

Date 31.05.2022

DCF Shahapur,
Shahapur Forest Division, Shahapur,
Shahapur Asangaon Road, Old Agra Road,
At-Asangaon, Post Taluka-Shahapur,
Dist.Thane-421601.

**Maharashtra State
Road Development
Corporation Limited**



Sub.: Diversion of 17.01 ha of forest land in favor of Maharashtra State Road Development Corporation Ltd. Mumbai for Rehabilitation & Up-gradation of Shahapur-Patgaon Section-I (Km. 0.000 to Km. 20.130) Part of NH-3 Shahapur-Murbad-Karjat- Khopoli-NH4 Section of newly declared NH-548A in the State of Maharashtra.
Reg. Working Permission & Compliance Report for Stage II Permission.

Ref.: 1. Integrated Regional Office, MOEFCC, Nagpur letter No. F.No. FC-II/MH-150/2021-NGP/8205 dated 30.06.2021.
2. Your office letter dtd.13.08.2021

Ministry of Environment, forest & Climate change vide letter no 8205 dated 30.06.2021 has communicated the 'in Principal approval under section 2 of the forest (Conservation) Act 1980 for diversion of 17.01 Ha of forest land for above subjected project with certain terms and condition.

Your office vide letter reference no.2 has conveyed the amount to be deposited to the forest department against the diversion of forest land. Accordingly, Chief Engineer & Regional Officer, MoRT&H has deposited amount of Rs. 5,99,25,452/- to CAMPA fund through e-portal (<https://parivesh.nic.in>) and amount of Rs 21.47.775/-to your office as per account details provided by your office vide letter dtd. 25.10.2021.

Your office has also submitted the additional demand of Rs. 96,52,060/-for Avenue Plantation, Wildlife Conservation Plan 15:26,000/-, Soil Conservation Plan 60,00,000/-, Rainwater Harvesting Structures 20,00,000/-. Fragmented Leftover Forest Patches Plantation Scheme 7,66,556/- The same is forwarded to Ministry of Road Transport & Highways vide this office letter NH-2022/02/DE/C.R.No.:P-6/ENGG/642 atd.01.02.2022. Accordingly, Chief Engineer & Regional Officer, MORT&H has deposited amount of Rs. Avenue Plantation 96,52,060/- to DCF Shahapur Office Account & Wildlife Conservation Plan-15,26,000/-, Soil Conservation Plan- 60,00,000/-, Rainwater Harvesting Structures 20,00,000/-, Fragmented Leftover Forest Patches Plantation Scheme -7,66,556/ to CAMPA fund through e-portal (<https://parivesh.nic.in>).

As per Ministry of Environment, forest & Climate change letter dated 30.06.2021 the compliance of all conditions is enclosed as below:

1. Annexure-I-Undertakings.
2. Annexure-II- Details of Payment for Compensatory Levies.
3. Annexure-III- FRA Certificate
4. Annexure-IV- Action Taken Report.
5. Annexure-V- Wild Life Conservation Plan
6. Annexure-VI-Details of Payment for Avenue Plantation & others
7. Annexure VII-Road Signages Plan
8. Annexure-VIII-Wildlife Movement Plan.
9. Annexure-IX- Dismantling of Existing Road at Realignment Stretches.
10. Annexure-X- MOEF Notification dtd 22.08.2013.

5 Sets of Annexure I to X are submitted herewith. This office has submitted the requisite compliance for Stage II & Working Permission hence it is requested to process the Stage II & Working Permission at the earliest.

D.A-As Above.



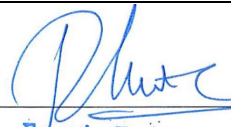
(Ramesh Khiste)
Executive Engineer (NH)
M.S.R.D.C., Mumbai

Copy to: Chief Conservator of Forest, Thane for kind information please.

Proposal for diversion of 17.01 Ha. Forest land under Forest (Conservation) Act, 1980 for Rehabilitation and Up-gradation of Section – I –Shahapur - Patgaon (KM 20+130 to KM 43+783) under Shahapur Forest Division part of NH-3 Shahpur - Murbad – Mhasa – Karjat - Khopoli-NH4 section of newly declared NH-548 A in the state of Maharashtra on Engineering, Procurement & Construction (EPC) Basis Contract”

COMPLAINE OF CONDITIONS (i to xxx)

Condition No.	Condition	Compliance Report
i	Legal status of the forest land shall remain unchanged;	Undertaking for the same is prepared & enclosed as Annexure- I herewith.
ii	<p>Compensatory afforestation</p> <p>a. Compensatory afforestation shall be taken up by the Forest Department over 34.02 ha degraded forest land in Survey No. 57,69 at Village– Ras, Taluka- Shahapur, District- Thane(20.00Ha) and in Survey No.36/1(old 684) at Village-Kukambe, Tal-Shahapur, Dist-Thane (14.02Ha). As far as possible, a mixture of local indigenous species along with 10% RET species of Thane District shall be planted and monoculture of any species may be avoided.</p> <p>b. Penal CA over 01 ha degraded forest area preferably in continuation of main CA area shall be raised and maintained by the State Forest Department at the cost of User Agency.</p>	<p>a. As per demand received from DCF Shahapur office Ministry of Road Transport & Highways has deposited amount of Rs.4,08,78,228/-for cost towards Compensatory afforestation on degraded forest land i.e.,34.02 ha. on CAMPA. Details of payment done are enclosed as Annexure II herewith.</p> <p>b. As per demand received from DCF Shahapur office Ministry of Road Transport & Highways has deposited amount of Rs. 12,01,594/-as cost towards Penal Compensatory afforestation on degraded forest land 01 ha. on CAMPA. Details of payment done are enclosed as Annexure II herewith.</p>
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.	As per demand received from DCF Shahapur office Ministry of Road Transport & Highways has deposited amount of Rs. 4,08,78,228/- for cost towards Compensatory afforestation on degraded forest land i.e., 34.02 ha. on CAMPA& amount of Rs. 12,01,594/-as cost towards Penal Compensatory afforestation on degraded forest land 01 ha. on CAMPA. Details of payment done are enclosed as Annexure II herewith.


 Executive Engineer
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iv	<p>NPV:</p> <p>a. The State Government shall charge the Net Present Value (NPV) for the 12.8957 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, 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;</p> <p>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</p>	<p>Ministry of Road Transport & Highways has deposited amount of Rs. 1,55,67,630/- as informed by forest department for Net Present Value (NPV) for the 17.01 ha forest area on CAMPA. Details of payment done are enclosed as Annexure II herewith.</p> <p>User Agency has submitted undertaking for the same & enclosed as Annexure I herewith.</p>
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 State Forest Department. Maximum numbers of trees in outer RoW will be kept intact. A detailed report in this regard shall be submitted to IRO, MoEF&CC along with Stage-I compliance report.	User Agency has submitted undertaking for the same & enclosed as Annexure I herewith.
vi	All the funds received from the user agency under the project	Ministry of Road Transport & Highways has deposited funds to


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	shall be transferred/ deposited to CAMPA fund only through <i>e-portal</i> (https://parivesh.nic.in/);	CAMPA fund only through e-portal as per demand of Forest Department.
vii	The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector	FRA is enclosed as Annexure III herewith.
viii	Action against violation shall be undertaken as per the provisions made under Para 1.21 of Handbook of Forest Conservation Act, 1980 published in 28.03.2020. Further, a formal enquiry shall be conducted by State Forest Department as per the provisions made under Para 1.21 of Handbook of Forest Conservation Act, 1980 published in 28.03.2020. A detail report in this regard shall be submitted to Regional Office and same shall be submitted along with Stage-I compliance report.	Action Taken Report is enclosed as Annexure IV herewith
ix	The User Agency in consultation with State Forest Department shall prepare and implement a Site-Specific Wildlife Conservation Plan for 10 years. Copy of the same shall be submitted along with Stage-I compliance report.	This road is in existence from 1960. This road is constructed & Maintained by State PWD till 2018. Ministry of Road Transport, GOI has declared this road as National Highway as per GOI Notification dtd.03.01.2017. MoRTH has proposed only Widening/ Reconstruction of Culverts/Minor Bridges/Major Bridges. Present scope of work proposed by MoRTH is 2L+Paved Shoulder (10.00m Concrete Pavement + 2.00m Earthen Shoulder). The User Agency in consultation with State Forest Department Prepared Site Specific Wildlife Conservation Plan for 10 years. The same is enclosed as Annexure V herewith.
x	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.	As per demand note received from DCF Shahapur the amount of Rs 21,47,775/- for Tree Felling is deposited to DCF Shahapur Account on 30.11.2021
xi	State Forest Department shall undertake avenue plantation of 8 feet tall plants as per IRC norms at the cost of User Agency.	Ministry of Road Transport & Highways has deposited the amount of Rs. 1,02,91,556/-for avenue plantation of 8 feet tall plants as per IRC norms as demanded by forest department on CAMPA.



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		Details of payment done are enclosed as Annexure VI herewith
xii	Speed regulating signage will be erected along the road at regular intervals in the Protected Areas/ Forest Areas.	Speed regulating signage will be erected along the road at regular intervals in the Protected Areas/ Forest Areas. Road signages plan is enclosed as Annexure VII herewith
xiii	Wherever feasible, User Agency in consultation with State Forest Department shall construct the wildlife passages in the form of underpass at least every 200 meters with minimum size 2x3 mtrs in forest land for smooth movement of wildlife as well as in non-forest areas where there is a traditional route of wildlife movement.	This road is in existence from 1960. This road is constructed & Maintained by State PWD till 2018. Ministry of Road Transport, GOI has declared this road as National Highway as per GOI Notification dtd.03.01.2017. MoRTH has proposed only Widening/ Reconstruction of Culverts/Minor Bridges/Major Bridges. Present scope of work proposed by MoRTH is 2L+Paved Shoulder (10.00m Concrete Pavement + 2.00m Earthen Shoulder). This project is 2L+PS without any access control. There is no occurrence of wildlife in this alignment. But the Existing/Widened structures will serve the purpose of wildlife passage. The chainage wise details of structures in alignment which will serve the purpose of smooth movement of wildlife is enclosed as Annexure VIII herewith.
xiv	User Agency shall undertake comprehensive soil conservation measures at the project cost in consultation with State Forest Department. A 10 year plan on same shall be submitted along with compliance report of the Stage-I approval;	As per demand received from DCF Shahapur office Ministry of Road Transport & Highways Government of India has deposited the amount of Rs.60,00,000/- for soil conservation measures. Details of payment done are enclosed as Annexure VI herewith
xv	Rain water harvesting structures shall be constructed every 500 meters in outer ROW of alignment in entire forest area at project cost	As per demand received from DCF Shahapur office Ministry of Road Transport & Highways, Government of India has deposited the amount of Rs.20,00,000/- for Rain water harvesting structures will be constructed in outer Row of alignment in entire forest area at project cost. Details of payment done are enclosed as Annexure VI herewith
xvi	To improve the Forest Tree cover and to reduce	This linear project is located in heavy rainfall area of Konkan


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	<p>pollution, as mandated in National Forest Policy, 1988 and Environmental (Protection) Act, 1986 respectively, the User Agency shall develop a separate nursery at one or more places to raise at least 25,000 seedlings of forestry species along with bamboo, fruit bearing, medicinal, ornamental and indigenous/local every year. At least 50% of seedlings shall be planted by User Agency in the vicinity of project area including forest area and for hand holding with local people residing in vicinity of proposed road, User Agency shall voluntary distribute remaining 50% of seedlings to them free for cost. A Compliance report including species wise details of seedlings raised, location of plantation area and details of villagers whom seedlings have been distributed need to be prepared every six month and submitted to Regional Once of MoEF&CC</p>	<p>Region. There is already exiting trees/plantation along ROW. Due to land constraint, it is not possible to accommodate plantation of 12500 trees along ROW. Hence it is requested to forest department to do the same on alternative land. Ministry of Road Transport & Highways will bear the cost of the same.</p>  <p>Executive Engineer M.S.R.D.C. (Ltd), Mumbai</p>
xvii	<p>The existing carriageway in the forest area, in the patches corresponding to re-alignments, if any shall be dismantled and land shall be handed over back to the State Forest Department. A reclamation plan by planting suitable indigenous species of trees shall be prepared in consultation with the Forest Department and the amount so required will be deposited with the forest department by the user agency for taking up reclamation of the area. A copy of plan so prepared shall be submitted to IRO, MoEF&CC.</p>	<p>The upgradation work is proposed in existing alignment except some realignments in Forest Area. The plan for dismantling the existing carriageway in the forest area after construction of realignment patches is prepared and enclosed as Annexure-IX herewith.</p>
xviii	<p>All fragmented left over forest patches smaller than 1 ha on either side of road shall be planted and fenced by State Forest Department at the cost of project. A report in this regard shall be submitted to IRO, MoEF&CC;</p>	<p>As per demand received from DCF Shahapur office Ministry of Road Transport & Highways, Government of India has deposited the amount of Rs. 7,66,556/- for Fragmented Leftover Forest Patches Plantation Scheme. Details of payment done are enclosed as Annexure VI herewith.</p>
xix	<p>User Agency shall obtain Environmental Clearance as</p>	<p>Environmental Clearance is not required as per new Notification</p>

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	per the provisions of the Environmental (Protection) Act, 1986, if applicable	of MoEF dated 22/08/2013. Photocopy of the same is enclosed as Annexure-X herewith.
xx	The layout plan of the proposal shall not be changed without prior approval of Central Government	The layout plan of the proposal will not be changed without prior approval of Central Government. Undertaking for the same is enclosed as Annexure-I herewith.
xxi	No labor camp shall be established on the forest land;	No labor camp shall be established on the forest land. Undertaking for the same is enclosed as Annexure-I herewith.
xxii	Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the laborer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel	Since the Concrete Pavement work is proposed by MoRTH there is no requirement of firewood. Undertaking for the same is enclosed as Annexure-I herewith
xxiii	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.	As per demand note received from DCF Shahapur the amount of Rs.22,78,000/- as cost of Boundary demarcation of diverted forest land is deposited by MoRT&H to CAMPA e-portal on 30.11.2021. Details of payment done are enclosed as Annexure II herewith.
xxiv	No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.	No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work. Undertaking for the same is enclosed as Annexure-I.
xxv	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;  Executive Engineer M.S.R.D.C. (Ltd), Mumbai	This road is in existence from 1960. This road is constructed & Maintained by State PWD till 2018. Ministry of Road Transport, GOI has declared this road as National Highway as per GOI Notification dtd.03.01.2017. This is linear project having upgradation of existing road. MoRTH has proposed only Widening/ Reconstruction of Culverts/Minor Bridges/Major Bridges. Present scope of work proposed by MoRTH is 2L+Paved Shoulder (10.00m Concrete Pavement + 2.00m Earthen Shoulder).

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xxvi	The forest land shall not be used for any purpose other than that specified in the project proposal;	The forest land will not be used for any purpose other than that specified in the project proposal. Undertaking for the same is enclosed as Annexure-I
xxvii	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 forest land proposed to be diverted will not be transferred to any other agencies, department or person without prior approval of Govt. of India. Undertaking for the same is enclosed as Annexure-I
xxviii	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 Guidelines F.No.11-42/2017-FC dt 29/01/2018;	Undertaking for the same is enclosed as Annexure-I.
xxix	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;	Undertaking for the same is enclosed as Annexure-I
xxx	The compliance report shall be uploaded on e-portal(https://parivesh.nic.in)	Undertaking for the same is enclosed as Annexure-I.


 Executive Engineer
 M.S.R.D.C. (Ltd), Mumbai