



भारतीय राष्ट्रीय राजमार्ग प्राधिकरण

सड़क परिवहन एवं राजमार्ग मंत्रालय, भारत सरकार

National Highways Authority of India

Ministry of Road Transport and Highways, Government of India

परियोजना कार्यान्वयन इकाई - ठाणे, एम.टी.एन.एल. बिल्डिंग, बाबूभाई पेट्रोल पंप के सामने,

एल.बी.एस. मार्ग, कॅसल मिल सर्कल के पास, ठाणे (प) - ४००६०१ Tel: 022 - 2172 0012

Project Implementation Unit - Thane MTNL Building, Opp. Babubhai Petrol Pump

LBS Marg, Near Castle Mill Circle, Thane(w) - 400601 Tel: 022 - 2172 0012

ईमेल : piuthane@nhai.org / piuthane@gmail.com वेबसाइट / Website : nhai.gov.in



NHAI/ PIU-Thane/VT/2023-24/ 2233

Date: 06.11.2023

To

Dy. Conservator of Forest,

Thane Forest Division, Near Teen Haath Naka,

Thane(W) -400602, Maharashtra

Sub: Diversion of 14.613 Ha. Forest Land in favour of NHAI 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) in the State of Maharashtra to be executed on Hybrid Annuity Mode (HAM).

Ref: 1. Stage-1 Clearance granted by MoEF&CC on 21.06.2022

2. Your office letter no. 6605 dated 09.03.2023

3. This office letter no. 45 dated 06.04.2023

4. IRO, Nagpur letter no. 12336 dated 17.10.2023.

5. Assistant Conservator of Forest letter no. 2168 dated 19.10.2023

6. CCF, Thane letter no. 40/2023-24 dated 23.10.2023

7. Your office letter no. 3823/2023-24 dated 30.10.2023

Sir,

This is with reference to your office letter dated 30.10.2023 for the subject project. Following is the submission in this regard.

2. Kindly refer to your office letter no. 6605 dated 09.03.2023 vide which your office has sent demand note as per the conditions of the Stage-I Clearance letter no. 9910 dated 21.06.2022 from Ministry of Environment & Forest (MoEFCC). The details are as below:

| Sr. | Item | Demand draft in favour of | Amount (in | Payable |
|-----|---|-------------------------------------|---------------|---------|
| 1 | Avenue Plantation of 8 feet tall plants | Deputy Conservator of Forest, Thane | 3,24,34,893/- | Thane |
| 2 | Cost of Construction of Wire fence to protect forest area | Deputy Conservator of Forest, Thane | 9,36,45,033/- | Thane |

3. As per your request vide letter under ref.2 this office has released the above amount in the form of Demand Draft and submitted vide this office letter under ref. 3 above.

4. Observations received from Forest Authority & compliance given by this office is as below:

| S.No. | Observations from Forest Department | Compliance of PIU NHAI Thane |
|-------|---|---|
| 1 | IRO, Nagpur vide their letter no. 12336 dated 17.10.2023 has forwarded the following observations. | |
| | (i) Detail report on violation of FCA, 1980 including nature and extent of violation name of official persons responsible for violation and action taken thereof under IFA, 1927 and FCA, 1980 in compliance to condition no. ix of Stage- I approval is not submitted along with the compliance report. The same needs to be submitted. | Vide this office letter no.1407 dated 29.12.2021, No. 732 dated 13.07.2022 & No. 1967 dated 14.10.2023 (copy enclosed) was requested to Secretary, PWD, Mantralay, Mumbai to take necessary action as per the MCS Rules-1979 and submit the action taken report to this office, so that compliance of condition no. ix of Stage-I approval shall be fulfilled. Till date action taken report awaited from Secretary, PWD, Mantralaya, Mumbai. |
| | (ii) Forest Conservation Plan in compliance to condition no. xii of Stage- I approval is not submitted along with the compliance report. The same needs to be submitted. | As per the Demand Note received from DCF Thane vide letter no. 2936 dated 05.08.2022, this office has deposited the amount of Rs. 2,73,288/- to DCF Thane through NEFT No. AXISP00320344230 dated 15.09.2022 for Plantation over fragmented left over forest patches. DCF-Thane may submit the Forest Conservation Plan to IRO, Nagpur at their end. |
| | (iii) Amount towards demarcation of boundary in compliance to condition no. xviii of Stage-I approval was supposed to be deposited into CAMPA account, however in the same has been deposited to DCF, Thane through Demand Draft. The amount has to be deposited into CAMPA account and details of the same shall be submitted to RO, Nagpur. | As per demand request received from DCF-Thane vide letter no. 6605 dated 09.03.2023, the same has been deposited by this office and informed to DCF-Thane Vide this office letter no. 45 dated 06.04.2023. It is requested to transfer the above amount in CAMPA Account at your level and inform this office accordingly. |

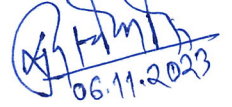
5. It is to inform that, while taking up the work of 8 laning of Vadape Thane Section of NH-848 (Old NH-3) in June 2021 by M/s. MSRDCIPL. It was informed by Forest Officials that, the ROW involves forest area and documents towards diversion of forest land under the provisions of Forest Conservation Act -1980 are not produced by the Authority. After perusal of the available documents it was observed that, though earlier it was proposed to handover 60m ROW to NH PW Division, Thane in August 1980, it seems that the process

could not be completed. The 2 lane construction in this ROW was done from 1980 to 1982 & lateron 4 lane work was done during 1998 to 2003.

6. In view of above, it is kindly requested to give the relaxation of violation condition no. ix and issue Stage-II clearance, so that project work shall be completed in time bound manner.

धन्यवाद,

आपका भवदीय,



(सुहास दे. चिटणीस)

महाप्रबंधक (तकनीकी) तथा परियोजना निर्देशक
प.का.ई.ठाणे

- Copy to: 1. CGM (T) & RO, Mumbai: for kind information.
2. Chief Conservator of Forest, Thane: for kind information.
3. Sh. Suresh Kumar, Joint Advisor (Env. & Plant), RO, Mumbai : for kind information and with the request to take up issue at your end.
4. Team Leader, M/s. Lion Engineer Consultants: for information & necessary follow up at your end.
5. M/s. MSRDCIPL: for information & necessary follow up at your end.



भारतीय राष्ट्रीय राजमार्ग प्राधिकरण

(सड़क परिवहन और राजमार्ग मंत्रालय, भारत सरकार)

National Highways Authority of India

(Ministry of Road, Transport & Highways, Government of India)

परियोजना कार्यान्वयन इकाई - ठाणे, एम. टी. एन. एल. बिल्डींग, बाबूभाई पेट्रोल पंप के सामने,
एल. बी. एस. मार्ग, कॅसल मिल सर्कल के पास, ठाणे (प) - ४००६०१

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LBS Marg, Near Castle Mill Circle, Thane (w) - 400601

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NHAI/PIU-Thane/VT -20 /2021-22/1407

Date : 29.12.2021

To,
Secretary
Public Works Department
Mantralaya, Mumbai.

Sub: Diversion of 14.613 ha. forest land in favour of NHAI 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) in the State of Maharashtra to be executed on Hybrid Annuity Mode (HAM).

Sir,

While taking up the work of 8 laning of Vadape Thane Section of NH-848 (Old NH-3) in June 2021 by M/s. MSRDCIPL. It was informed by Forest Officials that the ROW involves forest area and documents towards diversion of forest land under the provisions of Forest Conservation Act -1980 are not produced by the authority. After perusal of the available documents it was observed that though earlier it was proposed to handover 60m ROW to NH PW Division, Thane in August 1980, it seems that the process could not be completed.

2. The 2 lane construction in this ROW was done from 1980 to 1982 & later on 4 lane work was done during 1998 to 2003. After detail inspection of site it was advised by Forest Officials to submit forest diversion proposal for entire ROW. Accordingly, the proposal has been submitted to forest department for an area 14.613 Ha. on 31.10.2021. As the violation seems to have taken place knowingly/unknowingly. The details of the officials who were in-charge in the respective years were obtained. The list is enclosed at Annexure-A.

It is requested to take necessary action as per the MCS Rules -1979 at your end.

Thanking you

Yours faithfully

Encl : As above.

Attarde

29/12/2021
(M. T. Attarde)
Project Director
NHAI, PIU-Thane

Copy to: CGM (T) & RO, Mumbai : for Kind information, please.

G/ 2021/ December 2021/ (238) 29.12.2021 Secretary PWD Mantralaya

Annexure-A

| | | | |
|--------|---|---|--|
| 10 | Name of officers responsible for violation | : | |
| 10A | For Two lane road construction | | |
| | Name of Agency | | Executive Engineer, National Highway division, Thane |
| | Name Of Officer (From 1980-1982) | | Designation |
| 10.A1 | V. D. Borkar (November 1977 to January 1980) | | Executive Engineer, National Highway division, Thane |
| 10.A2 | U. S. Kalgutkar (January 1980 to February 1980 | | Executive Engineer, National Highway division, Thane |
| 10.A3 | V. D. Borkar (February 1980 to May 1982) | | Executive Engineer, National Highway division, Thane |
| 10.A4 | A.T. Londhe (May 1982) | | Executive Engineer, National Highway division, Thane |
| 10.A5 | Y.G. Patwardhan (May 1982 to November 1982) | | Executive Engineer, National Highway division, Thane |
| 10.A6 | A.T. Londhe (November 1982) | | Executive Engineer, National Highway division, Thane |
| 10.A7 | Y.G. Patwardhan (November 1982 to January 1983) | | Executive Engineer, National Highway division, Thane |
| 10 B | For Four lane road expansion | | |
| | Name of Agency | | Executive Engineer, National Highway division, Thane |
| | Name Of Officer (From 21.09.98 to 31.12.2003) | | Designation |
| 10 .B1 | M.R. Ashtavadhan (July 1996 to March 1999) | | Executive Engineer, National Highway division, Thane |
| 10.B2 | B.G.Chikhlikar (March 1999 to May | | Executive Engineer, National Highway |

| | | |
|-------|--|--|
| | 2001) | division, Thane |
| 10.B3 | A. K. Deshapande (June 2001 to January 2002) | Executive Engineer, National Highway division, Thane |
| 10.B4 | M.P. Devre (January 2002 to July 2002) | Executive Engineer, National Highway division, Thane |
| 10.B5 | H. B. Kuriya (July 2001 to June 2005) | Executive Engineer, National Highway division, Thane |
| 10.B6 | H. B. Kuriya (16.07.2001 to 13.06.2005) | Executive Engineer, National Highway division, Thane |

Atte

VIOLATION STATEMENT

Report regarding violation of Forest (Conservation) Act, 1980 for the consideration of the committee constituted under the chairmanship of the Chief Secretary wide G.P.No.FLD.1089/475/Part2/F-10, dated 2nd December 1991 as under :-

| | | | | | | | | | | | | | | | | | | | | | | |
|-----------|---|---|---|--|---------|----------|-------|----------------|-----------|-----|-------|---------|---------|----|--------|------------------------|---------|------------------------|-----------|-----------------------------------|-------|----|
| 1. | Name of Agency | : | Project Director, National Highways Authority of India, PIU Thane | | | | | | | | | | | | | | | | | | | |
| 2. | Name of the Project | : | Diversion of 14.613 ha. forest land in favour of NHAI 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) in the State of Maharashtra to be executed on Hybrid Annuity Mode (HAM). | | | | | | | | | | | | | | | | | | | |
| | A) Whether the Project is under EGS or Plan | : | Plan | | | | | | | | | | | | | | | | | | | |
| 3. | Location : | : | <table border="1"> <tr> <td>Village</td> <td>F.S. No.</td> </tr> <tr> <td>Vadpe</td> <td>131, 133 & 138</td> </tr> <tr> <td>Dhamngaon</td> <td>193</td> </tr> <tr> <td>Yewai</td> <td>14 & 37</td> </tr> <tr> <td>Elkunde</td> <td>66</td> </tr> <tr> <td>Sonale</td> <td>49 (Old Survey.No.204)</td> </tr> <tr> <td>Pimplas</td> <td>44 (Old Survey No.410)</td> </tr> <tr> <td>Pimpalner</td> <td>63 (Old Survey No.448 of Pimplas)</td> </tr> <tr> <td>Ovali</td> <td>73</td> </tr> </table> | | Village | F.S. No. | Vadpe | 131, 133 & 138 | Dhamngaon | 193 | Yewai | 14 & 37 | Elkunde | 66 | Sonale | 49 (Old Survey.No.204) | Pimplas | 44 (Old Survey No.410) | Pimpalner | 63 (Old Survey No.448 of Pimplas) | Ovali | 73 |
| Village | F.S. No. | | | | | | | | | | | | | | | | | | | | | |
| Vadpe | 131, 133 & 138 | | | | | | | | | | | | | | | | | | | | | |
| Dhamngaon | 193 | | | | | | | | | | | | | | | | | | | | | |
| Yewai | 14 & 37 | | | | | | | | | | | | | | | | | | | | | |
| Elkunde | 66 | | | | | | | | | | | | | | | | | | | | | |
| Sonale | 49 (Old Survey.No.204) | | | | | | | | | | | | | | | | | | | | | |
| Pimplas | 44 (Old Survey No.410) | | | | | | | | | | | | | | | | | | | | | |
| Pimpalner | 63 (Old Survey No.448 of Pimplas) | | | | | | | | | | | | | | | | | | | | | |
| Ovali | 73 | | | | | | | | | | | | | | | | | | | | | |
| | a) F.S. No./Compt. No. | : | | | | | | | | | | | | | | | | | | | | |
| | b) Village | : | | | | | | | | | | | | | | | | | | | | |
| | c) Taluka | : | Bhiwandi | | | | | | | | | | | | | | | | | | | |
| | d) District | : | Thane | | | | | | | | | | | | | | | | | | | |
| 4. | No. and Date of Technical | : | - | | | | | | | | | | | | | | | | | | | |

ACD

| | | | |
|----|---|---|--------------------------|
| | sanction | | |
| 5. | No. and Date of Administrative approval | : | - |
| 6. | Period of work on Forest Land | : | 2 Lane road construction |
| | a) Date of starting the work | | August 1980 |
| | b) Date of stopping the work | | 31/12/1982 |
| 7. | Period of work on Non Forest Land | : | 2 Lane road construction |
| | a) Date of starting the work | | August 1980 |
| | b) Date of stopping the work | | 31/12/1982 |

8) Details of work done on Forest Area

| Sr. No. | Item | Forest Land involved in the item | Extent work done violation of Forest Land | Amount Sanctioned on the item stated Cost | Amount spent on violation on item No.2 | Remark |
|---------|----------------------------|----------------------------------|---|---|--|--------|
| 1. | Two lane road construction | 2.908 Ha. | 2.908 Ha. | 10. 00 Cr. Approximate | 1.25 Cr Approximate | |
| 2. | Four lane road expansion | 2.039 Ha | 2.039 Ha | 50.00 Crores Approximate | 7.00 Cr. Approximate | |

9) Detail of Work on Non Forest Land

| | Item of work | Quantity | Expenditure | Period of work done |
|------------------------|----------------------------|----------|-------------------------|---------------------------|
| A) For Non Forest Land | Two lane road construction | 2.908 Ha | 8.75 Cr. Approximate | August 1980 31/12/1982 |
| B) For Non | Four lane road | 2.039Ha | 43.00 Cr | 21/09/1998 To |

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| | | | | | |
|-------------|---|-----------|--|---|--|
| Forest Land | | expansion | | | 31/12/2003 |
| 10 | Name of officers responsible for violation | | | : | |
| 10A | For Two lane road construction | | | | |
| | Name of Agency | | | | Executive Engineer, National Highway division, Thane |
| | Name Of Officer (From 1980-1982) | | | | Designation |
| 10.A1 | V. D. Borkar (November 1977 to January 1980) | | | | Executive Engineer, National Highway division, Thane |
| 10.A2 | U. S. Kalgutkar (January 1980 to February 1980 | | | | Executive Engineer, National Highway division, Thane |
| 10.A3 | V. D. Borkar (February 1980 to May 1982) | | | | Executive Engineer, National Highway division, Thane |
| 10.A4 | A.T. Londhe (May 1982) | | | | Executive Engineer, National Highway division, Thane |
| 10.A5 | Y.G. Patwardhan (May 1982 to November 1982) | | | | Executive Engineer, National Highway division, Thane |
| 10.A6 | A.T. Londhe (November 1982) | | | | Executive Engineer, National Highway division, Thane |
| 10.A7 | Y.G. Patwardhan (November 1982 to January 1983) | | | | Executive Engineer, National Highway division, Thane |
| 10 B | For Four lane road expansion | | | | |
| | Name of Agency | | | | Executive Engineer, National Highway division, Thane |
| | Name Of Officer (From 21.09.98 to 31.12.2003) | | | | Designation |
| 10 .B1 | M.R. Ashtavadhan (July 1996 to March 1999) | | | | Executive Engineer, National Highway division, Thane |
| 10.B2 | B.G.Chikhlikar (March 1999 to May | | | | Executive Engineer, National Highway |

ASB

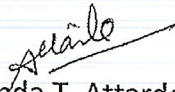
| | | | |
|-------|---|---|---|
| | 2001) | | division, Thane |
| 10.B3 | A. K. Deshapande (June 2001 to January 2002) | | Executive Engineer, National Highway division, Thane |
| 10.B4 | M.P. Devre (January 2002 to July 2002) | | Executive Engineer, National Highway division, Thane |
| 10.B5 | H. B. Kuriya (July 2001 to June 2005) | | Executive Engineer, National Highway division, Thane |
| 10.B6 | H. B. Kuriya (16.07.2001 to 13.06.2005) | | Executive Engineer, National Highway division, Thane |
| 11 | Whether the violation case fits in the criteria's Specified in the CRT 7 & F.D. No.1089/G.R. 475/Part-2/F-10 dated 21.09.1991 a) If yes in which para b) If not why | : | |
| 12 | Action proposed by the Agency against Officers responsible for violation | : | Vide this office no.1407 dated 29.12.2021 requested Secretary, PWD, Mantralaya Mumbai to take appropriate action against these officers as per MCSR 1979 for said violation of Provisions of Forest Conservation Act 1980. The copy of said letter is attached herewith for your ready reference. |

Certificate

It is certified that the information in forgoing para's is certified by me and found to be correct.

Date 29 /12/ 2021

Place: Thane.


(Mukunda T. Attarde)
Project Director
NHAI, PIU-Thane



भारतीय राष्ट्रीय राजमार्ग प्राधिकरण

(सड़क परिवहन एवं राजमार्ग मंत्रालय, भारत सरकार)

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एल.बी.एस. मार्ग, कैसल मिल सर्कल के पास, ठाणे (प) - ४००६०१

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ईमेल : piuthane@nhai.org / piuthane@gmail.com वेबसाइट / Website : nhai.gov.in



NHAI/PIU-Thane/VT -20 /2022-23/ 732

Date : 13.07.2022

To,
Secretary
Public Works Department
Mantralaya, Mumbai.

Sub: Diversion of 14.613 ha. forest land in favour of NHAI 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) in the State of Maharashtra to be executed on Hybrid Annuity Mode (HAM).

Ref: This office letter no. 1407 dated 29.12.2021

Sir,

Kindly refer to this office letter no. 1407 dated 29.12.2021 vide which it was requested to take necessary action as per the MCS Rules -1979 at your end. Till date no communication in this regard has been received.

2. Now, Stage-I approval for the subject proposal has been received (copy enclosed) and for getting the working permission, Action Taken Report regarding violation to be submitted to Forest Department. Hence, it is once again requested to inform the details of action taken as requested vide this office letter no. 1407 dated 29.12.2021 at the earliest.

Thanking you

Yours faithfully

Encl : As above.

(M. T. Attarde)

GM (Tech) Project Director
NHAI, PIU-Thane

Copy to: CGM (T) & RO, Mumbai : for Kind information, please.



भारतीय राष्ट्रीय राजमार्ग प्राधिकरण

सड़क परिवहन एवं राजमार्ग मंत्रालय, भारत सरकार

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एल.बी.एस. मार्ग, कॅसल मिल सर्कल के पास, ठाणे (प) - ४००६०१ Tel: 022 - 2172 0012

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NHAI/PIU-Thane/VT -20 /2023-24/ 1967

Date : 14.10.2023

To,
Secretary
Public Works Department
Mantralaya, Mumbai.

Sub: Diversion of 14.613 ha. forest land in favour of NHAI 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) in the State of Maharashtra to be executed on Hybrid Annuity Mode (HAM).

Ref: 1. This office letter no. 732 dated 13.07.2022
2. This office letter no. 1407 dated 29.12.2021

Sir,

Kindly refer to this office letter no. 1407 dated 29.12.2021, letter no.732 dated 13.07.2022 vide which it was requested to take necessary action as per the MCS Rules -1979 at your end. Till date no communication in this regard has been received.

2. Stage-I approval for the subject proposal has been received by MoEFCC vide letter no. 9910 dated 21.06.2022 (copy enclosed). Compliance of Stage-II has been submitted vide this office letter no. 616 dated 13.06.2023. Now, IRO, Nagpur has forwarded queries & directed to submit detailed report of violation of FCA, 1980 including nature and extent of violation, name official persons responsible for violation & Action Taken thereof under IFA, 1927 and FCA, 1980.

3. Hence, it is once again requested to inform the details of action taken as requested vide this office letter no. 1407 dated 29.12.2021 & letter no.732 dated 13.07.2022 at the earliest for further submission to Forest Department.

Thanking you

Encl : As above.

आपका भवदीय,

(सुहास दे. चिटणीस)

महाप्रबंधक (तकनीकी) तथा परियोजना निर्देशक

प.का.ई.ठाणे

Copy to: CGM (T) & RO, Mumbai : for Kind information, please.

G/ 2023/Oct 2023/(191) 14.10.2023 Secretary PWD Mantralaya VT Forest 14.613 HA