report of the Stage-I approval;	The User Agency has to submit an undertaking and a plan in this regard.
xvii.	The designing of culverts/bridges, if any, over the natural streams/rivers/canals should be done in such a manner that it does not hamper the natural course of water, does not give rise to water-logging, and also does not hamper movement of wild animals;	The User Agency has to submit an undertaking in this regard.
xviii.	No labour camp shall be established on the forest land;	The User Agency has to submit an undertaking in this regard.
xix.	The User Agency shall provide fuels preferable alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;	The User Agency has to submit an undertaking in this regard.
xx.	The forest land shall not be used for any purpose other than that specified in the proposal;	The User Agency has to submit an undertaking in this regard.
xxi.	The layout plan of the proposal shall not be changed without the prior approval of the Central Government.	The User Agency has to submit an undertaking in this regard.
xxii.	The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government;	The User Agency has to submit an undertaking in this regard.
xxiii.	No damage to the flora and fauna of the adjoining area shall be caused;	The User Agency has to submit an undertaking in this regard.

xxiv.	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.																				
xxv.	Ex-situ conservation endemic species of flora/ fauna lost/ disturbed in the process of execution of the project may be ensured;	The User Agency has to submit an undertaking in this regard.																				
xxvi.	No work after sunset and before sunrise should be carried out inside the Eco-Sensitive Zone and forest area;	The User Agency has to submit an undertaking in this regard.																				
xxvii.	Alignment of road passing through the forest patch should be provided with appropriate underpasses points to ensure safe movement of wildlife across the expressway. Provision of guided fencing may be provided at the crossing points to guide the wildlife to cross the expressway through the underpasses points. Location of underpasses shall be fixed in consultation with the PCCF (Wildlife), Maharashtra. Detail of the same shall be submitted along with Stage-I compliance report;	The User Agency has to submit a detailed plan in consultation with the PCCF (Wildlife), Maharashtra indicating underpasses points for safe movement of wildlife across the expressway.																				
xxviii.	Any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department.	<p>The User Agency has to deposit the total amount of Rs. 5,57,26,884/- for tree felling in 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>W.Nashik</td><td>39.6679</td><td>0</td></tr><tr><td>2.</td><td>Shahapur</td><td>319.1189</td><td>55583435</td></tr><tr><td>3.</td><td>Thane</td><td>26.8279</td><td>143449</td></tr><tr><td colspan="3">Total</td><td>55726884</td></tr></table>	Sr. No	Division	Area in ha.	Amount	1.	W.Nashik	39.6679	0	2.	Shahapur	319.1189	55583435	3.	Thane	26.8279	143449	Total			55726884
Sr. No	Division	Area in ha.	Amount																			
1.	W.Nashik	39.6679	0																			
2.	Shahapur	319.1189	55583435																			
3.	Thane	26.8279	143449																			
Total			55726884																			
xxix.	Maximum number of trees up to 60 cm girth proposed to be felled may be translocated by the State Government at the cost of the User Agency;	The User Agency has to submit an undertaking in this regard.																				
xxx.	Naturally growing trees on the periphery of the proposed road may be retained as avenue trees. The User Agency shall submit layout plan of the road to concerned Division Forest Officer before marking of trees for felling and before handing over of proposed area to the User Agency;	The User Agency has to submit an undertaking and a detailed layout plan in this regard before felling of trees in diverted forest land.																				
xxxi.	The User Agency in consultation with the State Government shall create and maintain alternate habitat/ home for the avifauna, whose nesting trees are to be cleared in this project. Bird's nests artificially made out of eco-friendly material shall be used in the area, including forest and human settlements, adjoining the forest area being diverted for the project. A scheme will be submitted along with Stage-I compliance report;	<p>The User Agency has to deposit the total amount of Rs. 5,57,26,884/- for artificial Bird in 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>W.Nashik</td><td>39.6679</td><td>395000</td></tr><tr><td>2.</td><td>Shahapur</td><td>319.1189</td><td>3190000</td></tr><tr><td>3.</td><td>Thane</td><td>26.8279</td><td>270000</td></tr><tr><td colspan="3">Total</td><td>3855000</td></tr></table>	Sr. No	Division	Area in ha.	Amount	1.	W.Nashik	39.6679	395000	2.	Shahapur	319.1189	3190000	3.	Thane	26.8279	270000	Total			3855000
Sr. No	Division	Area in ha.	Amount																			
1.	W.Nashik	39.6679	395000																			
2.	Shahapur	319.1189	3190000																			
3.	Thane	26.8279	270000																			
Total			3855000																			

xxxii.	The State Government shall ensure that settlement of rights, in terms of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any, has been completed in accordance with the Guidelines issued by the MoEF&CC in this regard. Original FRA, 2006 certificate issued by District Collector, Raigad and District Collector, Pune 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 shall be submitted along with Stage-I compliance report;	The User Agency has to submit Original FRA, 2006 certificate issued by District Collector, Thane and District Collector, Nashik 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.
xxxiii.	As there is increase in the area proposed for diversion, the title of the project in online application may be changed to 385.6147 ha./ or the revised area may be mentioned in the brackets of original area and copy of the same may be submitted along with Stage-I compliance report;	The User Agency shall make the corrections, suggested by Regional Office and shall submit with the compliance report.
xxxiv.	In the patches of forest land involving construction of bridges, storage of construction material shall be undertaken within the RoW sought for diversion. No forest land shall be used for storage of construction material;	The User Agency has to submit an undertaking in this regard,
xxxv.	Adequate sound barriers may be erected at the cost of the User Agency by the State Government along the portion of the road passing through the Eco-Sensitive Zone;	The User Agency has to submit an undertaking to erect the barriers at the User Agency cost after completion of road work, as suggested by State Forest Department.
xxxvi.	Vehicles and Officials of the State Forest Department should be allowed free access on the road without any sort of fee/toll;	The User Agency has to submit an undertaking in this regard. It is also recommended to implement the condition no. (xiv) mentioned in the recommendation letter dt. 20/11/2018 of APCCF & Nodal Officer, M.S. Nagpur.
xxxvii.	Space at cost of project authority should be provided by the User Agency in form of booths/ Kiosk/ hall, etc. at nodes indicated by the Forest Department to facilitate setting forest check Nakas or Jan-Van Dhan Stall/ Information centers by the Forest Department. Detail of the same along with locations shall be submitted along with the compliance of Stage-I approval;	The User Agency has to submit an undertaking to provide the space and the construction cost for booths/ Kiosk/ hall, etc. on both sides of every Toll Plaza on this road for Forest Check Nakas and Jan-Van Dhan Stall/ Information centers at the User Agency cost after completion of road work, as suggested by State Forest Department.
xxxviii.	The User Agency will strictly abide to the below mentioned conditions laid by NBWL in its meeting held on 07/09/2018;	The User Agency has to submit an undertaking in this regard.

	(i) In the deemed ESZ, the Project Authority shall put signages mentioning the prohibition on uses of horns.	The User Agency has to submit an undertaking in this regard.
	(ii) Adequate number of underpasses for the animals shall be provided in the forest area in consultation with the Forest Department and Wildlife Wing.	The User Agency has to submit an undertaking in this regard.
	(iii) As decided in the 8 th meeting Wildlife held on 20 th February, 2014, the Project Proponent shall deposit 2% of the total cost of the project for Wildlife conservation measures in Tansa Wildlife Sanctuary and adjoining forests.	The User Agency has to submit an undertaking in this regard.
xxxix.	Prior to granting permission by the State Government for starting the work of project, a detailed mitigation plan/ animal passage plan as recommended by the State CWLW shall be prepared, on the basis of WII guidelines name <i>Eco-friendly Measures to Mitigate Impacts on Linear Infrastructures on Wildlife</i> , by the project proponent in consultation with State CWLW shall be prepared and the same shall be implemented at the project cost;	The User Agency has to submit an undertaking in this regard.
xl.	The High Power Committee headed by PCCF shall submit its report at the earliest and the REC may examine/ review the mitigation measures in future and suggest additional measures which will be binding on the User Agency to implement. The User Agency has to give an undertaking to this effect along with the compliance of Stage-I approval;	The User Agency has to submit an undertaking in this regard.
xli.	Afforestation to be done as per the norms of construction of roads along the road on either side or/ and in the median shall be allocated for completion/ maintenance by Forest Department/ F.D.C.M.Ltd., on a project basis;	The User Agency has to submit an undertaking in this regard.
xlii.	The use of chemicals & explosive shall be prohibited inside the Eco-Sensitive Zone.	The User Agency has to submit an undertaking in this regard.
xliii.	The User Agency shall submit six monthly self-compliance report as on 1st January and 1st July of every year to this office as well as to the Nodal Officer of the State;	The User Agency has to submit an undertaking in this regard.
xliv.	The State Government shall monitor compliance of conditions of Forest Clearance and shall submit in this regard yearly report as on 31st December of every year.	The User Agency has to submit an undertaking in this regard.
xlvi.	Any other condition that the concerned Regional Office of this Ministry may stipulate, from time to time, in the interest of conservation, protection and	The User Agency has to submit an undertaking in this regard.

	development of forests & wildlife;	
xlvi.	The User Agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations, Guidelines and Court/Tribunal directions for the time being in force, as applicable to the project; and	The User Agency has to submit an undertaking in this regard.
xlvii.	Grant of working permission to the extant proposal may be considered by the State Government in accordance with the provisions as contained in the MoEF&CC's Guidelines dated 28.08.2015.	The User Agency has no concern.

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.


(V. T. Ghule)

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, Nashik and Aurangabad for information.

Copy forwarded for information and necessary action to:

1. Deputy Conservator of Forests, West Nashik
2. Deputy Conservator of Forests, Thane
3. Deputy Conservator of Forests, Aurangabad
4. Deputy Conservator of Forests, (Wildlife) Thane

Copy for information and necessary action to:

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


(V. T. Ghule)

Dy. Conservator of Forests
Shahapur Forest Division, Shahapur

NAGPUR MUMBAI SUPER COMMUNICATION EXPRESSWAY (PACKAGE-V)

Diversion of 383.8535 ha. (Final area 385.6147 ha.) of forest land in favour of Maharashtra State Road Development Corporation Limited, Bandra (W), Mumbai for construction of Nagpur-Mumbai Super Communication Expressway (Package-V) passing through from Village Taranganpada, Igatpuri Tauka, Nashik District to Village Amane, Bhiwand Taluka, Thane District of 78 Kms in the state of Maharashtra

Stage-I Approval No. FC-III/MH-35/2018-NGP/4906, dated 06/02/2019

DEMAND NOTE

Sr. No.	Division	Diversion Area in Ha.						Total
			Condition No. (vi) Comp. Aff. @ Rs. 1055173/- per ha. Model no. 5	Condition No. (vii) NPV	Condition No. (xi) Diverted Land Pillars	Condition No. (xxviii) Tree Felling	Condition No. (xxxi) Bird Nest	
1	2	3	5	6	7	8	9	10
1	West Nashik	39.6679	0	24832105	357000	0	395000	25584105
2	Shahapur	319.1189	0	285473657	3646500	55583435	3190000	347893592
3	Thane	26.8279	0	22598732	255000	143449	270000	23267181
4	Aurangabad	0	406890220	0	0	0	0	406890220
TOTAL		385.6147	406890220	332904494	4258500	55726884	3855000	803635098

Amount to be deposited to DCF

55726884

Amount to be deposited to CAMPA

747908214

803635098