भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण ,वनएवंजलवायुपरिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE
Regional Office, Ground Floor, East Wing,
New Secretariat Building Civil Lines,
Nagpur – 440001,
apccfcetral-ngp-mef@gov.in

Proposal No: FP/MH/ROAD/428417/2023/ 12832 **Date:** 09 **.02.2024**

To,

The Principal Secretary (Forests),
Revenue and Forest Department,
Hutatma Rajguru Chowk
Madam Cama Marg, Mantralaya, Mumbai – 400032.

Sub: Diversion of 35.5644 ha of forest land in favour of (MMRDA), Thane for construction of Twin Tube Tunnel 2 Lanes each side from Tikujini wadi in Thane District to Borivali in Mumbai Suburban District which passes below the Sanjay Gandhi National Park (SGNP) in Thane District in the State of Maharashtra.- FP/MH/ROAD/428417/2023- in principle approval - regarding.

Sir,

Please refer to the Government of Maharashtra letter no. FLD-1123/C.R.294/F-10 dated 13.10.2023 and online application No **FP/MH/ROAD/428417/2023** seeking prior approval of the Central Government under Section-2 (1) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam,1980.

After careful consideration of the proposal submitted by the State Government and with the approval of the Regional Empowered Committee (REC), I am directed to convey the Central Government's ***In-principle*** approval under **Section '2' (1) of Van (Sanrakshan Evam Samvardhan) Adhiniyam,1980** for diversion of **35.5644** ha of forest land in favour of (MMRDA), Thane for construction of Twin Tube Tunnel 2 Lanes each side from Tikujini wadi in Thane District to Borivali in Mumbai Suburban District which passes below the Sanjay Gandhi National Park (SGNP) in Thane District in the State of Maharashtra, subject to the fulfilment of the following conditions:-

1. The legal status of forest land shall remain unchanged;
2. The demarcation of the proposed forest area shall be carried out at suitable places as per the direction of the DCF concerned at the cost of the User Agency;
3. The State Government shall; carry out compensatory afforestation and its maintenance in the identified non forest area over an extent of **35.5644 ha**. Non-Forest Land in Gut no. 495, at Village-Umravati, Taluka-Phulambri, District- Aurangabad at the cost of the User Agency. The identified non forest area shall be transferred and mutated in favour of forest department and the State Government shall notify such mutated area in to RF/PF before final approval and copy of such notification shall be submitted along with the compliance report;
4. CA scheme shall be implemented as per the provision of under Sl No 4 of the Schedule II of the Van (Samrakshan Evam Samvardhan) Rules 2023;
5. The State Government shall charge the Net Present Value of the diverted forest land measuring **35.5644 ha** from the User Agency as per the orders of the Hon'ble Supreme Court

dated 28.03.2008 and 09.05.2008 in IA Nos.826 in 566 with related IA's in Writ Petition (Civil) No.202/1995 and Ministry's guideline.

6. Additional amount of the Net Present Value (NPV) of the diverted forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future, shall be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect;
7. All the funds received from the User Agency under the project shall be transferred/ deposited to CAMPA fund only through e-portal (https://parivesh.nic.in/);
8. **All conditions recommended by the SC NBWL and the Regional Empowered Committee REC) shall be strictly complied with and implemented at the cost of the project;**
9. **No vertical /surface vents / shafts / other vertical openings are permitted inside the SGNP national park and no exhaust pollution will be released in to SGNP;**
10. Proper muck disposal plan shall be implemented and in any way muck disposal shall not be done in the forest area;
11. Work shall be carried out only as per the timings that may be prescribed by the CWLW;
12. No Labour camps/ office etc shall be built in the forest area;
13. The UA shall ensure proper drainage system to flush out wastage throughout the tunnel and any way such waste / garbage shall not be disposed inside the tunnel area;
14. The UA at the project cost shall restore the area and compensate for the damage for the flora & fauna of the SGNP in case of any adverse impact (s) occurs during construction & operation phase throughout the project life due to construction of proposed tunnel;
15. Tree felling shall be carried out wherever necessary under the strict supervision of the Forest Department
16. All mitigation measures as suggested in the reports submitted by the State Government shall be implemented by the concerned agency at the project cost.
17. The UA shall prepare and implement disaster management plan as per the relevant rules/ regulation to that extant, if required for such tunnel projects.
18. The State / UA shall ensure all other approvals / permission under relevant rules / regulation, if any required prior to commencement of the project work.
19. Proper labour camps shall be constructed in the non-forest area and in any case, labour camp shall not be made within the RF area;
20. **After ensuring settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (2 of 2007) and compliance to all such conditions, the State Government shall issue order for working permission and diversion as the case may be;**
21. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;
22. Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourers after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel;

23. No additional or new path will be constructed inside the forest area for the transportation of construction materials for execution of the project work;
24. The forest land proposed to be diverted shall under no circumstances be transferred or sublet to any other agencies, department or person without prior approval of Govt. of India;
25. The total forest area utilized for the project shall not exceed **35.5644 ha** and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal. **The User Agency shall furnish an undertaking to this effect;**
26. The User Agency and the State Government shall ensure compliance to the all acts, rules, regulation and guidelines of the Ministry, for the time being in force, as applicable to the subject project;
27. Any other condition that the Regional Office, Nagpur may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area shall be complied by the User Agency;
28. In the event of failure to comply with any of the above conditions the User Agency is liable for penal action as per the rules / guidelines issued under **Van(Sanrakshan Evam Samvardhan) Adhiniyam, 1980;**
29. The State Government shall process and submit compliance report on the above conditions through online (https://parivesh.nic.in/).

After receipt of the Compliance report on the above conditions, the proposal will be considered to accord final approval. The in-principle approval shall be valid for a period of **2 years** from the date of issue of the same. In the event of non- compliance of the above conditions within the stipulated period, this in-principle approval **shall be deemed to be null and void;**

This issues with the approval of DDGF (Central), Regional Office, MoEF & CC, Nagpur.

Yours faithfully,

(C.B. Tashildar)
AIGF (Central)

Copy to:

i. The IGF (RoHQ), Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jorbagh Road, Aliganj, New Delhi- 110003 **for information please**
ii. The PCCF (HoFF), Government of Maharashtra, Nagpur.
iii. User agency.
iv. Guard file.

(C.B. Tashildar)
AIGF (Central)