

Forest Land-Mumbai Sub-Urban

Diversion of 35.00 ha. Forest land in favour of Municipal Corporation of Greater Mumbai for construction of Malad Sewage Treatment Plant at Malwani, Dist. Mumbai Sub-Urban.

**Government of Maharashtra
Revenue and Forest Department
Government Order No.FLD-1119/C.R.210/F-10**

Mantralaya, Mumbai 400032.

Date: 31.03.2023

Reference:

- 1) Additional Principal Chief Conservator of Forests & Nodal Officer, Letter No. Desk-17/NC/II/I.D.12739/(69)/418/2019-20, dt.17.06.2019.
- 2) Government of Maharashtra Letter No. FLD-1119/CR.210/F-10, dt.16.07.2019
- 3) Regional Office, Ministry of Environment, Forests & Climate Change, Government of India, Nagpur Letter No. FC-II/MH-114/2019-NGP/5632, dt.22.08.2019.
- 4) Additional Principal Chief Conservator of Forests & Nodal Officer, Letter No. Desk-17/NC/II/ID-12739(69)/843/2019-20, dt.16.08.2019,
No. Desk-17/Nodal/Thane/ID-12739(17)/2790/2022-23, dt.19.01.2023
- 5) Integrated Regional Office, Ministry of Environment, Forests & Climate Change, Government of India, Nagpur Letter No. FC-I/MH-114/2019-NGP/11113, dt.03.02.2023.
- 6) Additional Principal Chief Conservator of Forests & Nodal Officer, Letter No. Desk-17/Nodal/Thane/I.D. 12739(17)/3291/2022-23, dt.02.03.2023.

Order:-

Whereas, the Additional Principal Chief Conservator of Forests & Nodal Officer, Maharashtra State, Nagpur, vide letter under reference No.1 has submitted a proposal for diversion of 35.00 ha. Forest land in favour of Municipal Corporation of Greater Mumbai for construction of Malad Sewage Treatment Plant at Village-Malwani, Dist. Mumbai Sub-Urban to the Government of Maharashtra;

AND whereas, Government of Maharashtra after careful scrutiny and consideration, vide letter under reference No.2, has recommended it to the Government of India to divert the 35 ha. of forest land for the above project under section 2 of Forest (Conservation) Act, 1980;

AND whereas; the Government of India after due consideration, vide letter under reference No.3, accorded 'In-principle' approval to divert the 35.00 ha. Forest Land for the above project under section 2 of Forest (Conservation) Act, 1980. The said approval is subject to fulfillment of certain conditions by the User Agency;

AND whereas, the Additional Principal Chief Conservator of Forests & Nodal Officer, Maharashtra State, Nagpur vide letters under reference No.4 has submitted compliance of those conditions to the Government of India;

AND whereas, the Integrated Regional Office, Ministry of Environment, Forests & Climate Change, Government of India, Nagpur, vide letter under reference no. 5 accorded 'Final approval' to divert the 35.00 ha. Forest land for construction of Malad Sewage Treatment Plant at Malwani, Dist. Mumbai Sub-Urban under section 2 of Forest (Conservation) Act, 1980;

AND whereas, the Additional Principal Chief Conservator of Forests & Nodal Officer, Maharashtra State, Nagpur vide letter under reference No.6 has requested State Government to issue diversion order in the matter;

NOW, therefore, Government of Maharashtra hereby directs that the area of 35.00 ha. consisting of Reserved Forest Land (u/s 4 of IFA, 1927) more specifically described in the proposal submitted vide letter under reference No. 1 and as per details given in the Schedule given below, be diverted to the User Agency, i.e. Executive Engineer, Mumbai Sewage Disposal Project, Brihanmumbai Municipal Corporation, Mumbai for construction of Malad Sewage Treatment Plant at Malwani, Dist. Mumbai Sub-Urban.

The diversion shall be effected subject to the terms and conditions mentioned in the letters dated 22.08.2019 and dated 03.02.2023 of Regional Office, MoEF&CC, Nagpur. This approval for diversion of forest land is also subject to compliance of following conditions by the User Agency-

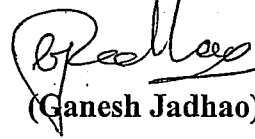
1. User Agency shall obtain Environmental Clearance as per prevalent Acts and Rules, if required.
2. User Agency shall obtain CRZ Clearance from the Competent Authority.
3. The Addl. Principal Chief Conservator of Forests, Mangrove Cell, Mumbai shall allow the actual diversion of land only after the necessary permission from Hon'ble High Court is obtained for each patch of mangrove land, required for the project.
4. Divisional Forest Officer, Mumbai Mangrove Conservation Unit, Mumbai shall ensure that no mangrove tree will be cut / felled for which felling permission has not been granted by the Hon'ble High Court.
5. The User Agency shall comply with all the conditions stipulated in the 'in-principle' and 'final approval' letters of Regional Office, MoEF&CC, Nagpur, referred above. The Additional Principal Chief Conservator of Forests (Mangrove), Mumbai shall ensure the strict compliance of the conditions by the User Agency and shall furnish the report in this regard to Additional Principal Chief Conservator of Forests and Nodal Officer, Maharashtra State, Nagpur from time to time.
6. Non-compliance of any of the conditions mentioned in this order, Regional Office, MoEF&CC letters dt. 22.08.2019 & dt.03.02.2023, Rules & Guidelines made / issued under Forest (Conservation) Act, 1980, shall amount to violation of Forest (Conservation) Act, 1980 and action would be taken accordingly.
7. In case of non-compliance of any of the above conditions, the Additional Principal Chief Conservator of Forests (Mangrove), Mumbai shall report

through the State Government to the Regional Officer (Central), Ministry of Environment, Forests & Climate Change, Government of India, Nagpur as per procedure laid down in guidelines under the Forest (Conservation) Act, 1980.

SCHEDULE

Item of Work	Village Name	Tehsil & District	Survey No.	Length x Width	Area (in ha.)	Legal Status
Construction of Malad Sewage Treatment Plant	Malwani	Tal- Borivali Dist- Mumbai Sub-urban	263-2841 (P)	Irregular	35.00	Reserved Forest u/s 4 of IFA

By order and in the name of the Governor of Maharashtra,


(Ganesh Jadhao)

Under Secretary to the Government of Maharashtra

Copy:

1. Secretary, Ministry of Environment, Forests & Climate Change, Government of India, New Delhi.
2. Regional Officer (Central), Integrated Regional Office, Ministry of Environment, Forests & Climate Change, Government of India, Nagpur.
3. Commissioner, Brihanmumbai Municipal Corporation, Mumbai.
4. Principal Chief Conservator of Forests (HoFF), Maharashtra State, Nagpur.
5. Principal Chief Conservator of Forests & CEO, Maha-CAMPA, Nagpur.
6. Addl. Principal Chief Conservator of Forests & Nodal Officer, Nagpur.
7. Additional Principal Chief Conservator of Forests (Conservation), Nagpur.
8. Divisional Commissioner, Konkan.
9. Collector, Mumbai Sub-Urban.
10. Additional Principal Chief Conservator of Forests (Mangrove), Mumbai
11. Divisional Forest Officer, Mumbai Mangrove Conservation Unit, Mumbai
12. Executive Engineer, Mumbai Sewage Disposal Project, Brihanmumbai Municipal Corporation, Mumbai
13. Select File.

I. Collector- Mumbai Sub-urban is hereby directed to forward the copy of this order to concerned Heads of Local Bodies, Panchayats, Municipal Bodies in addition to the relevant offices of the Government and they shall also ensure the display of this order on their notice board as well as on the notice board of local self-government bodies for the information of general public.

II. Executive Engineer, Mumbai Sewage Disposal Project, Brihanmumbai Municipal Corporation, Mumbai is hereby directed to publish the entire order of forest clearances granted in verbatim along with the details of Survey No., Gut No., area and legal status of each Survey, Gut No. etc. and along with the conditions and safe guards imposed by the Central Government while granting forest clearances in two widely circulated daily newspapers, one in vernacular language and other in English language. Copy of the Newspapers be submitted to Additional Principal Chief Conservator of Forests (Mangrove), Mumbai & Divisional Forest Officer, Mumbai Mangrove Conservation Unit, Mumbai.

III. Heads of Local Bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government are hereby directed to display the same on their notice board for 30 days from the date of receipt for the information of general public.