

**OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS (HEAD OF FOREST FORCE), MAHARASHTRA STATE, NAGPUR**

ADDITIONAL PRINCIPAL CHIEF CONSERVATOR OF FORESTS AND NODAL OFFICER, MAHARASHTRA STATE, NAGPUR,

First Floor, 'B' Wing, Van Bhavan, Civil Lines, Nagpur-440001.

**Tel no. (0712) 2530166, 2556916, Fax no. (0712) 2550675 E-mail- apccfnodal@mahaforest.gov.in**

**Sub:-** Diversion of 14.613 Ha. Reserved Forest, Protected Forest and Private Forest in favour of NHAI, PIU, Thane for Construction of eight laning of existing Four lane Vadape to Thane from Km. 539.202 to Km. 563.000 section of NH 3 (New NH-848) to be executed on Hybrid Annuity Mode (HAM) at Taluka Bhiwandi, Dist. Thane in the State of Maharashtra (No.FP/MH/ROAD/148827/2021]

No. Desk-17/FCA-S2/PID-148827/Thane/1735/2023-24  
Nagpur – 440 001, Date :- 04/09/2023

To,

Principal Secretary (Forest),  
Revenue & Forest Department,  
Mantralaya, Mumbai -32

**Ref:-** 1. Government of India, Ministry of Environment, Forests and Climate Change, Integrated Regional Office, Nagpur letter No. F.No.FC-II/MH-181/2022-NGP/9910, dated 21/06/2022

2. The Chief Conservator of Forests (T), Thane vide letter No. Desk-10/FCA/CR-35/21-22/OW-278/2023-24, dated 22/08/2023

The Government of India, Ministry of Environment, Forests and Climate Change, Integrated Regional Office, Nagpur conveyed the 'in-principle' approval for diversion of 14.613 Ha. Reserved Forest, Protected Forest and Private Forest in favour of NHAI, PIU, Thane for Construction of eight laning of existing Four lane Vadape to Thane from Km. 539.202 to Km. 563.000 section of NH 3 (New NH-848) to be executed on Hybrid Annuity Mode (HAM) at Taluka Bhiwandi, Dist. Thane in the State of Maharashtra. Accordingly, the Chief Conservator of Forests (T), Thane vide letter under reference no.2 has submitted compliance of conditions of in-principle approval to this office. The compliance report of the conditions of in-principle approval was furnished vide letter dt.21/06/2022.

Sr. No.	Conditions laid down by Central Government letter dt.21/06/2022	Compliance																																																										
i.	Legal status of the forest land shall remain unchanged.	The User Agency has submitted an undertaking. A copy of the same is enclosed as (Annexure No.-I)																																																										
ii.	Compensatory Afforestation																																																											
a.	<div>Compensatory afforestation shall be taken up by the Forest Department over the area 30.00 ha. degraded Forest Land at the cost of User Agency as under:</div> <table><tr><th>S.N.</th><th>Village</th><th>Taluka</th><th>District</th><th>Survey/ Comptt. No.</th><th>Area</th></tr><tr><td>1.</td><td>Parala</td><td rowspan="5">Vaijapur</td><td rowspan="5">Aurangabad</td><td>359</td><td>8.81</td></tr><tr><td>2.</td><td>Parala</td><td>376</td><td>10.87</td></tr><tr><td>3.</td><td>Parala</td><td>358</td><td>5.76</td></tr><tr><td>4.</td><td>Parala</td><td>352</td><td>4.56</td></tr><tr><td colspan="4">Total</td><td>30.00</td></tr></table> <div>As far as possible, a mixture of local indigenous species along with 10% RET species of Aurangabad District shall be planted and monoculture of any species may</div>	S.N.	Village	Taluka	District	Survey/ Comptt. No.	Area	1.	Parala	Vaijapur	Aurangabad	359	8.81	2.	Parala	376	10.87	3.	Parala	358	5.76	4.	Parala	352	4.56	Total				30.00	<div>Compensatory afforestation will be taken up by the Forest Department over the area 30.00 ha. degraded Forest Land at the cost of User Agency as under:</div> <table><tr><th>S.N.</th><th>Village</th><th>Taluka</th><th>District</th><th>Survey/ Comptt. No.</th><th>Area</th></tr><tr><td>1.</td><td>Parala</td><td rowspan="5">Vaijapur</td><td rowspan="5">Aurangabad</td><td>359</td><td>8.81</td></tr><tr><td>2.</td><td>Parala</td><td>376</td><td>10.87</td></tr><tr><td>3.</td><td>Parala</td><td>358</td><td>5.76</td></tr><tr><td>4.</td><td>Parala</td><td>352</td><td>4.56</td></tr><tr><td colspan="4">Total</td><td>30.00</td></tr></table> <div>In this regard, the User Agency has deposited an amount of Rs.2,29,96,680/- towards the cost of Compensatory afforestation and Rs.9,82,500/-cost of water bodies in Compensatory Afforestation. A copy of the same is enclosed herewith as (Annexure No.-II &amp; III).</div>	S.N.	Village	Taluka	District	Survey/ Comptt. No.	Area	1.	Parala	Vaijapur	Aurangabad	359	8.81	2.	Parala	376	10.87	3.	Parala	358	5.76	4.	Parala	352	4.56	Total				30.00
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	be avoided. At least two water bodies in Compt. no. 359 and 376 and at least one water body in Compt. no. 358 and 352 shall be constructed in the form of tank/ stop dams etc. if the same are not available in the area or in nearby vicinity. Further, if existing tanks/ stop dams are available and needs desilting/repair; same shall be carried out to meet the water requirement of wild animals throughout the year;	
iii.	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 if required on the CA land shall be deposited in advance with the Forest Department 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. For protection and better management of the CA plantation; the fencing shall be done from the compartment boundary.	The User Agency has deposited an amount of Rs.2,29,96,680/- towards the cost of Compensatory afforestation. A copy of the same is enclosed herewith as <b>(Annexure No.-II &amp; III)</b> .
iv	<b>Net Present Value</b>	
(a)	The State Government shall charge the Net Present Value (NPV) for the 14.613 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 (PLI) dated 18/09/2003, as well as letter No. 5 2/2006-FC dated 03/10/2006 and 5-3/2007-FC dated 05/02/2009 in this regard;	The User Agency has deposited an amount of Rs.1,63,21,260/- towards the cost of Net Present Value. A copy of the same is enclosed herewith as <b>(Annexure No.-II &amp; III)</b> .
(b)	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;	The User Agency has submitted an undertaking. A copy of the same is enclosed as <b>(Annexure No.-IV)</b>
v.	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	The User Agency has deposited an amount of Rs. 1,59,829/- towards cost of felling of tree to DCF Thane through Demand Draft No. 032943 dated 20.07.2022. The copy of the same is enclosed herewith as <b>(Annexure No.-V)</b>

	intact. A detailed report in this regard shall be submitted to IRO, MOEF&CC along with Stage- I compliance report;																							
vi.	All the funds received from the user agency under the project shall be transferred/ deposited to CAMPA fund only through e-portal ( <a href="https://parivesh.nic.in/">https://parivesh.nic.in/</a> );	<p>The total amount of Rs.6,82,56,905/- has been transferred to Ad-hoc Compensatory Afforestation Fund Management and Planning Agency (CAMPA) through e-portal. The details are as below:-(<b>Annexure-VI,VII &amp; VIII</b>).</p> <table><tr><th>Sr. No</th><th>Particulars</th><th>Amount transferred to Ad-hoc CAMPA (Rs.)</th><th>Details of amount transferred</th></tr><tr><td>1</td><td>Cost of towards Compensatory Afforestation</td><td>Rs. 2,29,96,680/-</td><td rowspan="3">UTR No. UTIBR520220 80300158883, dated. 03/08/22</td></tr><tr><td>2</td><td>NPV</td><td>Rs. 1,63,21,260/-</td></tr><tr><td>3</td><td>Cost of Penal NPV</td><td>Rs.2,79,56,465/-</td></tr><tr><td>4</td><td>Cost of water bodies</td><td>Rs.9,82,500/-</td><td>UTR No.AXISP00313 890256, dated 24/08/2022</td></tr><tr><td colspan="2">Total</td><td>Rs.6,82,56,905/-</td><td></td></tr></table>	Sr. No	Particulars	Amount transferred to Ad-hoc CAMPA (Rs.)	Details of amount transferred	1	Cost of towards Compensatory Afforestation	Rs. 2,29,96,680/-	UTR No. UTIBR520220 80300158883, dated. 03/08/22	2	NPV	Rs. 1,63,21,260/-	3	Cost of Penal NPV	Rs.2,79,56,465/-	4	Cost of water bodies	Rs.9,82,500/-	UTR No.AXISP00313 890256, dated 24/08/2022	Total		Rs.6,82,56,905/-	
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vii.	The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector	The User Agency has submitted an undertaking. A copy of the same is enclosed as ( <b>Annexure No.-IX</b> )																						
viii.	To improve the Forest/ Tree cover and to reduce pollution in the State, as mandated in National Forest Policy, 1988 and Environmental (Protection) Act, 1986 respectively, the User Agency with Involvement of Joint Forest Management Committees (JFMC's) and in consultation with local DCF shall raise at least 25,000 seedlings of forestry species along with bamboo, fruit bearing, medicinal, ornamental and indigenous/local for 10 years. At least 50% of seedlings shall be planted in the vicinity of project area and remaining 50% of seedlings shall be distributed among villagers as per choice of villagers. The concerned JFMC's shall maintain record of plantation/ seedling distribution to villagers;	The User Agency has submitted an undertaking. A copy of the same is enclosed as ( <b>Annexure No.-X</b> )																						
ix.	The State Government shall undertake the action against the violation of FCA, 1980 as per provisions made under Para 1.21 of Handbook of Forest (Conservation) Act, 1980 published on 28.03.2020. A detail report in this regard shall be submitted along with Stage-I compliance;	<p>The User Agency has submitted detail violation report. The copy of the same is enclosed herewith as (<b>Annexure No.-XI</b>).</p> <p>In this regard, the User Agency has deposited an amount of Rs.2,79,56,465/- towards the cost of Penalty for violation. The copy of the same is enclosed herewith as (<b>Annexure No.-III</b>)</p>																						
x.	User Agency in consultation with the State Forest Department shall ensure that there are enough openings available for movement of wildlife in all patches of the Reserve Forest and wherever required new	The User Agency has submitted an undertaking. A copy of the same is enclosed as ( <b>Annexure No.-XII</b> )																						



	underpasses shall be constructed as per Wildlife Institute of India's manual entitled "Eco-friendly Measures to Mitigate Impacts of Linear Infrastructure on Wildlife" published in 2016,	
xi.	State Forest Department shall undertake avenue plantation of 8 feet tall plants as per IRC norms at the cost of User Agency:	The User Agency has deposited an amount of Rs.1,29,58,068 and Rs.3,34,34,893/- towards the cost of avenue plantation through NEFT No. AXISP00320344230 dated 15.09.2022 and Demand Draft No. 806834, 806824, 806825 & 806826 dated 31.03.2023 respectively. The copy of receipt is enclosed at ( <b>Annexure No.-XIII &amp; XIV</b> )
xii.	All small patches of forest left over due to bifurcation of forest patches by constructing the road shall be restored by planting suitable native species by the State Forest Department at the cost of User Agency. A Forest Conservation Plan in this regard shall be prepared and submitted to the IRO, MOEF&CC, Nagpur along with Stage- I compliance report;	The User Agency has deposited an amount of Rs.2,73,288/- towards Plantation over fragmented left over forest patches to DCF, Thane through NEFT No. AXISP00320344230 dated 15.09.2022. The copy of receipt is enclosed at ( <b>Annexure No.-XIII</b> )
xiii.	Speed regulating signage will be erected along the road at regular intervals in the Protected Areas/Forest Areas:	The User Agency has submitted an undertaking. A copy of the same is enclosed as ( <b>Annexure No.-XV</b> )
xiv.	User Agency shall obtain Environmental Clearance as per the provisions of the Environmental(Protection) Act, 1986, if applicable;	The project not required environmental clearance.
xv.	The layout plan of the proposal shall not be changed without prior approval of Central Government;	The User Agency has submitted an undertaking. A copy of the same is enclosed as ( <b>Annexure No.-XVI</b> )
xvi.	No labour camp shall be established on the forest land;	The User Agency has submitted an undertaking. A copy of the same is enclosed as ( <b>Annexure No.-XVII</b> )
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 submitted an undertaking. A copy of the same is enclosed as ( <b>Annexure No.-XVIII</b> )
xviii.	The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer;	The User Agency has deposited an amount of Rs.9,36,45,033/- towards construction of wire fencing to protect forest area border besides the diverted forest land. to DCF Thane through Demand Draft No.806816 to 806820, 806822, 806829, 806830, 806833 dated 31.03.2023& 806852 dated 03.04.2023. The copy of receipt is enclosed at ( <b>Annexure No.-XIV</b> )
xix.	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 submitted an undertaking. A copy of the same is enclosed as ( <b>Annexure No.-XIX</b> )
xx.	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 submitted an undertaking. A copy of the same is enclosed as ( <b>Annexure No.-XX</b> )

xxi.	The forest land shall not be used for any purpose other than that specified in the project proposal;	The User Agency has submitted an undertaking. A copy of the same is enclosed as ( <b>Annexure No.-XXI</b> )
xxii.	The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India;	The User Agency has submitted an undertaking. A copy of the same is enclosed as ( <b>Annexure No.-XXII</b> )
xxiii.	Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF&CC Guideline F. No. 11-42/2017-FC dt 29/01/2018;	The User Agency has submitted an undertaking. A copy of the same is enclosed as ( <b>Annexure No.-XXIII</b> )
xxiv.	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;	The User Agency has submitted an undertaking. A copy of the same is enclosed as ( <b>Annexure No.-XXIV</b> ).
xxv.	The compliance report shall be uploaded on e-portal ( <a href="https://parivesh.nic.in/">https://parivesh.nic.in/</a> );	The User Agency has submitted an undertaking. A copy of the same is enclosed as ( <b>Annexure No.-XXV</b> )

In view of the above facts, it is requested to process the proposals to MoEF&CC for approval under section – 2 of the Forest (Conservation) Act, 1980.

Enclose : As above

*Naresh Zurmure* 4/9/23

(Naresh Zurmure)

**Additional Principal Chief Conservator of Forests  
& Nodal Officer**

Copy to the Chief Conservator of Forests (T), Thane for information.

Copy to the Deputy Conservator of Forests, Thane Forest Division, Thane for information.

Copy to the Project Manager, PIU Thane, National Highway Authority of India, Project Implementation Unit Thane, MTNL Building Opp. Babubhai Petrol Pump, LBS Marg, Near Castle Mill Circle, Thane West-400601 for information.