



## Chief Conservator of Forest (T.), Thane

Micro wave tower, bara banglow area, thane (E.), 400 603

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### Letter

Subject :- Diversion of 2.0847 ha. Forest land in favour of Mumbai Metropolitan Region Development Authority, Bandra East, Mumbai for Construction of Mumbai Trans Harbour Line (Sewri to Nhava up to NH-4B) Link Road for Bridge and Link road in village Jasai, Taluka Uran, Dist. Raigad in the State of Maharashtra.

No.Desk-10/FCA/CR-4/22-23/OW- 308/2023-24  
Thane - 400603, Dated : 12/09/2023

To,

Additional Principal Chief Conservator of Forests  
and Nodal Officer, M.S. Nagpur.

- Ref. :- 1) Government of India, MoEF & Cc, IRO, Nagpur letter F.No.FC-I/MH-343/2023-NGP/12052, dated 16.08.2023.  
2) Your office letter No.Desl-17/FCA-S1/PID-152589/Thane/1544, dated 21.08.2023.  
3) Deputy Conservator of Forests, Alibag letter No.A/20/land/FCA/1009, dated 06.09.2023.

Above mentioned proposal was submitted to Government of India, MoEF & CC, IRO Nagpur for permission under section-2 of the Forest (Conservation) Act, 1980 through proper channel.

On receipt of the said proposal Government of India, MoEF & CC, IRO Nagpur has raised 1-4 points vide Reference No.1.

Accordingly, Deputy Conservator of Forests, Alibag has submitted the compliance of the same vide Reference No.3.

Compliance received from Deputy Conservator of Forests, Alibag is enclosed herewith for further necessary action.

K.P. = 11/9/23.  
(K. Pradeepa)

Encl. : As stated.

Chief Conservator of Forests (T.), Thane

Copy to the Deputy Conservator of Forests, Alibag for information and necessary action.

Copy to the Executive Engineer, Mumbai Metropolitan Region Development Authority, Bandra Kurla Complex, Bandra East, Mumbai for information and necessary action

मुख्य वनसंरक्षण (प्रा.) टाणे, वनवृत्त टाणे  
 चौथे कार्यालय  
 कक्ष क्रमांक. 10  
 B 11 SEP 2023  
 आक्षेप क्रमांक. 8074  
 प्रशासकीय अधिकारी मुख्य वनसंरक्षक कार्यालय महाराष्ट्रशासन



महाराष्ट्र वन विभाग  
 वृक्षवल्ली आम्हा सोयरे वनचरे

## उपवनसंरक्षक, अलिबागयांचेकार्यालय, अलिबाग

पत्ता - हिराकोट तलावजवळ, अलिबाग, ता. अलिबाग, जि. रायगड ४०२ २०१

दुरध्वनीक्र. ०२१४१-२२२०१६/२२२२१६ ईमेल- dycfalibag@mahaforest.gov.in

जावकक्रमांक : अ/२०/जमीन/वसं/ १००९ /२०२३-२४

दिनांक: ०६/०९/२०२३

प्रति,

मुख्य वनसंरक्षक,  
 टाणे.

विषय:- वन जमिन रायगड.

Diversion of 2.0847 Private Forest land thereof for Non-Forest activity in Village Jasai tal Uran District Raigad in Maharashtra.

- संदर्भ:- १) केंद्रशासनाकडीलपत्रक्र FC-I/MH-३४३/२०२३-NGP/१२०५२, दिनांक १६/०८/२०२३  
 २) प्रकल्प यंत्रणेचे पत्र क्र. MTHL-PIU/MMRDA/Forest Clarification/२२२०/२०२३,  
 दिनांक १८/०८/२०२३

केंद्रशासनाकडील संदर्भित पत्र क्र. १ अन्वये विषयांकीत प्रस्तावात १ ते ४ मुद्दे उपस्थित करणेत आले आहे.. त्यानुसार प्रकल्प यंत्रणेकडील संदर्भिय पत्र क्र. २ अन्वये सादर मुददयांचा पूर्तता अहवाल सादर केलेला आहे. सोबत प्रकल्प यंत्रणेकडील दिनांक १८/०८/२०२३ रोजीचा पुर्तता अहवालाची प्रती जोडली आहे. त्यानुसार खालीलप्रमाणे पूर्तता अहवाल सादर करणेत येत आहे.

अ.नं.	काढणेत आलेल्या त्रुटी	त्रुटीची केलेली पुर्तता
1	DCF, Alibag has mentioned in his violation report that violation over an area of 0.8074Ha. has been done by the User Agency. Whereas, DCF, Alibag in his violation note has mentioned that violation has been done over an area of 0.8064Ha. Detailed violation report including the nature and extent of the violation, action taken by the State Forest Department under IFA, 1927and FCA, 1980along with all relevant documents and exact area of	It is submitted that, the User Agency (MMRDA) had submitted a comprehensive proposal (original proposal) for diversion of forest land 47.4170 Ha. to construct Mumbai Trans Harbour Link Road(MTHL) The MOEF&CC has accorded Stage-I (in-principle) approval and working Permission has been issued for the area of 47.4170 ha.in forest land falling in Right of Way (ROW) of MTHL project vide their letter dated 22.01.2016. As report submitted by RFO Uran letter No. A/11/Survey/388/2022-23 dated 23/09/2022

	<p>violation. The name of the officials responsible for the violation from the user agency as well as the State Forest Department and action taken against them needs to be submitted.</p>	<p>after confirmation in field said that, the violation has been done over the area of 0.8064 Ha.</p> <p>The alleged 'forest land' included in this proposal was a part of this approved proposal and has been included as a 'non-forest land' therein. The said land was not recorded as Forest land in 7/12 extract public revenue records. There is a fact that, survey numbers of this proposed area are changed trice from the commencement of the private forest act.</p> <p>The act of non seeking prior approval of GOI was unintentional non-voluntary and was a sheer mistake of fact on the part of user agency and forest department.</p> <p>Hence in the view of this office the violation cannot be attributed either the user agency or the forest department. The error of non-compliance can be condoned.</p>
2	<p>State Government has mentioned that proposed project is 2.8 Km from ESZ of Kamala Bird Sanctuary. Hence State Government has recommended to obtain comments from CWLW regarding mitigation measures. Since ESZ of Kamala Bird Sanctuary is upto Km, the State Government shall obtain comments from PCCF (Wildlife), Maharashtra on the importance of area from wildlife point of view and conservation measures, if any shall be submitted.</p>	<p>The User Agency is submitted that "The said project is 1.64 kms for the external limits of the 'notified ESZ' of the Karnala Bird Sanctuary and is 8.35 kms away from the actual 'Sanctuary' itself. Hence the point raised herein is not applicable to this project."</p>
3	<p>Index Map/Sol toposheet on 1:50000 scale of area proposed for diversion is not submitted along with the proposal. Certified map on suitable scale needs to be submitted.</p>	<p>The User Agency is submitted that "Index Map/ Sol toposheet in 1:50000 scale has been submitted earlier and has been included on page no. 112 of the proposal."</p>
4	<p>Details of employment potential in terms of man days of skilled, semiskilled and unskilled persons on permanent (direct and indirect) and temporary (direct and indirect) basis</p>	<p>The user Agency is submitted that "details of employment potential in terms of man days of skilled, semiskilled and unskilled persons on permanent (direct and indirect) and temporary (direct and indirect)." the same is</p>

have not been provided. The same needs to be provided.

submitted as **Annexure-I**.

तसेच वरील प्रमाणे दस्तऐवजांचे ४ प्रती या सोबत जोडून सादर केल्या आहेत. तरी पुढील कार्यवाही होणेस विनंती आहे.



(राहुल पाटील, भा.व.से.)

उप वनसंरक्षक,

अलिबाग वन विभाग, अलिबाग.

सहपत्र:- वरील प्रमाणे.

प्रतिलिपी:- अपर प्रधान मुख्य वनसंरक्षक व केंद्रस्थ अधिकारी, म.रा. नागपुर यांचेकडे माहितीसाठी सादर.

प्रतिलिपी:- कार्यकारी अभियंता, एम.एम.आर.डी.ए., बांद्रा-कुर्ला कॉम्प्लेक्स, बांद्रा पुर्व, मुंबईयांचेकडे माहितीसाठी.



No. MTHL-PIU/MMRDA/Forest Clarification/2220/2023

प्रति,

मा. उपवनसंरक्षक,  
अलिबाग

उप वनसंरक्षक अलिबाग वन विभाग

दिनांक :- १८.०८.२०२३

(१४४) यांचे कार्यालय

आपक क्रमांक B-4220

दिनांक 22/8/2023

विषय :- वन जमिन रायगड

सकलन

Diversion of २.०८४७ Private Forest Land thereof for Non-Forest activity in Village Jasai, Tal- Uran, Dist- raigad in Maharashtra.

संदर्भ :- १.) Government of India यांचे कडील पत्र क्र. F.NoFC-IMH-३४३/२०२३-NGP/१२०५२ दि. १६.०८.२०२३

महोदय,

वरील संदर्भीय पत्राचे अनुषेगाने काढणेत आलेल्या त्रुटीची खालीलप्रमाणे पुर्तता करुन सादर करणेत येत आहे.

अ.नं.	काढणेत आलेल्या त्रुटी	त्रुटीची केलेली पुर्तता
१	DCF, Alibag has mentioned in his violation report that violation over an area of ०.८०७४ ha has been done by the User Agency. Whereas, DCF, Alibag in his violation note has mentioned that violation has been done over an area of ०.८०६४ ha. Detailed violation report including the nature and extent of the violation, action taken by the State Forest Department under IFA, १९२७ and FCA, १९८० along with all relevant documents and exact area of violation. The name of the officials responsible for the violation from the User Agency as well as the State Forest Department and action taken against them needs to be submitted.	It is submitted that, the User Agency (MMRDA) had submitted a comprehensive proposal to the MoEF&CC through the State Forest Department for an area of 47.4170 Ha. of 'Forest lands' for the original proposal of the Mumbai Trans Harbour Link Project (MTHL) and the MoEF&CC has accorded Stage-I (in-principle) approval and working Permission to diversion of 47.417 ha forest land falling in Right of Way (ROW) of MTHL project vide their letter dated 22.01.2016. The alleged 'forest land' included in this proposal was a part of this approved proposal and has been included as a 'non-forest land' therein. The said land was neither identified as a 'forest land' at that instant nor has it been recorded as a 'forest' land as of today as well.  It is submitted that this Agency and the public at large as well, had the belief and understanding that upon the order of the Hon'ble High Court of the Judicature at Bombay in W.P. 22 of 2005, all of the Government Records, including the records of the State Revenue and Forest Departments have been updated after the exercise of updation undertaken by the State Government authorities in the year 2006. No record of 'forest' in the public

Mumbai Metropolitan Region Development Authority

Bandra-Kurla Complex, Bandra East, Mumbai 400 051.

EPABX +91 22 2659 0001 / 4000

https://mmrda.maharashtra.gov.in

11/11/2024

अ.नं.	काढणेत आलेल्या त्रुटी	त्रुटीची केलेली पुर्त
		<p>records led to inadvertent non-forest use on this land.</p> <p>It is submitted that the Project Authority has knowingly not carried out any non-forestry work on the said 'forest land' and has diligently submitted the requisite proposal, as soon as it was brought to its notice that the land included in this proposal is a 'forest land'.</p> <p>Hence it is submitted that the User Agency may kindly be not held responsible for this inadvertent mistake which, if it has been committed, has been committed unknowingly and is ready to undertake the requisite compensatory activity thereto.</p>
२	<p>State Government has mentioned that proposed project is १.६४ Km from ESZ of Kamala Bird Sanctuary. Hence State Government has recommended to obtain comments from CWLW regarding mitigation measures. Since ESZ of Kamala Bird Sanctuary is upto ८ Km, the State Government shall obtain comments from PCCF (Wildlife), Maharashtra on the importance of area from wildlife point of view and conservation measures, if any shall be submitted.</p>	<p>The said project is 1.64 kms for the external limits of the 'notified ESZ' of the Karnala Bird Sanctuary and is 8.35 kms away from the actual 'Sanctuary' itself.</p> <p>Hence the point raised herein is not applicable to this project.</p>
३	<p>Index Map/Sol toposheet on १:५०,००० scale of area proposed for diversion is not submitted along with the proposal. Certified map on suitable scale needs to be submitted.</p>	<p>Index Map/ Sol toposheet in 1:5000 scale has been submitted earlier and has been included on page no. 112 of the proposal.</p>
४	<p>Details of employment potential in terms of man days of skilled, semiskilled and unskilled persons on permanent (direct and indirect) and temporary (direct and indirect) basis have not been provided. The same needs to be provided.</p>	<p>The details of 'Employment likely to be generated' is being submitted herewith.</p>

Construction of Mumbai Trans Harbour Link (Sewri to Nhava up to NH-113)

(Diversion of 2.0847 Ha. Private Forest land thereof for non-forest activity).

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1.6	Employment likely to be generated.	- skilled, semiskilled and unskilled persons on permanent (direct and indirect): <b>50</b>  Temporary Employment direct and indirect (Number of person-days): <b>11950</b>  <b>Total 12000</b> people for construction of service road.
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Date :- 21/08/2023

Place:- MUMBAI

Project Authority



MR. M. P. Singh  
Executive Engineer  
MMRDA