

# BRIHANMUMBAI MUNICIPAL CORPORATION

NO. Dy.Ch.E. / / Bridges/W.S. dated /31/10/2023

9809

Office of the -  
Chief Engineer (Bridges)  
Engineering Hub Building,  
Zero floor, Dr. E. Moses Road, Worli,  
Mumbai-400 018.  
24958001, 24958101

To,  
The Conservator of Forests & Director,  
Sanjay Gandhi National Park,  
Borivali East  
Mumbai-400066.

**Sub:** Diversion of 0.0728 ha. forest land for widening of existing Shri Krishna Nagar Bridge near Western Express Highway, Borivali (East) at Village- Kanheri, Taluka-Borivali, District- Mumbai Suburban in the State of Maharashtra.

**Ref:** (i) MoEF & CC letter F.No. FC-I/MH-332/2023-NGP /12002

Respected Sir,

With respect to the above subject matter, the Central Government has accorded 'in- principle' under Section - 2 of the Forest (Conservation) Act, 1980 for Diversion of 0.0728 ha. forest land for widening of existing Shri Krishna Nagar Bridge near Western Express Highway, Borivali (East) at Village- Kanheri, Taluka- Borivali, District- Mumbai Suburban in the State of Maharashtra subject to the fulfilment of the following conditions. The compliance of the same is as under:-

Sr. No.	Condition	Compliance
I	Legal status of the forest land shall remain unchanged.	Noted Brihanmumbai Municipal Corporation (BMC) accepts the condition and undertaking of the same is attached as <b>Annexure-I</b> .
II	<b>Compensatory Afforestation</b>	
a	Compensatory afforestation shall be taken up by the Forest Department over 1.00 ha Degraded Forest Land in Survey No. 419, Compartment no. 1144 at Village Panchpakhadi, Taluka- Thane, District- Thane at the cost of the User Agency. As far as possible, a mixture of local indigenous	Brihanmumbai Municipal Corporation (BMC) accepts the condition and undertaking of the same is attached as <b>Annexure-II</b> .

लिपिक 01/11/2023

आवक नमूना  
वनसंरक्षण विभाग  
संजय गांधी राष्ट्रीय उद्यान  
बोरीवली

	species along with 10% RET species of Thane District shall be planted and monoculture of any species may be avoided. At least one water body 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 tank/ 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.	Brihanmumbai Municipal Corporation (BMC) has already paid the cost towards Compensatory afforestation to MAHARASHTRA CAMPA over 1.00 ha. degraded forest land at Survey no. 4 in Village- Sarang, Taluka- Bhiwandi, District- Thane and cost of survey, demarcation and erection of permanent pillars if required on the CA land. UTR No. of the same is <b>BARBR52023102600982681</b>
IV	<b>NPV</b>	
a	a) The State Government shall charge the Net Present Value (NPV) for the 0.0728 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 (Pt.II) dated 18/09/2003, letter No. 5-2/2006-FC dated 03/10/2006, letter No. 5-3/2007- FC dated 05/02/2009, letter No. 5-3/2011-FC(Vol-I) dated	Brihanmumbai Municipal Corporation (BMC) has already paid the cost towards Net Present Value (NPV) for the 0.0728 ha. forest area to be diverted under this proposal. UTR No. of the same is <b>BARBR52023102600982681</b>

	06.01.2022 and letter No. 5-3/2011-FC(Vol-I) dated 22.03.2022 in this regard.	
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.	Brihanmumbai Municipal Corporation (BMC) accepts the condition to pay 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. Undertaking of the same is attached as <b>Annexure-III.</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.	Brihanmumbai Municipal Corporation (BMC) accepts the condition and undertaking of which is attached in in <b>Annexure IV.</b> The cost of the feeling of tress is already deposited to Director & conservator of forest, Sanjay Gandhi National Park by <b>demand draft No.: 050752</b>
VI	All the funds received from the user agency under the project shall be transferred/deposited to CAMPA fund only through <i>e-portal</i> ( <a href="https://parivesh.nic.in/">https://parivesh.nic.in/</a> ).	Brihanmumbai Municipal Corporation (BMC) has already submitted all the required funds such as NPV, Compensatory Afforestation Cost etc. through E-Challan on PARIVESH in the Campa account. Payment Receipt of the same is attached as <b>Annexure-V.</b>
VII	The State Government, Maharashtra/ Nodal Officer (FCA), Maharashtra shall ensure settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (No. 2 of 2007) before issuing an order for handing over of forest land to the User Agency as per Rule- 9 (6) (b) (ii) of Forest (Conservation) Rules, 2022 dated 28.06.2022.	Brihanmumbai Municipal Corporation (BMC) has initiated the procedure for compliance of the FRA and undertaking for the same is attached as <b>Annexure-VI.cv</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)	Brihanmumbai Municipal Corporation (BMC) accepts the condition and undertaking of the same is attached as <b>Annexure-VII.</b>

	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 500 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;	
IX	The trees having bird nests shall not be felled without written permission from the DCF concern both in forest as well as non-forest land.	Brihanmumbai Municipal Corporation (BMC) accepts the condition and undertaking of the same is attached as <b>Annexure-VIII.</b>
X	Project specific Wildlife Management Plan with special emphasis on avian fauna dully approved by PCCF (Wildlife) shall be submitted along with Stage- I compliance report.	Brihanmumbai Municipal Corporation (BMC) accepts the condition and specific Wildlife Management Plan is attached as <b>Annexure- IX.</b>
XI	Speed regulating signage with wildlife protection will be erected at suitable places in consultation with park management.	Brihanmumbai Municipal Corporation (BMC) accepts the condition and undertaking of the same is attached as <b>Annexure-X.</b>
XII	As per recommendation of State Government, User Agency shall obtain prior permission of monitoring committee of ESZ of Sanjay Gandhi National Park (SGNP) before commencement of road work and copy of the same shall be submitted to Regional Office, MoEF &CC, Nagpur along with Stage- I compliance report.	Brihanmumbai Municipal Corporation (BMC) has obtained prior permission of monitoring committee of ESZ of Sanjay Gandhi National Park (SGNP) and copy of the same is attached here with. <b>Annexure- XI</b>
XIII	User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.	The Proposed Project is exempted for obtaining the Environment Clearance as per the provisions of the Environmental (Protection), Act, 1986.



XIV	The layout plan of the proposal shall not be changed without prior approval of Central Government.	Brihanmumbai Municipal Corporation (BMC) accepts the condition and undertaking of the same is attached as <b>Annexure-XII</b>
XV	No labour camp shall be established on the forest land.	Brihanmumbai Municipal Corporation (BMC) accepts the condition and undertaking of the same is attached as <b>Annexure-XIII</b>
XVI	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.	Brihanmumbai Municipal Corporation (BMC) accepts the condition and undertaking of the same is attached as <b>Annexure-XIV</b>
XVII	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.	Brihanmumbai Municipal Corporation (BMC) accepts the condition and undertaking of the same is attached as <b>Annexure-XV</b>
XVIII	No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.	Brihanmumbai Municipal Corporation (BMC) accepts the condition and undertaking of the same is attached as <b>Annexure-XVI</b>
XIX	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.	Brihanmumbai Municipal Corporation (BMC) accepts the condition and undertaking of the same is attached as <b>Annexure-XVII</b>
XX	The forest land shall not be used for any purpose other than that specified in the project proposal.	Brihanmumbai Municipal Corporation (BMC) accepts the condition and undertaking of the same is attached as <b>Annexure-XVIII</b>
XXI	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.	Brihanmumbai Municipal Corporation (BMC) accepts the condition and undertaking of the same is attached as <b>Annexure-XIX</b>
XXII	Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action	Brihanmumbai Municipal Corporation (BMC) accepts the condition and

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	would be taken as per the MoEF & CC Guideline F. No. 11-42/2017- FC dt 29/01/2018.	undertaking of the same is attached as <b>Annexure-XX</b>
XXIII	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.	Brihanmumbai Municipal Corporation (BMC) accepts the condition and undertaking of the same is attached as <b>Annexure-XXI</b>
XXIV	The compliance report shall be uploaded on e-portal ( <a href="https://parivesh.nic.in">https://parivesh.nic.in</a> )	Brihanmumbai Municipal Corporation (BMC) accepts the condition and undertaking of the same is attached as <b>Annexure-XXII</b>

With above Compliance it is requested to grant the final Approval (Stage-2 Clearance) in accordance of the section 2 of the Forest (Conservation) Act, 1980 to initiate project work and to give relief to the public thereat.

Thanking You.

Yours Faithfully,

*W.Rawool*  
31-10-23  
**Dy. Ch.E. (Bridges) Western Suburbs**  
**Brihanmumbai Municipal Corporation**  
o/c

Enclosed- Undertakings and Annexures in 6 sets.

*[Signature]*  
SE (Pw) R/c

*[Signature]*  
30.10.23  
AE (Pw) R/c

*[Signature]*  
EE (Bt) R/c