

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

No. Desk-17/Nodal/Thane/ID-12818(75)/517 /2022-23
Nagpur – 440 001, Date : 3/06/2022

To,

The Deputy Director General (Central)
Government of India,
Ministry of Environment, Forests, and Climate Change,
Integrated Regional Office, Ground Floor, East Wing,
New Secretariat Building,
Civil Lines, Nagpur-440001

Sub :- Diversion of 12.8957 ha. of forest land in favour of Maharashtra State Road Development Corporation Ltd., Mumbai for rehabilitation and up-gradation of Patgaon-Khopoli Section-II (43+783 to 69+508 Km) part of NH-3 Shahapur-Mubad-Karjat-Khopoli-NH-4 section of newly declared NH-548 A in the State of Maharashtra-reg.

Ref :-1) Government of India, Ministry of Environment Forests & Climate Change, Integrated Regional Office, Nagpur letter No. F.No.FC-II/MH-152/2021-NGP/8553, dated 26/08/2021.
2) The Chief Conservator of Forests (T), Thane letter No. Desk-10/FCA/CR-10/2020-21/OW-87, dated 23/05/2022

Sir,

Ministry of Environment, Forests and Climate Change, Government of India, Integrated Regional Office, Nagpur vide letter under reference No. 1 has accorded in-principle approval. Accordingly, the Chief Conservator of Forests (T), Thane vide letter under reference No.2 has submitted the compliance of conditions of in-principle approval to this office. The same is as under:-

Sr. No.	Conditions put forth by Government of India letter dt.26/08/2021	Compliance
i	Legal status of the forest land shall remain unchanged;	As per CCF (T), Thane and Dy.CF, Alibag has submitted compliance of conditions of in-principle approval vide letter dtd 23/05/2022 and 17/02/2022. The User Agency has submitted an undertaking. A copy of the same is enclosed herewith as (Annexure No.I)
ii	Compensatory afforestation	
a.	Compensatory afforestation shall be taken up by the Forest Department over 26.00 ha degraded forest land in Survey No. 83 (Old 341) at Village- Mokhavane, Taluka- Shahapur, District- Thane at the cost of the User Agency. 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.	As per CCF (T), Thane and Dy.CF, Alibag has submitted compliance of conditions of in-principle approval vide letter dtd 23/05/2022 and 17/02/2022. Compensatory afforestation will be taken up by the Forest Department over 26.00 ha degraded forest land in Survey No. 83 (Old 341) at Village- Mokhavane, Taluka- Shahapur, District- Thane. In this regard, the User Agency has deposited an amount of Rs.3,12,41,444/- towards compensatory afforestation in Ad-hoc CAMPA Account. A copy of the same is enclosed herewith as (Annexure No.II)
b.	Penal CA over 2.25 ha degraded forest area preferably in	As per CCF (T), Thane and Dy.CF, Alibag has submitted compliance of conditions of in-principle

	continuation of main CA area shall be raised and maintained by the State Forest Department at the cost of User Agency.	approval vide letter dtd 23/05/2022 and 17/02/2022. The User Agency has deposited an amount of Rs.27,03,586/- towards Penal compensatory afforestation in Ad-hoc CAMPA Account. A copy of the same is enclosed herewith as (Annexure No.II)
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 CCF (T), Thane and Dy.CF, Alibag has submitted compliance of conditions of in-principle approval vide letter dtd 23/05/2022 and 17/02/2022. The User Agency has deposited an amount of Rs.25,28,000/- towards cost of survey, demarcation and erection of permanent pillars in Ad-hoc CAMPA Account. A copy of the same is enclosed herewith as (Annexure No.II)
iv	NPV:	
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;	As per CCF (T), Thane and Dy.CF, Alibag has submitted compliance of conditions of in-principle approval vide letter dtd 23/05/2022 and 17/02/2022. The User Agency has deposited an amount of Rs.94,13,861/- towards Net Present Value in Ad-hoc CAMPA Account. A copy of the same is enclosed herewith as (Annexure No.II)
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;	As per CCF (T), Thane and Dy.CF, Alibag has submitted compliance of conditions of in-principle approval vide letter dtd 23/05/2022 and 17/02/2022. The User Agency has submitted an undertaking. A copy of the same is enclosed herewith as (Annexure No.III)
v.	User Agency in consultation with State Forest Department shall minimize the felling of trees and maximum numbers of trees in outer RoW will be kept intact and maximum number of trees up to 60 cm girth proposed to be felled	As per CCF (T), Thane and Dy.CF, Alibag has submitted compliance of conditions of in-principle approval vide letter dtd 23/05/2022 and 17/02/2022. The User Agency has deposited an amount of Rs.5,24,913/- towards tree felling in Dy.CF, Alibag forest account SBI Account No.11236856790 through

	shall be translocated by the State Government at the cost of the User Agency. A detailed report in this regard shall be submitted to IRQ, MoEF&CC;	RTGS No.P341210141452536, dated06/12/2021. A copy of the same is enclosed herewith as (Annexure No.IV)			
vi.	All the funds received from the user agency under the project shall be transferred/ deposited to CAMPA fund only through e-portai (https://parivesh.nic.in/);	As per CCF (T), Thane and Dy.CF, Alibag has submitted compliance of conditions of in-principle approval vide letter dtd 23/05/2022 and 17/02/2022. Total amount of Rs.4,79,10,013/-has been transferred to Ad-hoc Compensatory Afforestation Fund Management & Planning Agency (CAMPA). The details are as below.- (Annexure No.II)			
		Sr. No	Particulars	Amount transferred to Ad-hoc CAMPA (Rs.)	Details of amount transferred
		1	CA	Rs.3,12,41,444/-	UTR No. CNRBR520211 20772951296, dated 06/12/2021
		2	NPV	Rs.94,13,861/-	
		3	Cost of survey, demarcation and erection of permanent pillars	Rs.25,28,000/-	
		4	Penal CA	Rs.27,03,586 /-	
		5	Penal NPV	Rs.20,23,122/-	
		Total Amount		Rs.4,79,10,013/-	
vii.	The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector;	As per CCF (T), Thane and Dy.CF, Alibag has submitted compliance of conditions of in-principle approval vide letter dtd 23/05/2022 and 17/02/2022. The User Agency has submitted the certificate of Collector, Raigad under Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act. 2006 issued vide letter No.RB/LND/A-03/VANHAKKA/68429/2021, dated 28/02/2022 in prescribed format (Form-I) as per government of India latest guidelines dated 5/7/2013. A copies of the same is enclosed herewith as Annexure No. VI).			
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;	As per CCF (T), Thane and Dy.CF, Alibag has submitted compliance of conditions of in-principle approval vide letter dtd 23/05/2022 and 17/02/2022. The User Agency has submitted detail violation report submitted herewith as (Annexure No.VII)			
ix.	The User Agency in consultation with State Forest Department shall prepare and implement a Site Specific Wildlife Conservation Plan for 10 years;	As per CCF (T), Thane and Dy.CF, Alibag has submitted compliance of conditions of in-principle approval vide letter dtd 23/05/2022 and 17/02/2022. The Wildlife Conservation Plan for 10 years submitted			

		by the User Agency. The same is enclosed herewith as (Annexure No. VIII)
x.	Speed regulating signage will be erected along the road at regular intervals in the Protected Areas/ Forest Areas;	<p>As per CCF (T), Thane and Dy.CF, Alibag has submitted compliance of conditions of in-principle approval vide letter dtd 23/05/2022 and 17/02/2022.</p> <p>The User Agency has submitted an undertaking alongwith road signages plan. The copies of the same is enclosed herewith as (Annexure No.IX)</p>
xi.	For smooth movement of resident wildlife inhabiting area at present or in upcoming times; the User Agency shall ensure box culverts of minimum size 2x3 mtrs at every 300 meters in forest as well as in non-forest areas where there is a traditional route of wildlife movement and accordingly numbers of box culverts shall be increased. A report in this regard shall be submitted to IRQ, MoEF&CC along with Stage-I compliance.	<p>As per CCF (T), Thane and Dy.CF, Alibag has submitted compliance of conditions of in-principle approval vide letter dtd 23/05/2022 and 17/02/2022.</p> <p>The User Agency has submitted an undertaking alongwith Wildlife Movement Plan. The copies of the same is enclosed herewith as (Annexure No.X)</p>
xii.	State Forest Department shall undertake avenue plantation of 8 feet tall plants as per IRC norms at the cost of User Agency.	<p>As per CCF (T), Thane and Dy.CF, Alibag has submitted compliance of conditions of in-principle approval vide letter dtd 23/05/2022 and 17/02/2022.</p> <p>The User Agency has deposited an amount of Rs.1,65,45,618/- towards cost of avenue plantation in Dy.CF, Alibag forest account through e-payment vide UTRNo.CNRBR52022021476929980, dated 14/2/2022. A copy of the same is enclosed herewith as (Annexure No.XI)</p>
xiii.	The existing carriageway in the forest area, in the patches corresponding to re-alignments, 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 IRQ, MoEF&CC.	<p>As per CCF (T), Thane and Dy.CF, Alibag has submitted compliance of conditions of in-principle approval vide letter dtd 23/05/2022 and 17/02/2022.</p> <p>The User Agency has submitted an undertaking alongwith Plan for Dismantling Existing Road in Realignment sections. A copy of the same is enclosed herewith as (Annexure No.XII)</p>
xiv.	Rain water harvesting structures shall be constructed every 500 meters in outer RoW of alignment in entire forest area at project cost;	<p>As per CCF (T), Thane and Dy.CF, Alibag has submitted compliance of conditions of in-principle approval vide letter dtd 23/05/2022 and 17/02/2022.</p> <p>The User Agency has submitted an undertaking. A copy</p>

		of the same is enclosed herewith as (Annexure No.XIII)
xv	To improve the Forest/ Tree cover and to reduce 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 of 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 Office of MoEF&CC;	As per CCF (T), Thane and Dy.CF, Alibag has submitted compliance of conditions of in-principle approval vide letter dtd 23/05/2022 and 17/02/2022. The User Agency has submitted an undertaking. A copy of the same is enclosed herewith as (Annexure No.XIV)
xvi.	User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;	As per CCF (T), Thane and Dy.CF, Alibag has submitted compliance of conditions of in-principle approval vide letter dtd 23/05/2022 and 17/02/2022. The User Agency has submitted an undertaking. A copy of the same is enclosed herewith as (Annexure No.XV)
xvii.	The layout plan of the proposal shall not be changed without prior approval of Central Government;	As per CCF (T), Thane and Dy.CF, Alibag has submitted compliance of conditions of in-principle approval vide letter dtd 23/05/2022 and 17/02/2022. The User Agency has submitted an undertaking. A copy of the same is enclosed herewith as (Annexure No.XVI)
xviii	No labour camp shall be established on the forest land;	As per CCF (T), Thane and Dy.CF, Alibag has submitted compliance of conditions of in-principle approval vide letter dtd 23/05/2022 and 17/02/2022. The User Agency has submitted an undertaking. A copy of the same is enclosed herewith as (Annexure No.XVII)
xix	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	As per CCF (T), Thane and Dy.CF, Alibag has submitted compliance of conditions of in-principle approval vide letter dtd 23/05/2022 and 17/02/2022. The User Agency has submitted an undertaking. A copy of the same is enclosed herewith as (Annexure No.XVIII)

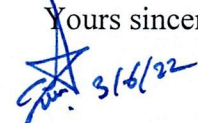
	other legal source of alternate fuel;	
xx.	The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer;	As per CCF (T), Thane and Dy.CF, Alibag has submitted compliance of conditions of in-principle approval vide letter dtd 23/05/2022 and 17/02/2022. The User Agency has submitted an undertaking. A copy of the same is enclosed herewith as (Annexure No.XIX)
xxi.	No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;	As per CCF (T), Thane and Dy.CF, Alibag has submitted compliance of conditions of in-principle approval vide letter dtd 23/05/2022 and 17/02/2022. The User Agency has submitted an undertaking. A copy of the same is enclosed herewith as (Annexure No.XX)
xxii.	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;	As per CCF (T), Thane and Dy.CF, Alibag has submitted compliance of conditions of in-principle approval vide letter dtd 23/05/2022 and 17/02/2022. The User Agency has submitted an undertaking. A copy of the same is enclosed herewith as (Annexure No.XXI)
xxiii.	The forest land shall not be used for any purpose other than that specified in the project proposal;	As per CCF (T), Thane and Dy.CF, Alibag has submitted compliance of conditions of in-principle approval vide letter dtd 23/05/2022 and 17/02/2022. The User Agency has submitted an undertaking. A copy of the same is enclosed herewith as (Annexure No.XXII)
xxiv.	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;	As per CCF (T), Thane and Dy.CF, Alibag has submitted compliance of conditions of in-principle approval vide letter dtd 23/05/2022 and 17/02/2022. The User Agency has submitted an undertaking. A copy of the same is enclosed herewith as (Annexure No.XXIII)
xxv.	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;	As per CCF (T), Thane and Dy.CF, Alibag has submitted compliance of conditions of in-principle approval vide letter dtd 23/05/2022 and 17/02/2022. The User Agency has submitted an undertaking. A copy of the same is enclosed herewith as (Annexure No.XXIV)
xxvi.	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;	As per CCF (T), Thane and Dy.CF, Alibag has submitted compliance of conditions of in-principle approval vide letter dtd 23/05/2022 and 17/02/2022. The User Agency has submitted an undertaking. A copy of the same is enclosed herewith as (Annexure No.XXV)

xxvii	The compliance report shall be uploaded on e-portal (https://parivesh.nic.in/);	As per CCF (T), Thane and Dy.CF, Alibag has submitted compliance of conditions of in-principle approval vide letter dtd 23/05/2022 and 17/02/2022. The User Agency has submitted an undertaking. A copy of the same is enclosed herewith as (Annexure No.XXVI)
-------	--	--

In view of the above, it is requested that the Government of India may kindly be moved for approval under section-2 (ii) of the Forest (Conservation) Act-1980, at the earliest.

Encl : As above

Yours sincerely,



(Naresh Zurmure)

**Addl. Principal Chief Conservator of Forests
& Nodal Officer**

Copy submitted to the Principal Secretary (Forests), Revenue and Forest Department, Mantralaya, Mumbai -32 for information.

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

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

Copy to Executive Engineer, Maharashtra State Road Development Corporation Ltd. Mount Merry, Bandra (West), Mumbai for information and necessary action.