



भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FORESTS
& CLIMATE CHANGE

1007
Integrated Regional Office
Ground Floor, East Wing
New Secretariat Building
Civil Lines, Nagpur - 440001
E-mail: apccfcentral-ngp-mef@gov.in

F.No.CC-298/RON/2020-NGP/ 8383

Date: 30.07.2021

To,

The Director
Member Secretary
IA Division (Infra-2)
Ministry of Environment, Forest & Climate Change
Indira Paryavaran Bhawan,
Aliganj, Jorbagh Road,
New Delhi-110003

Sub: Original Application No. 100 of 2020 Shri. Udayasankara Samudrala Vs. Union of India pending before the NGT, WZ, Pune

Ref:

1. Ministry letter no. IA-3-3/29/2021-IA-III dated 28.05.2021

Sir,

The undersigned is directed to refer to the subject matter. Ministry vide letter under reference requested this office to carry out the site inspection and submit factual report. Accordingly site inspection of the project was carried out on 21.06.2021 and a report on present status of the project along with the information on issues raised in the OA no. 100 of 2020 is enclosed herewith. Following observations have been made by this office:

1. PP during the site inspection, submitted that the construction of the project was initiated without prior EC, as the project assumed that Funicular Ropeway System does not attract the provisions of EIA Notification 2006 as Funicular Ropeway System runs on the tracks installed over pillars.
2. Public Works Department (PWD), Government of Maharashtra vide letter dated 30.11.2019 clarified that Funicular Ropeway does not fall under the purview of Ropeway Advisory Board of Public Works Department (PWD), Government of Maharashtra.
3. The construction of Funicular Ropeway system has been initiated before obtaining Environmental Clearance. The installation of the system is completed and trial runs were conducted. The operations of the system are yet to be commenced.

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directly to the regulatory authority concerned as above, the regulatory authority shall engage another public agency or authority which is not subordinate to the regulatory authority, to complete the process within a further period of forty five days,.

(v) If the public agency or authority nominated under the sub paragraph (iii) above reports to the regulatory authority concerned that owing to the local situation, it is not possible to conduct the public hearing in a manner which will enable the views of the concerned local persons to be freely expressed, it shall report the facts in detail to the concerned regulatory authority, which may, after due consideration of the report and other reliable information that it may have, decide that the public consultation in the case need not include the public hearing.

(vi) For obtaining responses in writing from other concerned persons having a plausible stake in the environmental aspects of the project or activity, the concerned regulatory authority and the State Pollution Control Board (SPCB) or the Union territory Pollution Control Committee (UTPCC) shall invite responses from such concerned persons by placing on their website the Summary EIA report prepared in the format given in Appendix IIIA by the applicant along with a copy of the application in the prescribed form, within seven days of the receipt of a written request for arranging the public hearing. Confidential information including non-disclosable or legally privileged information involving Intellectual Property Right, source specified in the application shall not be placed on the web site. The regulatory authority concerned may also use other appropriate media for ensuring wide publicity about the project or activity. The regulatory authority shall, however, make available on a written request from any concerned person the Draft EIA report for inspection at a notified place during normal office hours till the date of the public hearing. All the responses received as part of this public consultation process shall be forwarded to the applicant through the quickest available means.

(vii) After completion of the public consultation, the applicant shall address all the material environmental concerns expressed during this process, and make appropriate changes in the draft EIA and EMP. The final EIA report, so prepared, shall be submitted by the applicant to the concerned regulatory authority for appraisal. The applicant may alternatively submit a supplementary report to draft EIA and EMP addressing all the concerns expressed during the public consultation.

IV. Stage (4) - Appraisal:

(i) Appraisal means the detailed scrutiny by the Expert Appraisal Committee or State Level Expert Appraisal Committee of the application and other documents like the Final EIA report, outcome of the public consultations including public hearing proceedings, submitted by the applicant to the regulatory authority concerned for grant of environmental clearance. This appraisal shall be made by Expert Appraisal Committee or State Level Expert Appraisal Committee concerned in a transparent manner in a proceeding to which the applicant shall be invited for furnishing necessary clarifications in person or through an authorized representative. On conclusion of this proceeding, the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall make categorical recommendations to the regulatory authority concerned either for grant of prior environmental clearance on stipulated terms and conditions, or rejection of the application for prior environmental clearance, together with reasons for the same.

(ii) The appraisal of all projects or activities which are not required to undergo public consultation, or submit an Environment Impact Assessment report, shall be carried out on the basis of the prescribed application Form 1 and Form 1A as applicable, any other relevant

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4. Regional Office, MoEF, Bhopal diverted 1.95 ha. of forest land vide letter no. 8B/37/97-FCW/982 dated 02.05.2000. However PP did not obtain the change in land use permission in view of the change of technology from "mono cable pulsatd fixed grip passenger ropeway" to "Funicular Ropeway"
5. MPCB granted consent to establish for the project vide letter no. Format 1.0/BO/JD(WPC)/UAN-0000083713/CE/CC dated 08.07.2020.

This issues with the approval of the Regional Officer, IRO, Nagpur.

A. Suresh Kumar
30/12/2020
(Suresh Kumar Adapa)
Scientist 'D'

The Original Application No. 100/2020 titled as Udaysankar Samudrala vs. Union of India & Ors. was filed before the National Green Tribunal, Pune bench. Applicant sought the intervention of Hon'ble Tribunal to direct respondents 1 to 5 to take effective action to stop further construction, erection, development or change of nature and character of the site of purported funicular ropeway project at Jivdhani Temple.

IA-III Division Infrastructure vide letter no. IA-3-3/29/2021-IA-III dated 28.05.2021 requested the Integrated Regional Office (IRO) to carry out the site inspection and submit a factual report in line with the direction of the Hon'ble Tribunal in the aforesaid matter.

Accordingly, a site visit of the project has been conducted on 21.06.2021. Following officials were present during site inspection.

1. MoEF &CC, Regional Office, Nagpur
 - Shri. Suresh Kumar Adapa, Scientist'D'
2. M/s. Shree Jivdani Devi Sansthan
 - a. Shri. Pradeep Tendulkar, Jivdhani Trust
 - b. Shri. Nitin Patil, Jivdhani Trust
 - c. Prateek Thakur, Environment Consultant

During the site inspection, it was observed that the construction of funicular ropeway system was completed. The system contains track of 400 meters with two funicular cars. One Car goes up and one Car comes down. Both cross at one location. Steps have been constructed on the side of the track to evacuate passengers in case of any emergency. The track is over 35 pillars with height ranging from 30 cm to 11 meters. The photographs are enclosed as **Annexure-1**. As per the information provided, Trial run has been completed. The system is yet to commence its operations.

The observations of Integrated Regional Office over the issues raised by the applicant are as follows:

S.No.	Allegation	Observation by IRO
1.	The applicant is a devotee of Jivdani Mandir and visits the temple often. The temple is on the hilltop and surrounded by greenery and forest area. This is an ideal place for some peace and	SEIAA, Govt. of Maharashtra granted EC to M/s. Damodar Ropeways & Construction Company (P) Ltd for the construction of mono cable pulsed fixed grip passenger ropeway.

<p>tranquillity. However, when the applicant visited the temple on 18.11.2020 after almost 5 years, he was very appalled to see an ugly construction of railway track right from the bottom of the hill to top of the hill. This ugly structure is completely spoiling the greenery and serenity of the area.</p> <p>The applicant then made local enquiries and found that this ugly structure from the bottom of the hill to top of the hill has been put for Funicular Ropeway System which is due to start shortly. The construction of the same began around 3 years back. The applicant took some photos of the same.</p> <p>Thereafter, the Applicant got to know that the Environmental Clearance granted in favour of another company on 17.09.2009 for a monocable pulsatad ropeway project, which got expired on 16.09.2014. The applicant then found out that the Funicular Ropeway project contract was awarded to Respondent No.5 in January, 2018 and the Respondent No.5 started construction in July, 2018 without obtaining any environmental clearance.</p>	<p>Project proponent (M/s. Shree Jivdani Devi Sansthan) submitted that the ropeway work has been started in 2009. However the same has been stopped (without any considerable progress) due to proposed change in technology. Project proponent decided to implement the "Funicular System Technology" instead of approved "mono cable pulsatad fixed grip passenger ropeway" due to safety provisions in the Funicular technology. PP submitted that Funicular Technology is safer than the mono cable pulsatad fixed grip passenger ropeway in terms of evacuation of passengers in case of emergency.</p> <p>As per the information provided, PP sought clarification from Ropeway Advisory Board of Public Works Department (PWD), Government of Maharashtra whether the "Funicular Ropeway" falls under Aerial Ropeway Category. PWD vide letter dated 30.11.2019 clarified that Funicular Ropeway does not fall under the purview of Ropeway Advisory Board of Public Works Department (PWD), Government of Maharashtra.</p> <p>During the site inspection, it was observed that funicular ropeway system has been installed.</p>
<p>2. The applicant further obtained a copy of the application of the terms of reference (TOR) in connection with the said proposal in the form of a letter</p>	<p>PP informed that application for obtaining EC for the funicular ropeway was made as the project was not sure whether the project attracts the provisions of EIA Notification</p>

	dated 25.09.2019 and Respondent No 4 applied for environmental clearance on 30.09.2019.	2006. However, it was observed that application was made after initiating the construction.
3.	Afterwards, the Applicant also found few newspaper reports published on 13.01.2020 reporting that 2 workers died while working on the Funicular Ropeway project at Jivdani Devi Temple as well as a newspaper report from The Times of India dated 14th January, 2020 also makes note of the fact that the '...Jivdani trust began the project 18 months ago..'	It was informed that 2 workers died due to the accident happened on 12.01.2020. The incident was happened due to negligence of the deceased and the contractor. PP submitted that a complaint has already been filed with Virar Police Station. A compensation of Rs. 5, 00,000 each was paid to family members each of the deceased. Details are enclosed as Annexure-2.
4.	Applicant was disconcerted as to how the concerned forest and environment departments allowed such huge scale destruction of nature and forest land therefore carried out various searches on the Internet. As he searched the internet he was devastated to note that the whole construction of Funicular Ropeway system has been done without any environment clearance. Such blatant violations have been carried out by the respondent no. 4 in willful disregard of the environment laws of the country.	Regional Office, MoEF, Bhopal diverted 1.95 ha. of forest land vide letter no. 8B/37/97-FCW/982 dated 02.05.2000. Copy of the final approval is enclosed as Annexure-3. However PP did not obtain the change in land use permission in view of the change of technology from "mono cable pulsed fixed grip passenger ropeway" to "Funicular Ropeway"
5.	On 21.11.2020, the applicant, while reading the morning news, came across an article in the 'Mumbai Mirror' whereby he came to learn that the respondent no.4 has launched a	PP informed that only trial run was conducted. The operations are yet to be commenced. It was also informed that the temple was closed most of the time due to the pandemic situation. During the site

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	<p>Funicular Rail service to ferry people to the temple in Virar. The article further noted that Funicular Rail is a type of cable drawn railway for steep slopes, like hills and that trials for the service have already begun and it was due to launch by next month.</p>	<p>inspection, It was observed that temple was not open.</p>
6.	<p>That the said project has been constructed on a forest land and the applicant from the website of the Ministry of Environment, Forest and Climate Change being www.parivesh.nic.in, downloaded a snippet containing reference of a proposal dated 30.09.2019 submitted by the said trust as user agency, with the name "Jivdani Passenger Funicular Ropeway".</p>	<p>Regional Office, MoEF, Bhopal diverted 1.95 ha. of forest land vide letter no. 8B/37/97-FCW/982 dated 02.05.2000. Ministry granted Terms of Reference for the project for EIA/EMP studies for the construction of Funicular Ropeway vide letter dated 03.12.2019. The environmental clearance is yet to be granted for the project.</p>
7.	<p>That as on date of starting of the project sometime in the year 2018 and even as on day today i.e. when the project is almost completed and close to the commencement of commercial operation, the project does not have an Environmental Clearance (EC). It is stated that Environmental Clearance is a mandatory requirement for a project of this kind as it squarely falls within item 7(g) of the schedule of EIA notification, 2006.</p>	<p>Already covered.</p>
8.	<p>That the respondent no.4 applied for the Environmental Clearance on 30.09.2019 after substantial progress was made to the Funicular Ropeway</p>	<p>The construction of the project commenced and the status was reported in this office letter dated 18.12.2019 as:</p>
<p>"The construction of funicular ropeway</p>		

project.

The applicant then obtained a copy of the application of the terms of reference (TOR) in connection with the said proposal in the form of a letter dated 25.09.2019. it had been submitted by the respondent no. 4 before the Member Secretary, Infrastructure and Miscellaneous Projects and CRZ Committee, Ministry of Environment, Forest and Climate Change. A copy of the said proposal and the terms of reference are collectively enclosed herewith and marked as Annexure -A/3.

That it will appear from the said proposal that a reference has been made to prior Environmental Clearance granted in favour of another company on 17.09.2009. It has been represented by the respondent no. 4 that due to change in technology, the work of Ropeway had been stalled. However, the applicant learnt that the Funicular Ropeway project was awarded to Respondent No.5

Thereafter, the applicant came across, at page D8 of the TOR, the earlier Environmental Clearance dated 17.09.2009. the material features to be noted from this Environmental Clearance dated 17.09.2009 are as follows:

i. EC was granted for a 'Monocable

was started. PP submitted that the work has been started as the project was doubtful whether the "Funicular Ropeway" can be categorised as "Aerial Ropeway."

Project proponent submitted that the ropeway work has been started after obtaining the EC in 2009. However the same has been stopped due to proposed change in technology. Project proponent decided to implement the "Funicular System Technology" instead of approved "mono cable pulsatd fixed grip passenger ropeway" due to safety provisions in the Funicular technology.

As per the information provided, PP sought clarification from Ropeway Advisory Board of Public Works Department (PWD), Government of Maharashtra whether the "Funicular Ropeway" falls under Aerial Ropeway Category. PWD vide letter dated 30.11.2019 clarified that Funicular Ropeway does not fall under the purview of Ropeway Advisory Board of Public Works Department (PWD), Government of Maharashtra.

Pulsated fixed grip Passenger Ropeway' at Shree Jivdani Temple. It laid down that such Environmental Clearance was granted only for an Aerial Ropeway which was required to follow standards of ropeway system as per the Aerial Ropeway act.

ii. The Environmental Clearance notes that there shall not be any change in the layout plan/master plan submitted to the authority without its prior permission and such approval has to be obtained before the commencement of construction work.

iii. The Environmental Clearance also denoted that its validity is only for a period of 5 years and as such it was due to expire on 16.09.2014.

iv. That the said project was on a Forest Land and necessary forest clearance was required.

9. The said proposal of TOR reveals that the Funicular Ropeway project is a new project as on the date of application being 25.09.2019. Such fact is false and fabricated as it is an uncontested fact evident from the materials available in the public records that the said Funicular Ropeway construction work began in the year 2018. In fact, at page B-2 of the Application for TOR dated 25.09.2019, there is a representation made by respondent no. 4 that Respondent No. 5 had been

It was observed that application for the EC was made after initiating the construction.

appointed as Technical Consultants for carrying out initial studies and for preparing a feasibility study for the project. On the contrary, in actuality, the Respondent No. 5 was the contractors incharge of building the ropeway project from sometime in 2018. The respondent no. 4 made a false and a concocted statement for procuring the Environmental Clearance at a belated stage.

The applicant states that Clause 1.5 of heading (ii) activity of form 1, of the proposal would reveal that the authority has been misled by the respondent no. 4, through its misrepresentation that the construction would be made on a future date. The fact that the construction had already begun in 2018 was suppressed from the authorities. In doing so, the respondent no. 4 has committed fraud on the authorities.

10. The applicant further found that there is a stark difference in Funicular Ropeway project and Monocable Pulsated fixed grip Passenger Ropeway in terms of its land use and the environmental damage to be sustained. In case of Monocable Pulsated fixed grip Passenger Ropeway, the requirement of land, (in this case a forest land) is minimal since only two pillars are to be constructed on the ground for the development of

During the site inspection, it was observed that the funicular rope way track is an elevated track. The track is supported by 35 pillars of dimension 0.7 meter X 1.1 meter. The height of the pillars from ground is ranging from 30 cm.s to 11 meters. PP also submitted that monocable pulsated fixed grip passenger ropeway requires strong foundation at both ends. The foundation also requires considerable amount of area.

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	<p>the terminal stations on both ends. In a Funicular Ropeway project, the entire project is built on land as it involves laying down of railway track on the ground. The land used and environmental damage is exponentially higher in case of a Funicular Ropeway project. As such the respondent no. 4 could have in no way gone ahead with the construction of a Funicular Ropeway project without an Environmental Clearance or on the basis of an Environmental Clearance granted for a Environmental Clearance granted in favour of another company on 17.09.2009 which expired in the year 2014.</p>	
11.	<p>From the application of the respondent no. 4 before the State Expert Appraisal Committee (SEAC-1), it appears that there is a stark is representation on behalf of the respondent no. 4 is as much as they have stated that the 'existing project' had an Environmental Clearance on 17.09.2009. Such statement made by the respondent no. 4 is absolutely false and aimed at misleading the authorities in as much as the Environmental Clearance dated 17.09.2009 was not for the existing Funicular project, it was for a monocable pulsated ropeway project and in any event had expired in 2014.</p>	<p>SEIAA, Govt. of Maharashtra vide letter dated 17.09.2009 granted EC for the aerial ropeway based on monocable pulsated ropeway project.</p> <p>PP submitted application for obtaining EC for the construction of funicular ropeway project.</p>
12.	<p>That a meeting was held on 17-18</p>	<p>It was observed that application for the EC</p>

	<p>October, 2019 by Expert Appraisal Committee (Infra-2) and by bare perusal of their minutes of meeting, it is evident that the Respondent No. 4 had started construction in July, 2018.</p>	<p>was made after initiating the construction.</p>
13.	<p>The respondent no. 4 accordingly, ought to have submitted a prior application for Environmental Clearance for Funicular Ropeway and ought to have obtained requisite permission before the start of the project.</p>	<p>Project proponent decided to implement the "Funicular System Technology" instead of approved "mono cable pulsed fixed grip passenger ropeway" due to safety provisions in the Funicular technology. It was informed that the construction of the project based on Funicular technology was started before obtaining EC as the project proponent was not sure whether the funicular system is coming under aerial ropeway technology (which requires prior EC) or not.</p> <p>As per the information provided, PP sought clarification from Ropeway Advisory Board of Public Works Department (PWD), Government of Maharashtra whether the "Funicular Ropeway" falls under Aerial Ropeway Category. PWD vide letter dated 30.11.2019 clarified that Funicular Ropeway does not fall under the purview of Ropeway Advisory Board of Public Works Department (PWD), Government of Maharashtra.</p>
14.	<p>From the materials available on record, it also appears that the respondent no. 4 has not even obtained Consent to Operate or Consent to Establish from the appropriate State Pollution Control Boards.</p>	<p>MPCB granted consent to establish for the project vide letter no. Format 1.0/BO/JD(WPC)/UAN-0000083713/CE/CC dated 08.07.2020. Copy of the same is enclosed as Annexure-4.</p>

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15.	The respondent no. 4 acted contrary to the Environment Protection Act, 1986 and Environment Impact Assessment Notification, 2006 in contravention and also acted in contravention of the provision of the Air. (Prevention and Control of Pollution) Act, 1981 and the Water (Prevention and Control of Pollution) Act, 1974.	Already covered. PP installed a STP of 165 CMD for the treatment of wastewater.
16.	The respondent no. 4 also acted in violation of other provisions and by not obtaining prior permission and acted on its own whims and fancies in complete derogation of the statute.	General Statement
17.	<p>All steps for construction and erection of the Funicular Ropeway system that have proceeded till date are illegal. The concerned authority ought to cause removal of the construction to restore the land of the said project to its original condition.</p> <p>The applicant further came across a few newspaper reports published on 13.01.2020 reporting that 2 workers died while working on the Funicular Ropeway project at Jivdani Devi Temple. This further shows the callousness of the respondent no. 4 for undertaking an illegal project.</p> <p>A newspaper report from The Times of India dated 14d January, 2020 also makes note of the fact that the '...Jivdani trust began the project 18 months ago..' This is evidence of the</p>	Already covered

	<p>fact that the project began approximately in June/ July, 2018 whereas the Environmental Clearance was applied in September, 2019</p>	
18.	<p>Owing to the aforesaid illegal acts of the respondent no. 4 and the inaction of the respondent authorities despite being informed, substantial question of law relating to the environment have arisen and present disputes involves such substantial question of law as laid down herein below:</p> <ul style="list-style-type: none">i. Whether the respondent no. 4 could have initiated the construction of Funicular Ropeway System without obtaining a prior Environmental Clearance?ii. Whether an expired Environmental Clearance in 2014 could be of any avail to the respondent no. 4 for its new construction of a completely different project?iii. Whether the respondent no. 4 could have bypassed the Environment Impact Assessment Notification, 2006 in abuse of its power and due process of law?iv. Whether the respondent no. 4's conduct in applying for Environmental Clearance at a stage when substantial works had been already done was legally tenable?v. Whether such non-disclosure of construction already made before	Already covered

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application for Environmental Clearance amounts to material suppression?

vi. Whether the respondent no. 4 should be made liable to restitution of the land to its original form for damaging the same without any authority of law and in complete derogation of statute?

It is submitted that the applicant was absolutely shocked to learn about the illegal developmental work involving Funicular Ropeway construction being carried out by the respondent no. 4 without a prior Environmental Clearance or other statutory clearances such as the Consent to Establish or the Consent to Operate from the State Operation Control Board.

19. In fact, on 4th December, 2020 the applicant came across a notice issued by the Maharashtra Pollution Control Board, whereby the Board has scheduled a public hearing on 30th December, 2020 in compliance with Notification S.O. 1533 dated 14.09.2006 and amended Notification S.O. 3067 (E) dated 01.12.2009 for grant of Environmental Clearance. The notice categorically mentions "Hearing panel in respect of Proposed Jivdani Passenger Funicular System (Ropeway) at Proposed by M/s Jivdani Devi Sansthan..." The respondent no. 4

Public hearing was conducted on 30.12.2020. Copy of the minutes is enclosed as **Annexure-5**.

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<p>has made a grave misrepresentation in leading the authorities into believing that the Ropeway project has not started yet wherein, in reality the project is nearing completion.</p>	
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Conclusion:

1. PP during the site inspection, submitted that the construction of the project was initiated without prior EC, as the project assumed that Funicular Ropeway System does not attract the provisions of EIA Notification 2006 as Funicular Ropeway System runs on the tracks installed over pillars.
2. Public Works Department (PWD), Government of Maharashtra vide letter dated 30.11.2019 clarified that Funicular Ropeway does not fall under the purview of Ropeway Advisory Board of Public Works Department (PWD), Government of Maharashtra.
3. The construction of Funicular Ropeway system has been initiated before obtaining Environmental Clearance. The installation of the system is completed and trial runs were conducted. The operations of the system are yet to be commenced.
4. Regional Office, MoEF, Bhopal diverted 1.95 ha. of forest land vide letter no. 8B/37/97-FCW/982 dated 02.05.2000. However PP did not obtain the change in land use permission in view of the change of technology from "mono cable pulsated fixed grip passenger ropeway" to "Funicular Ropeway"
5. MPCB granted consent to establish for the project vide letter no. Format 1.0/BO/JD(WPC)/UAN-0000083713/CE/CC dated 08.07.2020.

A. Suresh Kumar
30/11/2019
Scientist 'D'

Photographs of the Project

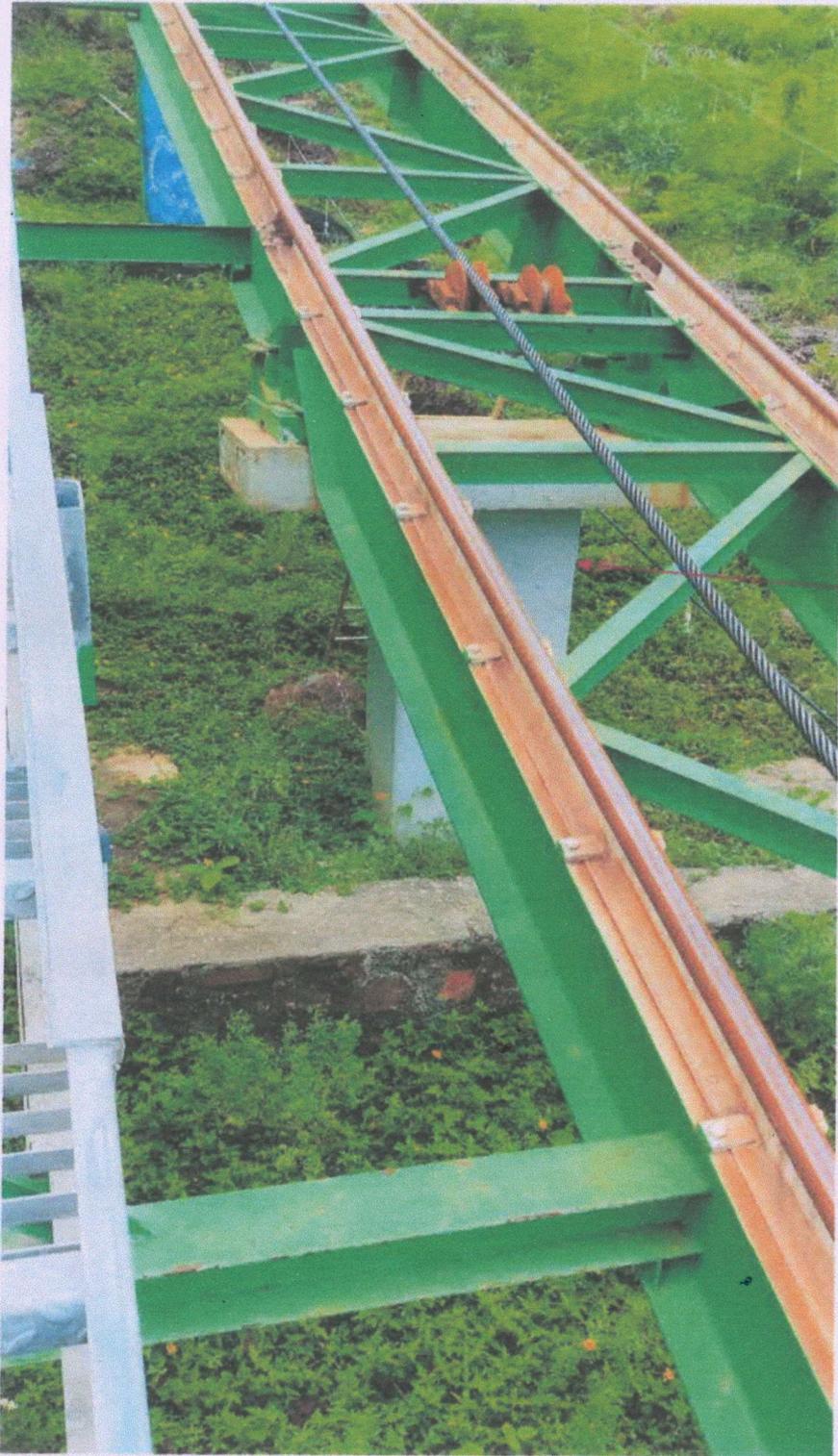


Funicular System Car



Funicular System Track

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**Funicular
System
Track on
Pillars**

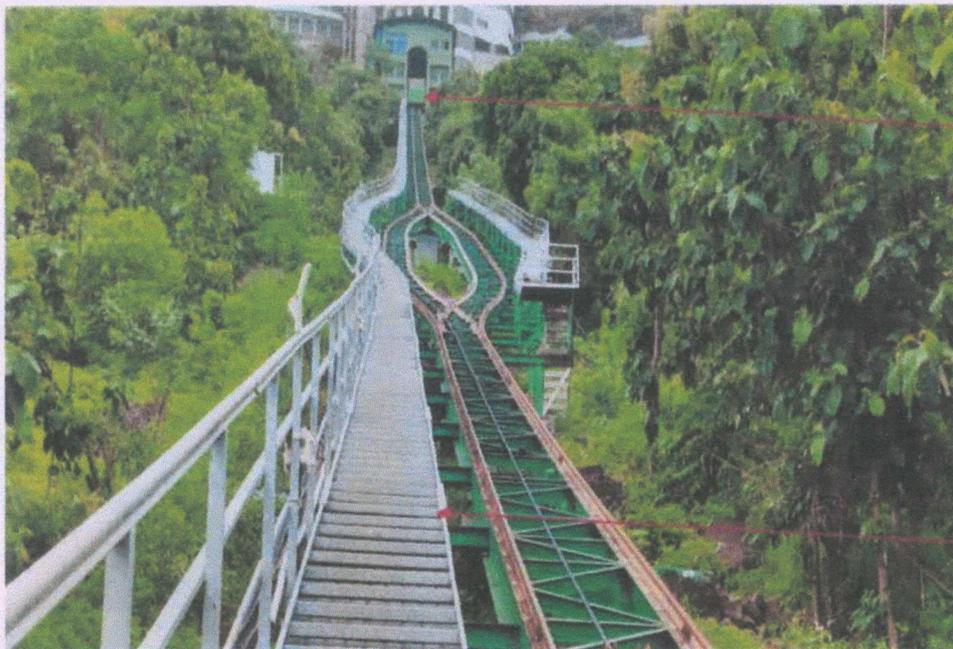
17/51

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18/51

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**Funicular
Car at the
top**

**Steps for
evacuation
in case of
emergency**



19/51

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20/51

ANNEXURE-2

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N.C.R.B (एन.सी.आर.बी)

I.I.F.-I (एकीकृत अन्वेषण फॉर्म - १)

FIRST INFORMATION REPORT

(Under Section 154 Cr.P.C.)

प्रथम खबर अहवाल
(कलम १५४ फौजदारी प्रक्रिया संहिता)

Year (वर्ष): 2020

1. District (जिल्हा): पालघर

P.S.(ठाणे): विरार

FIR No.(प्रथम खबर क्र.): 0041

Date and Time of FIR (प्र. ख. दिनांक आणि वेळ): 13/01/2020 23:11 बजे

2. S.No. (अ.क्र.) Acts (अधिनियम)

Sections (कलम)

1 भारतीय दंड संहिता १८६०

304-A

3. (a) Occurrence of offence (गुन्ह्याची घटना):

1. Day(दिवस): रविवार

Date From (दिनांक पासून): 12/01/2020

Time Period पहर 4
(कालावधी):

Date To (दिनांक पर्यंत): 12/01/2020

Time From (वेळेपासून): 11:30 बजे

Time To (वेळेपर्यंत): 11:30 बजे

(b) Information received at P.S. (माहिती मिळालेले पोलीस ठाणे):

Date (दिनांक): 13/01/2020

Time (वेळ): 22:59 बजे

(c) General Diary Reference (रोजनामचा संदर्भ)

Entry No. (नोंद क्र.): 066

Date & Time (दिनांक आणि वेळ): 13/01/2020 22:59 बजे

4. Type of Information (माहितीचा प्रकार): लेखी

5. Place of Occurrence (घटनास्थळ):

1.(a) Direction and distance from P.S.(पोलीस ठाण्यापासून दिशा व अंतर): पूट. 40 किमी

Beat No. (थिट क्र.):

(b) Address (पत्ता): जियदानी माता डोंगरावरली चालु, असलेल्या फनीवयुलर टूलीच्या, ठिकाणी, विरार पु

(c) In case, outside the limit of this Police Station, then (या पोलीस ठाण्याच्या हद्दीबाहेर असल्यास):

Name of P.S.(पोलीस ठाण्याचे नाव):

District(State) (जिल्हा(राज्य)):

6. Complainant / Informant (सक्रारदार/माहिती देणारा):

(a) Name (नाव): रामचंद्र मुकुंद गावड

(b) Father's/Husband's Name(वडील / पती चे

(c) Date/Year of Birth (जन्म तारीख/वर्ष): 1946

(d) Nationality (राष्ट्रीयत्व): भारत

(e) UID No. (यु.आय.डी. क्र.):

Date of Issue (दिल्याची तारीख):

(f) Passport No.(पासपत्र क्र.):

Place of Issue (दिल्याचे ठिकाण):

(g) Id details (Ration Card, Voter ID Card, Passport, UID No., Driving License, PAN)
ओळखपत्र विवरण (राशन कार्ड, मतदाता कार्ड, पासपोर्ट, यूआईडी सं., ड्राइविंग लाइसेंस, पॅन कार्ड)

S.No.(अ. क्र.) Id Type (ओळखपत्राचा प्रकार)

Id Number (ओळखपत्राचा क्रमांक)

1

(h) Address (पत्ता):

1029

N.C.R.B (एन.सी.बी.आर.बी.)

I.L.F.-1 (एकीकृत अर्पण फॉर्म - 1)

(h) Address (पत्ता):

S.No. (अ. क्र.)	Address Type (पत्त्याचा प्रकार)	Address (पत्ता)
1	वर्तमान पत्ता	आंबे निवास, विर सावरकर मार्ग, गावडवाडी, विरार प. वि.प. पालिका, महाराष्ट्र, भारत
2	स्थायी पत्ता	आंबे निवास, विर सावरकर मार्ग, गावडवाडी, विरार प. वि.प. पालिका, महाराष्ट्र, भारत

(i) Occupation (व्यवसाय): अध्यक्ष

(j) Phone number (फोन नं.):

Mobile (मोबाइल नं.):

7. Details of known/suspected/unknown accused with full particulars (माहीत असलेल्या /संशयित/अज्ञात आरोपीचा संपूर्ण पत्ता):

S.No. (अ. क्र.)	Name (नाव)	Alias (उर्फनाव)	Relative's Name (नातेवाईकाचे नाव)	Present Address (वर्तमान पत्ता)
1	सुकेशकुमार महादेव निशाद			1 नरवी पत्ता माहीती नाही, विरार, पालिका, महाराष्ट्र, भारत

8. Reasons for delay in reporting by the complainant/Informant (तक्रारदार/माहिती देणा-याकडून तक्रार करण्यातील विलंबाची कारणे):

9. Particulars of properties of Interest (संबंधीत मालमत्तेचा तपशील):

S.No. (अ. क्र.)	Property Category (मालमत्ता वर्ग)	Property Type (मालमत्ता प्रकार)	Description (वर्णन)	Value (In Rs/-) (मुल्य (रु. मध्ये))
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10 Total value of property (In Rs/-)-(चोरीस गेलेल्या मालमत्तेचे एकूण मुल्य (रु. मध्ये)):

11 Inquest Report / U.D. case No., if any (इन्क्वेस्ट अहवाल/ अकरमात मृत्यू प्रकरण क्र.,जर असल्यास):

S.No. (अ. क्र.) UIDB Number (यु.आय.डी. नं.)

12 First Information contents (प्रथम खबर हकीकत):

जबाब ता. 13/01/2020 मी रामचंद्र मुकुंद गावड वय- 74 वर्षे व्यवसाय- जिवदानी ट्रस्ट अध्यक्ष रा. आंबे निवास, विर सावरकर मार्ग, गावडवाडी, विरार (पु) ता.बसई जि.पालीक मो.नं. 9011167675 समक्ष विरार पोलीस स्टेशन येथे हजर राहून फिर्यादी जबाब लिहून देतो की, मी वरील ठिकाणी पाझी पत्नी- जयवंती, मुलगा- दिपक, सुन- वैशाली, नातू- नखुब वय -8 वर्षे असे कुटुंबासह राहणेत असून मी साधा जिवदानी माता मंदीर येथील ट्रस्ट वरती मागील 17 वर्षांपासून ट्रस्ट अध्यक्ष म्हणून काम पाहतो. जिवदानी देवीचे संपूर्ण कामकाज मी ट्रस्टी म्हणून पाहत आहे. संस्थाना करीता लागणाऱ्या सर्व कामांच्या निरनिराळ्या जबाबदाऱ्या मी निरनिराळ्या व्यक्ती वरती सोपवत असतो. सन- नोव्हेंबर 2018 मध्ये जिवदानी मंदीरा मध्ये जाणे व येणेसाठी फनीक्युलर ट्रलीचे काम सुरू केले होते एक वर्ष डोंगराचे जमीनीवरती काम चालू राहिले व सप्टेंबर 2019 पासून सदर फनीक्युलर ट्रलीचे जमनीच्या 10 ते 15 फुट वरती ट्रक बनविण्याचे काम सुरू झाले त्यावेळी सदर मजूर लोकांना सुरक्षिततेच्या दृष्टीने पाहणी करणे व योग्य ती सुरक्षिततेच्या दृष्टीने लागणारी उपकरणे पुरविण्यासाठी एका जबाबदार व्यक्तीची आवश्यकता असल्याने फनीक्युलर ट्रलीचे ट्रकची कामकाजाचे पाहणी करण्यासाठी मी सुकेशकुमार महादेव निशाद यांची नामांकन केली होती. त्या बाबत 100 रुपयांच्या स्टॅम्प पेपर वरती ता.03/09/2019 रोजी करारनामा बनवून त्यामध्ये संपूर्ण काम पूर्ण होईपर्यंत सुपरवायझर म्हणून त्यांनी जबाबदारीने काम पाहण्याचे होते. त्याकरीता जिवदानी संस्थाना तर्फे सुकेशकुमार निशाद यांना दरमहा 15 हजार रुपये वेतनाचे वेध्याचे ठरले तसेच सुपरवायझर म्हणून सुकेशकुमार निशाद यांनी मजूर लोकांवरती दररोज तयार कामाकरीता सुरक्षिततेच्या दृष्टीने काही सेफ्टी उपकरणे (उदा- हेल्मेट, सेफ्टी बेल्ट, बूट, ग्लोव्हज, चॅम्स इ) धरत या संस्थानाकडून घेवून त्या व्यक्तीच्या मजूरता वापरण्यास देत व त्या मजूर लोक वापरताना अगर कसे वा वाचत खात्री करून घेणे व मजूर हे वाचत नसल्यास ते ठिकाण सुरक्षा पत्रेच्या दृष्टीने वापर करण्यात याव्याने त्यांची संपूर्ण जबाबदारी व ते वापर न केल्यास सर्वस्वी जबाबदारी ही सुपरवायझर ना. सुकेशकुमार निशाद यांची असले बाबत तक्रार करारनाम्यामध्ये नमुद केले आहे. सदरचा करारनामा तक्रार देते वेळी मी हजर करील आहे. ता.12/01/2020 रोजी मला नितीन पाटील यांचा मला दुपारी 12.30 वा चे सुमारास फोन आला व त्यांनी मला सांगितले की, जयवंत हडाळ व गणेश वाघडा हे दोघे आपले ट्रलीचे कामावरती मजुरीने काम करीत असताना थोड्या वेळापुर्वी 11.30 वा चे सुमारास ते ट्रकचे काम करीत असताना खाली पडून बँशुधर झाले व त्यानंतर आम्ही त्या दोघांना संजीवनी हस्पिटल, विरार (प) येथे घेवून आलो आहोत असा फोन आला होता.त्यानंतर पुन्हा एक तासानी मला नितीन पाटील यांचा फोन आला व त्यांनी सांगितले की, ट्रलीचे काम करीत असताना खाली पडलेले दोन्ही मजूर मयत झाले आहेत त्यानंतर मी दुपारी 03.30 वा चे सुमारास मी जिवदानी मंदीर ट्रस्ट कार्यालय येथे जाणून तेथील मजूर ना. सुखराज जगेश्वर निशाद व शामराम गणेश महादेव यांना विचारपुस केली असता त्यांनी मला सांगितले की, सुपरवायझर ना. सुकेशकुमार निशाद यांनी मजूर ना. जयवंत हडाळ व गणेश वाघडा यांना ट्रलीचे नेटवोल्ड आवळण्याचे काम करण्यास सांगितले होते त्यावेळी मजूर मजुरांनी सुरक्षिततेच्या दृष्टीने वापरण्यात येणारी उपकरणे परीक्षण



1030

N.C.R.B (एन.सी.आर.बी)

I.I.F.-1 (एकीकृत अन्वेषण फॉर्म - १)

केली की नाही या बाबत सुपरवायझर यांनी खात्री न करता त्यांना ट्रलीचे ट्रकचे कामासाठी पाठविले. नमूद मजूर ट्रलीचे ट्रकचे काम करीत असताना 10 ते 15 फूट उंच अंतरावरून खाली जमनीवरती पडून त्यांना डोक्यास व इतर ठिकाणी गंभीर दुखापत होवून मजूर नामे - जयवंत हडाळ व गणेश वायडा हे मयत झाले आहेत. तरी ता. 12/01/2020 रोजी 11.30 वाचे सुमारास विरार (पु) येथे जिवदानी माता डोंगरावरती बासु असलेल्या फनीवयुलर ट्रलीच्या ट्रकचे काम करणारे मजूर नामे- जयवंत जमन हडाळ वय-38 वर्षे रा माकुणसार, सफाळे ता. जि.पालघर व गणेश अशोक वायडा वय-26 वर्षे रा. घर क्र-319, जिवदानी पाडा, जिवदानी रोड, विरार (पु) हे नटबोल्ड आयडप्याचे काम करीत असताना खाली पडून त्यांना डोक्याला व इतर ठिकाणी मार लागून गंभीर जखमी होवून मयत झाले असून सदर ठिकाणी सुपरवायझर म्हणून काम पाहणारे इराम नामे- सुकेशकुमार महादेव निशाद यांना मजुरांना सुरक्षिततेच्या दृष्टीने लागणारी सर्व उपकरणे पुरविण्याची व ती मजुरांनी काम करते वेळी वापरणे बाबतची सर्व जबाबदारी दिली असताना देखील सुपरवायझर यांनी मजुरांनी काम करतेवेळी सुरक्षिततेची उपकरणे काम करते वेळी परिधान केलेल्या नाही याची खात्री न करता त्यांचे कामामध्ये हलगर्जी व निष्काळजी पणा करून मजूर नामे- जयवंत हडाळ व गणेश वायडा यांचे मरणास कारणीभूत झाले आहेत म्हणून माझी सुपरवायझर नामे- सुकेशकुमार महादेव निशाद यांचे विरुद्ध तक्रार आहे. माझा बरील सगणकावरती टकलिवीत केलेला जबाब मी वाचून पाहीला असून ते माझे सांगणे प्रमाणे बरोबर आहे. हा जबाब लिहून दिव्ता स.ता.म समक्ष पोलीस ठाणे अंमलदार विरार पोलीस स्टेशन

13. Action Since the above information reveals commission of offence(s) u/s as mentioned at (केलेली कारवाई: बाब क्र. २ मध्ये नमूद केलेल्या कायमान्येचे बरील अहवालावरून अपराध घडल्याचे.) or (13.1)

- (1) Registered the case and took up the investigation: (प्रकरण नोंदविले आणि तपासाचे काम हाती घेतले):
- (2) Directed (Name of I.O.) (तपास अधिका-याचे नाव): pramod baliram bankar Rank (पद): SI (Sub-Inspector) No.(क्र.): PSI to take up the investigation (ला तपास करण्याचे अधिकार दिले) or (किंवा)
- (3) Refused investigation due to (ज्या कारणामुळे तपास करण्यास नकार दिला):

or (ज्या कारणामुळे तपास करण्यास नकार दिला)

(4) Transferred to P.S. (गुन्हा दुसरीकडे पाठविला असल्यास त्या पोलीस ठाण्याचे नाव): District (जिल्हा): on point of jurisdiction (को क्षेत्राधिकार के कारण हस्तांतरित).

F.I.R. read over to the complainant / informant, admitted to be correctly recorded and a copy given to the complainant / informant free of cost. (प्रथम खबर तक्रारदाराला/खबरीला वाचून दाखविली, बरोबर नोंदविली असल्याचे त्याने मान्य केले आणि तक्रारदाराला/खबरीला खबरीची प्रत मोफत दिली.)

R.O.A.C. (आर. ओ .ए .सी.)

14. Signature/Thumb Impression of the complainant / informant. (तक्रारदाराची/खबर देणा-याची राही/अंगठा):

15. Date and time of dispatch to the court (न्यायालयात पाठवल्याची तारीख व वेळ):

Signature of Officer in charge, Police Station (ठाणे प्रभारी अधिका-याची)

Name (नाव): vivek s sonawane

Rank (पद): I (Inspector)

No.(सं.): policeinspector

पोलीस ठाणे अंमलदार

विरार पोलीस ठाणे

जि. पालघर

20

103/10

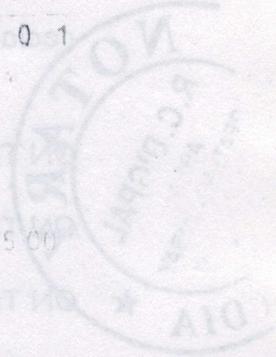

वसई विकास सहकारी बँक लिमिटेड (संयुक्त बँक)
VASAI VIKAS SAHAKARI BANK LIMITED (Scheduled Bank)
 Thakur Arcade, Near Railway Station
 Virar (W) Tal. Vasai Dist Thane: 401303 IFSC: VVSB0000003

A/c Payee: **Poola Ganesh Wayada**
 Pay: **Five Lakh Only**
 Rupees रुपये

Valid for 3 months: **1 4 0 1**
 0 0 0

अदा करे ₹ 5.00

Overdraft A/c. No.: 003130300009871



अचल उपाध्यक्ष श्री यशश्री
 For SHRI JAYSHREE

300357 4008030031 009871 11


वसई विकास सहकारी बँक लिमिटेड (संयुक्त बँक)
VASAI VIKAS SAHAKARI BANK LIMITED (Scheduled Bank)
 Thakur Arcade, Near Railway Station
 Virar (W) Tal. Vasai Dist Thane: 401303 IFSC: VVSB0000003

A/c Payee: **Jayshree Jaywant Hadal**
 Pay: **Five Lakh Only**
 Rupees रुपये

Valid for 3 months: **1 4 0**
 0 0 0

अदा करे ₹ 5.00

Overdraft A/c. No.: 003130300009871

अचल उपाध्यक्ष श्री यशश्री

300358 4008030031 009871 11

28/51



भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण एवं वन मंत्रालय
MINISTRY OF ENVIRONMENT & FORESTS

ANNEXURE - 3
1032
क्षेत्रीय कार्यालय, पश्चिम क्षेत्र
Regional Office, Western Region
E-3/240, अरेरा कालोनी Arera Colony
भोपाल Bhopal-462016 (म.प्र.) M. P.
तार/Telegram : CENTFOREST
दूरभाष/Phone : 566525, 563102

No. 8B/37/97-FCW/ 982.

To,

The Principal Secretary,
Government of Maharashtra,
Revenue and Forest Department,
Mantralaya,
MUMBAI

Dated 565496, 565054
2000
Tele Fax : 0755-563102

Dt. 2.5.2000

Sub: Diversion of 1.95 ha. of forest land for renovation of Shri Jivdani Devi Temple and its allied construction under Shahpur Forest Division in Thane district.

Ref: 1. This office letter No. 8B/37/97-FCW/1513, dated 15.7.1999.
2. State Government's letter No. FLD-1299/CR-116/F-10 dated 13.3.2000.

Sir,

I am to invite a reference to your letter No. FLD-1299/CR-116/F-10 dated 12.3.1997 on the above mentioned subject seeking prior approval of the Central Government under section 2 of the Forest (Conservation) Act, 1980.

The Central Government vide this office letter (1) referred above had agreed in principle for diversion of the above forest land for the purpose mentioned, subject to the fulfilment of condition No. 2(b), (c) 5 and 6 (a) stipulated therein.

The State Government vide letter (2) referred above have reported compliance on the fulfilment of the said conditions.

Therefore, the undersigned hereby conveys the formal approval of the Central Government under section 2 of the Forest (Conservation) Act, 1980 for diversion of 1.95 ha. of forest land for renovation of Shri Jivdani Devi Temple and its allied construction in Thane district subject to the following terms and conditions:-

- (1) The legal status of the forest land shall remain unchanged.
- (2) Compensatory afforestation shall be raised over 1.95 ha. non forest land within two years from the date of issue of this order on survey No. 217/3, 217/4 at Village Veluk (Thane) at the cost of the Shri Jivdani Devi Temple Trust. This non forest land shall be notified as RF/PF.
- (3) At least 500 ha. degraded forest area around the Temple site (village Virar comp. No. 1132, 1133, 1134 & 1135 etc.) will be rehabilitated through Joint Forest Management as envisaged in the State Government's resolution on the subject as per the microplan approved by the committee headed by the Conservator of Forests, Thane.

- (4) The Trust has already deposited Rs. 5.00 Lakhs as Forest Deposit with the Divisional Forest Officer, Thane. Trust will deposit another Rs. 25.00 Lakhs in 5-6 annual instalments in accordance with the projections made in the plan. Bank Guarantee furnished by the Trust will remain in the custody of Divisional Forest Officer, Thane and renewed every year for the remaining amount till all the instalments are deposited.
- (5) Entire amount of Rs. 30.00 Lakhs deposited with the Divisional Forest Officer, Thane as "Forest Deposit" will be released in instalments to the Executive Body of the Forest Protection Committee of the village directly. The Executive Body will regularly submit account to the Divisional Forest Officer, Thane as per his directions.
- (6) Proper utilisation of funds and implementation of programme will be supervised by a committee comprising the DFO and representatives of the Trust and Village Protection Committee.
- (7) Forest Protection Committee will be responsible for the protection of the entire 500 ha.(app.) forest land under compartment No. 1132, 1133, 1134 and 1135 etc. against fire, grazing and illicit felling etc. and will share the produce/income as admissible under Joint Forest Management Resolution of Maharashtra for the area under the control of Maharashtra Forest Department and as per the policy of the Forest Development Corporation, Maharashtra for the forest area under the control of the Corporation.
- (8) Trust will promote awareness among the devotees for the development and protection of forests.
- (9) The forest land shall not be used for any purpose other than that specified in the project proposal.
- (10) Any other condition which the State Government may stipulate.

Yours faithfully,

sd. /

(D.K. Sharma)

Dy. Conservator of Forests (Central)

Copy to:-

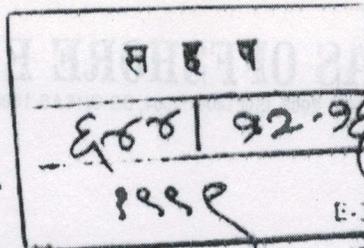
- 1. The Director (FC), Ministry of Environment and Forests, Paryavaran Bhawan, C.G.O. Complex, Lodi Road, New Delhi.
- 2. The Conservator of Forests and Nodal Officer, Government of Maharashtra, O/o the FCCF, Nagpur.
- 3. The Dy. Conservator of Forests, Thane Forest Division, Thane.
- 4. Shri Jivdani Devi Temple Trust, Virar East, Thane, District Thane.
- 5. Order file.

D.K. Sharma

(D.K. Sharma)

Dy. Conservator of Forests (Central)

भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण एवं वन मंत्रालय
MINISTRY OF ENVIRONMENT & FORESTS



1034
क्षेत्रीय कार्यालय, पश्चिम क्षेत्र
Regional Office, Western Region
E-3/240, अरेरा कॉलोनी Arcera Colony
भोपाल Bhopal-462016 (म.प्र.) M. P.

तार/Telegram : CENTFOREST

दूरभाष/Phone : 566525, 563102
Dated: 15/11/1999 563496, 565054

Tele Fax : 0755-563102

No.: BB/37/97-FCW/1513

To,

The Principal Secretary (Forests),
Govt. of Maharashtra,
Revenue and Forest Department,
Mantralaya,
Mumbai - 400032.

Sub: Diversion of 1.95 ha. of forest land for renovation of Shri Jivdani Devi Temple and its allied construction under Thane Forest Division in Thane district.

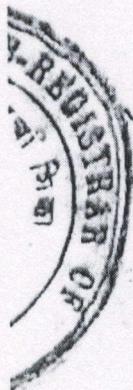
Sir,

I am directed to invite a reference to your letter No. FLD.1299/CR-116/F-10 dated 02.7.1999 on the above mentioned subject seeking prior approval of the Central Government under section 2 of the Forest (Conservation) Act, 1980.

After careful consideration of the proposal of the State Government, the undersigned on behalf of the Central Government, hereby agrees in principle for diversion of 1.95 ha. of forest land for renovation of Shri Jivdani Devi Temple and its allied construction including installation of ropeway under Thane Forest Division in Thane district subject to the following conditions:-

1. The legal status of the forest land shall remain unchanged.
- 2(a) Compensatory afforestation shall be raised over 1.95 ha non-forest land under survey No. 217/3, 217/4 at Vill. Veluk (Thane) at the cost of the Shri Jivdani Temple Trust. This non-forest land shall be notified as RF/PF.
- (b) Transfer and mutation of equivalent non-forest land shall be done in favour of the State Forest Department.
- (c) Cost of raising compensatory afforestation will be deposited by the Trust in advance with the State Forest Department as per the current wage rates.
3. At least 500 ha. degraded forest area around the Temple site (village Virar comptt. No.1132, 1133, 1134 & 1135 etc.) will be rehabilitated, through Joint Forest Management as envisaged in the State Government's resolution on the subject.

contd.....2.



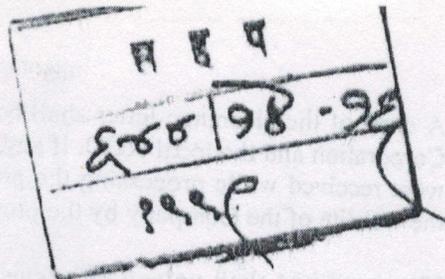
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4. Microplan for the rehabilitation works will be prepared indicating clearly the responsibilities to be discharged by the three agencies namely the Trust, the Forest Protection Committee of the village and the Forest Department. The payment schedule, flow of funds etc. will also be specified in the plan.
5. The microplan will be approved by a Committee headed by the concerned Conservator of Forests and copy of this plan will be sent to this office for record.
- 6(a) The Trust will pay Rs. 5 lakhs initially & give a bank guarantee for another Rs. 25 Lakhs which will be paid in annual instalments in 5 - 6 years period in accordance with the projections made in the microplan.
- (b) This amount will be deposited with the Divisional Forest Officer as "Forest Deposites" and will be released in installments to the Executive Body of the Forest Protection Committee of the village directly. The Executive Body will submit the account to the Divisional Forest Officer as per his directions.
7. Proper utilisation of funds and implementation of programme will be supervised by a committee comprising the DFO and representatives of the Trust and Village Protection Committee.
8. Forest Protection Committee will be responsible for the protection of the entire 500 ha (app.) forest land under compartment No. 1132, 1133, 1134 & 1135 etc. against fire, grazing and illicit felling etc. and will share the produce/income as admissible under Joint Forest Management Resolution of Maharashtra for the area under the control of Maharashtra Forest Department and as per the policy of the Forest Development Corporation, Maharashtra for forest area under the control of the Corporation.
9. Trust will promote awareness among the devotees for the development and protection of forests.
10. The forest land shall not be used for any purpose other than that specified in the project proposal.
11. Any other condition which State Govt. may stipulate.





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After receipt of the compliance report on the fulfilment of the condition No. 2(b), (C) 5 and 6(a) from the State Government formal approval will be issued in this regard under section 2 of the Forest (Conservation) Act, 1980.

The order for diversion of forest land to trust should not be issued by the State Government till formal approval order is issued by this office.

Yours faithfully,

sd/-

(S.P. Yadav)

Dy Conservator of Forests (Central)
Regional Office, Bhopal

Copy to :-

1. The Director (FC), Ministry of Environment and Forests, Paryavaran Bhawan, CGO Complex, Lodi Road, New Delhi - 110 003.
2. The Conservator of Forests and Nodal Officer, O/o P.C.C.F., Maharashtra State, Forest Department, Jaika Building, Civil Lines, Nagpur.
3. The Dy. Conservator of Forests, Thane Forest Division, Thane.
- ✓ 4. Shri Jivdani Devi Temple Trust, Virar East, Thane, Dist. Thane.

Order file.

\$ 15.7.99

(S.P. Yadav)

Dy Conservator of Forests (Central)
Regional Office, Bhopal.



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Maharashtra Pollution Control Board
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ANNEXURE - 4

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MAHARASHTRA POLLUTION CONTROL BOARD

Phone : 4010437/4020781
/4037124/4035273
Fax : 24044532/4024066 /4023516
Email : rohq@mpcb.gov.in
Visit At : <http://mpcb.gov.in>



Kalpataru Point, 3rd & 4th floor, Sion- Matunga
Scheme Road No. 8, Opp. Cine Planet Cinema, Near
Sion Circle, Sion (E),
Mumbai - 400022

Infrastructure /Red /LSI

Consent order No: Format1.0/BO/JD (WPC)/UAN-000083713/CE/CC Date 08/06/2020

To,
M/s. Shree Jivdani Devi Sansthan
Public Registration No. A/897, Shree Jivdani Marg, Village-Virar,
Tal- Vasai, District-Palghar, Maharashtra-401305

2007000612

Subject: Consent to Establish for Construction and installation of Passenger Funicular Ropeway System Project in Red category.

**Ref : Minutes of Consent Committee meeting held on 20/03/2020
Your application MPCB-CONSENT- 000083713 Dated: 27/11/2019**

For: Consent to Establish for Construction and installation of Passenger Funicular Ropeway System Project in Red category, under Section 25 of the Water (Prevention & Control of Pollution) Act, 1974 & under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981 and Authorization under Rule 5 of the Hazardous and Other Wastes (M & TM) Rules, 2016 is considered and the consent is hereby granted subject to the following terms and conditions and as detailed in the schedule I, II, III & IV annexed to this order:

1. The consent is granted for a period up to Commissioning of unit or 5 years whichever is earlier.
2. The capital investment of the project is Rs. 82.50 Crs. (As per undertaking submitted by project proponent)

Consent to Establish is valid for Construction and installation of Passenger Funicular Ropeway System Project named as M/s. Shree Jivdani Devi Sansthan Public Registration No. A/397, Shree Jivdani Marg, Village-Virar, Tal- Vasai, District-Palghar, Maharashtra-401305 having Total plot area of 19,500 Sq.mtrs Sq.mtrs, (having project details: Number of Terminals -2, Carrying capacity 1200 per Direction, Hours of Operation-12 hours, Length of ropeway-400 m, Number of Cabins-4, Travel Time- 3 minute.) including utilities and services as per construction commencement certificate issued by local body.

3. Conditions under Water (P&CP), 1974 Act for discharge of effluent:

Sr. No.	Description	Permitted quantity of discharge (CMD)	Standards to be achieved	Disposal
1.	Trade effluent	NIL	NA	NA
2.	Domestic effluent	137.00	As per Schedule -I	60% should be reused & recycled and remaining should be discharged in municipal sewer.

4. Conditions under Air (P& CP) Act, 1981 for air emissions:

Sr. No	Description of stack/ source	Capacity	Number Of Stack	Standards to be achieved
1.	DG Set	500 KVA	1	As Per Schedule -II



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Schedule-I

Terms & conditions for compliance of Water Pollution Control:

- 1) A) As per your application, you have proposed to install of Sewage Treatment Plants (STP) with the design capacity of 166.00 CMD
- B) The Applicant shall operate the effluent treatment plant (STP) to treat the sewage so as to achieve the following standards prescribed by the Board or under EP Act, 1986 and Rules made there under from time to time, whichever is stringent.

1.	pH	Between	6.5 to 9.0
2.	Total Suspended Solids	Not more than	20 mg/l.
3.	BOD 3 Days 27 degree C	Not more than	10 mg/l.
4.	Chemical oxygen Demand (COD)	Not to more than	60 mg/l.
5.	NH4 N	Not more than	5 mg/l.
6.	N Total	Not more than	10 mg/l.
7.	Fecal Coliform MPN/100 Ml	Less than	100.0

- C) The treated domestic effluent shall be 60% recycled for secondary purpose such as toilet flushing, air conditioning, cooling tower make up, firefighting etc. and remaining shall be utilized on land for gardening & connected to the sewerage system provided by local body.
- D) Project proponent shall operate STP for five years from the date of obtaining occupation certificate.
The Board reserves its rights to review plans, Specifications or other data relating to plant setup for the treatment of waterworks for the purification thereof & the system for the disposal of sewage or trade effluent or in connection with the grant of any consent conditions. The Applicant should obtain prior consent of the Board to take steps to establish the unit or establish any treatment and disposal system or and extension or addition thereto
- 2) The industry should ensure replacement of pollution control system or its parts after expiry of its expected life as defined by manufacturer so as to ensure the compliance of standards and safety of the operation thereof.
- 3) The Applicant shall comply with the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and as amended, by installing water meters and other provisions as contained in the said act.

Sr. no.	Purpose for water consumed	Water consumption quantity (CMD)
1.	Domestic purpose	160.00

- 4) The Applicant shall provide Specific Water Pollution control system as per the conditions of EP Act, 1986 and rule made there under from time to time.



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Schedule-II

Terms & conditions for compliance of Air Pollution Control:

1. As per your application, you have proposed to install the Air pollution control (APC) system and also proposed to erect following stack (s) and to observe the following fuel pattern-

S. No.	Stack Attached To	APC System	Height in Mtrs.	Type Of Fuel	Quantity	UOM	S %	SO ₂
1.	DG Set (500 KVA)	Acoustic enclosure	5.00	HSD	80.00	Kg/Hr	-	-

* Above roof of the building in which it is installed.

2. The applicant should operate and maintain above mentioned air pollution control system, so as to achieve the level of pollutants to the following standards.

Particulate matter	Not to exceed	150 mg/Nm ³
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3. The Applicant should obtain necessary prior permission for providing additional control equipment with necessary specifications and operation thereof or alteration or replacement alteration well before its life come to an end or erection of new pollution control equipment.

The Board reserves its rights to vary all or any of the condition in the consent, if due to any technological improvement or otherwise such variation (including the change of any control equipment, other in whole or in part is necessary).

Maharashtra Pollution Control Board



Maharashtra Pollution Control Board
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Schedule-III
Details of Bank Guarantees

Sr. No.	Consent (C to E/O/R)	Amt of BG Imposed	Submission Period	Purpose of BG	Compliance Period	Validity Date
1	Consent to Establish	Rs. 10 lakh	15 Days	Towards Consent to Establish conditions	Up to Commissioning of the project	Five years

Maharashtra Pollution Control Board



Schedule-IV

General Conditions:

The following general conditions shall apply as per the type of the industry.

1. The applicant shall provide facility for collection of samples of sewage effluents, air emissions and hazardous waste to the Board staff at the terminal or designated points and shall pay to the Board for the services rendered in this behalf.
2. The firm shall strictly comply with the Water (P&CP) Act, 1974, Air (P&CP) Act, 1981 and environmental protection Act 1986 and Solid Waste Management Rules, 2016 and E-Waste (Management) Rules, 2016.
3. Drainage system shall be provided for collection of sewage effluents. Terminal manholes shall be provided at the end of the collection system with arrangement for measuring the flow. No sewage shall be admitted in the pipes/sewers downstream of the terminal manholes. No sewage shall find its way other than in designed and provided collection system.
4. Vehicles hired for bringing construction material to the site should be in good condition and should conform to applicable air and noise emission standards and should be operated only during non-peak hours.
5. Conditions for D.G. Set
 - a. Noise from the D.G. Set should be controlled by providing an acoustic enclosure or by treating the room acoustically.
 - b. Industry should provide acoustic enclosure for control of noise. The acoustic enclosure/ acoustic treatment of the room should be designed for minimum 25 dB (A) insertion loss or for meeting the ambient noise standards, whichever is on higher side. A suitable exhaust muffler with insertion loss of 25 dB (A) shall also be provided. The measurement of insertion loss will be done at different points at 0.5 meters from acoustic enclosure/room and then average.
 - c. The industry shall take adequate measures for control of noise levels from its own sources within the premises in respect of noise to less than 55 dB(A) during day time and 45 dB(A) during the night time. Day time is reckoned between 6 a.m. to 10 p.m and night time is reckoned between 10 p.m to 6 a.m.
 - d. Industry should make efforts to bring down noise level due to DG set, outside industrial premises, within ambient noise requirements by proper siting and control measures.
 - e. Installation of DG Set must be strictly in compliance with recommendations of DG Set manufacturer.
 - f. A proper routine and preventive maintenance procedure for DG set should be set and followed in consultation with the DG manufacturer which would help to prevent noise levels of DG set from deteriorating with use.
 - g. D.G. Set shall be operated only in case of power failure.
 - h. The applicant should not cause any nuisance in the surrounding area due to operation of D.G. Set.
 - i. The applicant shall comply with the notification of MOEF dated 17.05.2002 regarding noise limit for generator sets run with diesel.
6. Solid Waste - The applicant shall provide onsite municipal solid waste processing system & shall comply with Solid Waste Management Rules, 2016 & E-Waste (M) Rules, 2016.
7. Affidavit undertaking in respect of no change in the status of consent conditions and compliance of the consent conditions the draft can be downloaded from the official web site of the MPCB.
8. The treated sewage shall be disinfected using suitable disinfection method.
9. The firm shall submit to this office, the 30th day of September every year, the environment statement report for the financial year ending 31st march in the prescribed Form-V as per the provision of rule 14 of the Environmental (Protection) Second Amended rule 1992.
10. The applicant shall obtain Consent to Operate from Maharashtra Pollution Control Board before commissioning of the project.

MINUTES OF THE PUBLIC HEARING FOR PROPOSED JIVDANI PASSENGER FUNICULAR SYSTEM (ROPE WAY) PROPOSED BY PROJECT PROPONENT M/S SHREE JIVDANI DEVI SANSTHAN, VIRAR PUBLIC REGISTRATION NO. A/397, SHREE JIVDANI MARG, VIRAR (EAST), TAL-VASAI, DIST-PALGHAR-401305, MAHARASHTRA

- Ref :**
- 1) Ministry of Environment, Forest & Climate Change, Govt. of India, New Delhi's Notification Dated 14-09-2006 and Amended Notification Dated 01-12-2009
 - 2) Ministry of Environment, Forest & Climate Change, Govt. of India, New Delhi's Notification Dated 06-01-2011 on Coastal Regulation Zone;
 - 3) Ministry of Environment, Forest & Climate Change, Govt. of India, New Delhi's Office Memorandum Dated 14-09-2020;
 - 4) Maharashtra Pollution Control Board's directives vide no. B-200917-FTS-0082, Dated 17-09-2020

The public hearing for proposed Jivdani Passenger Funicular System (Rope Way) proposed by Project Proponent M/s Shree Jivdani Devi Sansthan, Virar Public Registration No. A/397, Shree Jivdani Marg, Virar (East), Tal-Vasai, Dist - Palghar - 401 305, Maharashtra was conducted on Wednesday, the 30th December, 2020 at 11.00 a.m. at the Shree Jivdani Devi Sansthan, Jivdani Devi Mangal Karyalaya, 3rd Floor, Jivdani Mandir Road, Virar (East), Virar, Tal - Vasai, Dist - Palghar-401 305.

As per the Notification dated 14-09-2006 issued by Ministry of Environment, Forest & Climate Change, Govt. of India, (MoEF & CC, GoI), New Delhi and subsequent amendment on 01-12-2019 & Dated 14-09-2020 (Ref. at Sr.No.1 & 3), Member Secretary, Maharashtra Pollution Control Board, Mumbai has constituted Public Hearing Panel vide Office Order No.E-73 of 2020 issued under letter no.BO/JD (WPC)/PH/B-201203-FTS-0131, Dated 03-12-2020 as below :-

- | | | |
|---|---|-----------------|
| 1) District Magistrate, Palghar | - | Chairman |
| or his representative not below the rank of an Additional District Magistrate | | |
| 2) Regional Officer, MPCB, Thane
(Representative of Maharashtra Pollution Control Board) | - | Member |
| 3) Sub Regional Officer, Thane-2
Maharashtra Pollution Control Board,
Thane | - | Convener |

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Shri Ishwar Thakare, Sub Regional Officer, Thane-2, MPCB, Thane and Convener of the Public Hearing Committee while welcoming all informed that as this Virtual Public Hearing is arranged in the background of Covid-19, we all have to follow the directives of the Ministry of Environment, Forest & Climate Change, Govt. of India, New Delhi dated 14-09-2020 [referred at sr. no. (2)] and subsequent Order as issued by Maharashtra Pollution Control Board dated 17-09-2020 [referred at sr. no. (3)] above. Hence, 100 persons are allowed in the meeting hall in a session. If the participants are more, subsequent sessions will continue until all the participants are given opportunities to attend the meeting.

As per the directives, it is requested all the participants to follow strictly guidelines of Covid-19 of Govt. of India. The thermal checking and use of sanitizer were kept at the entrance of the meeting hall and in the meeting hall, it is compulsory to wear mouth mask and follow the social distancing amongst the persons.

Convener of the Public Hearing Meeting welcomed Hon'ble Chairman of the Public Hearing Committee, Member of the Public Hearing Committee, Company Officials, Government Officials and Public who were present in large number and informed that as per the EIA Notification of Ministry of Environment, Forest & Climate Change, Govt. of India, (i.e. MoEF & CC, GoI) dated 14th September, 2006 as amended on 1st December, 2009, it is mandatory to conduct prior public consultation to certain projects which are covered in the schedule of the said Notification.

He informed that the Maharashtra Pollution Control Board was in receipt of application of Project Proponent M/s Shree Jivdani Devi Sansthan, Virar Public Registration No. A/397, Shree Jivdani Marg, Virar (East), Tal-Vasai, Dist – Palghar – 401 305, Maharashtra for their proposed Jivdani Passenger Funicular System (Rope Way).

The Convener further informed that the project is in operation outside of notified industrial area and as per EIA Notification, 2006 the category of project falls under Category A – 7 (g) and as per Wild Life Protection Notification, 1972, the project site is 4.4 kilometre (East) away from the Notified Tungreshwar Wild Life Sanctuary and 2.5 kilometre from the Notified Eco-Sensitive Zone of Tungreshwar Wild Life Sanctuary.

Convener of the Public Hearing Committee informed that the aim of conducting prior public consultation is to make aware, local people who can be

participant in the hearing and they should know the developmental activities and Environment Management Plan of the project.

Project Proponent had sought permission from MoEF & CC, Gol for sanction of Terms of Reference (ToR) and for preparation of Environment Impact Assessment and MoEF & CC, Gol in its 45th meeting kept the proposal and has sanctioned ToR on 03-12-2018.

Shri. Thakare, Convener of the Public Hearing Committee informed that as this public hearing was arranged on 30-12-2020, 30 days in advance public notice was published as per provisions in the Notification by District Collector- Palghar in local newspaper Daily Loksatta and in national newspaper Daily Indian Express on 26-11-2020.

Also a copy of EIA report and executive summary were made available at various notified offices of Government i.e. Ministry of Environment, Forest & Climate Change, West-East Division Office, New Secretariat Building, Ground Floor, East Wing, Civil Lines, Nagpur - 440 001; District Magistrate Office-Palghar; Additional District Magistrate Office- Palghar; Zilla Parishad Office- Palghar; District Industries Centre-Office, Palghar; Tahsildar, Tahsil Office- Vasai, Dist - Palghar; Sub Regional Office, Thane-2, MPCB, Thane; Regional Office, MPCB, Thane and at Head Office of MPCB at Mumbai; Environment & Climate Change Department, Govt. of Maharashtra, Mumbai and on the website of MPCB. The public were appealed to send any suggestion or objection regarding the expansion of above project.

Convener further informed that the local MPCB Thane Office received 01 written suggestions / objections and 26 written letters for supporting the project. They have been informed to attend this public hearing. He informed that an opportunity is given to all raise their suggestions / objections regarding the proposed project in environmental angle only.

Convener informed that first the Environment Consultant of the Project will give presentation. After presentation, the participants may raise their suggestions, doubts, objections regarding Environment Management Plan. While raising the suggestions, first name and place of residence be informed. He directed Environment Consultant to give presentation in Marathi, an official language of the Maharashtra State.

He appealed Chairman of the Committee to allow to start the proceedings.

With the permission of the Hon'ble Chairman of the meeting, the Environment Consultant appointed by the company has gave the presentation.

Project Environment Consultant informed that in Maharashtra at Satara District, an accident due to stampede occurred at Mandhardevi Religious place. After the incidence, Maharashtra Government has issued certain Orders for all religious places which are located on high hill/mountain.

Project Environment Consultant informed that Jivdani Mandir is located on a hill top/mountain at Virar of Palghar District. The surroundings of the temple are beautiful and there is heavy rush of devotees on the holidays and on the day of the festivals. But to take darshan of the Jivdani Goddess, stiff and straight 900 steps have to be climbed. The journey to the temple is difficult. Hence, Jivdani Devi Trust has planned to make other options for devotees to go to temple for darshan and finalized Passenger Funicular Ropeway System. This project is convenient for the visitors and devotees. The details of the Rope Way is explained by the Consultant.

After the presentation, the participants are appealed to raise their views, suggestions or objections regarding Environment Management Plan.

Followings have participated during the discussions and the Answers given by the Project Proponent / Project Consultant / Public Hearing Committee :-

1) Ms. Maya Chaudhari, Resident – Virar, Tal-Vasai, Dist-Palghar:-

Ms. Maya Chaudhari remarked that she thanks officials of the Consulting Firm for giving the good presentation. We, the common people do not know various points and how the study is carried. Here the capacity of the land, present status water level is studied. She said that we stay here since long. This hill / mountainous area was deserted. But this Jivdani Trust has converted it totally and now the deserted mountainous area has become totally green. Here Afforestation is carried every year by spending nearly rupees 30-35 lakhs. We are watching the change. Our Saving Group do take part in afforestation programme every year. While afforesting, we carry it from upward to downside. We have observed that the rain water harvesting system is commissioned due to which saplings will grow fast.

She further informed that every year it is observed that many devotees are overwhelmed to take darshan of the Jivdani Devi/Goddesses. But due to tremendous rush of the devotees, the plastic wrappers and eatables are thrown on the hill/mountain. Due to commissioning of Funicular System (Rope Way), plastic pollution on the mountain will be avoided.

There are few people in society who have 'Height Fobia.' Due to installation of Rope Way, they will be able to take darshan of Jidani Devi.

Maya Chaudhari further informed that she is social worker. Hence, she knows that how the Trust has helped the needy people by providing them cooked food in the days of Covid-19. The Anna Dan/Donation of Food programme will be continued forever by the Trust. This project will be beneficial to all. Hence, we support the Funicular Ropeway.

2) Shri Hardik Ravindra Raut, Resident-Virar, Tal-Vasai, Dist - Palghar:-

My birth place is Virar. I am watching the various developments carried by the Trust since my childhood. Not a single tree was there on the Jivdani hill/mountain. Now the hill/mountain is converted into greenery. We are experiencing the development of this area by the Jivdani Devi Trust and Local Corporation. I am 35 years old and just as my age is increasing, the greenery is increasing. We have the Morning Walk Group. It gives mental strength when we come here, but there is always heavy rush. The devotees should get the good darshan.

Hence, by commissioning of Funicular System (Rope Way), the large people coming here will get the darshan as not only people from Virar is coming, but devotees from throughout the State of Maharashtra and our country are coming here. The time management of the devotees should be maintained.

Due to Jivdani Trust, the people residing the nearby areas have got various occupations/business opportunities. The tea, flower and garland vendors, rickshaw drivers have got the source of livelihood. The flower and horticulture farmers residing nearby areas have also got a platform to sale. There are local people who prepare and sale the prasad of coconut sweets (Nariyal Barfi).

It is experienced that Jivdani Trust is always ahead in extending help at the time of natural disaster e.g., in flood affected areas, earthquake. In the days of lock down due to pandemic Corona virus, the Trust had provided prepared foods to the needy people since 7-8 months. The coconut sweet (Nariyal Barfi) vendors

are local people only. They have got the source of livelihood. Jivdani Trust is always ahead to help the people in natural disaster period. It may not have happened anywhere else.

As large number of people should get the darshan properly, the Funicular System (Rope Way) is necessary and we all support to commission the same.

All the participants supported by clapping the hands.

3) Advocate Ramakant Waghtaude, Resident – Nalasopara, Dist – Palghar:-

He congratulated Maharashtra Pollution Control Board for arranging public hearing. He informed that though he is from Satara district, he is staying here since many years and observing the social work of Jivdani Devi Trust. He said that he has seen many religious institutes, but the social work carried by Jivdani Devi Trust is remarkable and right and it has set an example to others. Though this Trust is religious, its active part for implementing various programmes for health, education and social is remarkable. The participation of this Trust in various other social welfare programmes is pioneering.

He said that the help and rehabilitating work carried during the natural disaster, flood by the Trust of Jivdani Devi is as per Government only. It has extended helping hand to millions of needy and poor people and gain the confidence of local people. We came here to support the project, we are supporters. This passenger funicular ropeway will be beneficial to many people. The physically and mentally challenged people, senior citizens, school children will be benefited by this passenger funicular ropeway.

Hence, on behalf of the people of Nalasopara and other citizens, I support the project. This is the way of development. Here also one or others may oppose the project due to some or other reasons. It is requested to District Collector and MPCB officials to look into the matter seriously and as construction of passenger funicular ropeway is towards development, it should be approved. He supported the project.

Project consultant thanked him for supporting the project.

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4) Advocate N. Jain, Resident – Virar, Tal – Vasai, Dist – Palghar:-

He informed that all have come here to support the nice project of Rope Way. Those people who could not come here, they are also supporting the project. Our support is for the development of Virar.

This project is need of the Virar for the development. We were not imagining that we will get the Darshan of Jivdani Devi within three minutes. The presentation is given very nicely. Hence, I request Government to sanction the project. There will no ill-effects on the nature due to this project. The local people will get job opportunities and name of the Virar will be known at national and international level.

I request Pollution Control Board to think seriously about the project and the commissioning work should be started at the earliest. We support the project and many thousands will come to support the project.

Project Environment Consultant thanked for supporting the project.

5) Ms. Swati Marathe, Resident-Virar, Tal-Vasai, Dist – Palghar:-

Ms. Marathe informed that she is teacher and stays at Virar since her childhood. This project will help the development of Virar. We bring here school children for the trip. The small children and old persons will be benefited due to this passenger funicular ropeway.

Local people will get job opportunities. The saplings have been planted by the Jivdani Devi Trust. The devotees from Mumbai come every day for the darshan. Hence local people can get job opportunities. The suggestion is already made by the participant to installed the project at the earliest.

6) Shri Sunil Bajaj, Resident-Virar, Tal-Vasai, Dist – Palghar:-

Shri Sunil Bajaj informed that that as this project is to the benefit of all, though it is supported by me, I have certain reservations/objections in a manner it is approved and public hearing is called at the background of Covid-19.

He said that he has objected for it and written submission is already given.

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7) Shri Jay Desai, Resident – Virar, Tal-Vasai, Dist – Palghar:-

He informed that his name is Jay Desai and he is MBA student. He is young and student and desires to raise views for Passenger Funicular Ropeway. If more than 100 devotees are able to go for darshan by Rope Way than the stairs, it will be beneficial to people.

We are aware that due to Covid-19, the tourism industry has come in trouble. Due to this passenger funicular ropeway, the number of tourists will increase. There are many sea shores at Vasai Virar area. Hence, local tourism and income of local people will increase. The trust has carried very dedicated work.

He informed that he is coming in the temple since childhood and his grandfather used to take darshan upto the age of 90 years. Many engineering students will like to come and study this project. Hence, this project should be commissioned at the earliest for the convenience of the public. We support the project.

8) Shri Jagdish Tare, Village is from Saphale Station.

Shri Jagdish Tare informed that Koli communities are habitants in our village. They have faith on the Jivdani Devi. He said that he is coming here since childhood. Without offering/breaking the coconut in the name of Goddess, the boats are not sent into the Sea. We see the temple while boating in the sea. We have faith on the Goddess.

Shri Tare further informed that the development work carried by the Jivdani Devi Trust is definitely praiseworthy.

We believe that the Goddess is blessing from the mountain. In the days of Corona, all the trustees were working very hard for the people. When the prepared food was not getting at most places, trustees used to visit and donated the prepared food. We Koli community salute Jivdani Devi Sanstha. At these critical days, each human being needs another human being. This Jivdani Devi Trust is preserving humanity. We support the project. Best Luck to project.

9) Shri Naresh Jadhav, Resident – Nalasopara, Dist – Palghar:-

Shri Naresh Jadhav said that he extends thanks to Maharashtra Pollution Control Board, due to which we gathered here for the cause of environment. He

informed that he stays in this area since last 35 years. The hill/mountains which are now green, the credit goes to Bhiwandi Nijampur Municipal Corporation and Vasai-Virar Municipal Corporation and Jivdani Devi Trust. The 1-2 crores of trees were planted in the area. The Goddesses Jivdani is archaic and not only just devotees from Vasai Virar and Nalasopara area, but from all over Maharashtra and whole country are coming to take darshan. The work carried by the trustees is so good, that the faith of devotees will not be disturbed. In the days of Covid-19, the Trust has served prepared food and vegetables to nearly 70 lakh needy people. This great humanitarian work will be appreciated in our country. Hence, considering the feelings of the people, the passenger funicular ropeway project should be sanctioned.

Project Consultant thanked for extending support.

10) Shri Sandip Sakharam Nadkar, Sainath Nagar, Virar, Tal-Vasai, Dist-
Palghar:-

He said that now we are watching green mountains. The credits go to Jivdani Devi Trust for their dedicated hard work. Also, in the days of Covid-19, water and prepared food is served to all needy people. Today, the public hearing is arranged for the commissioning of the Rope Way project. It will be very useful to devotees. The local rickshawalls, flower and garland vendors will get job opportunities. Hence, my request is to sanction the project at the earliest.

Project Environment Consultant thanked for the support.

11) Shri Dhanjay Zha, Resident -Virar, Tal – Vasai, Dist – Palghar :-

I stay here since last 22 years. I am from Bihar and came here for livelihood. I observed the custom here that those who come to stay here, takes the darshan of Jivdani Mata. The mountains which I have seen 22 years back have been totally changed. It is not happened in one day, it is due to hard efforts taken since 20-25 years. I thanks to Jivdani Trust for it. Here 5-6 lakh people used to stay in small houses. Now they are staying in their flats. This is due to blessings of Jivdani Mata only. The social work of Jivdani Trust makes all of us to stay here. We all believe on the Jivdani Devi Trust.

He thanked to Project Consultant for giving informative presentation. He remarked that though this Trust and place is known in Maharashtra, after inception

of the project, it will be known throughout our country. Just as devotees throughout India go to Mata Vaishnavi Devi, they will come here for darshan.

He said that I extend my thanks to Jivdani Trustee for taking in hand the Rope way project. Due to this, the time for darshan of the devotees will be saved. He informed that many people left the staying place, as they did not get food in the days of Corona, but from Virar, nobody left as Trustees took tremendous efforts for providing cooked food in the days of Corona to people in the area. The Trust also donated cooked food, medicines and extended full security. I request Maharashtra Pollution Control Board to sanction the Rope way project.

Environment Consultant thanked for the support.

12) Shri Shirish Krishna Raut, Resident – Virar, Tal – Vasai, Dist – Palghar:-

I am staying here since last 60 years. Since childhood, I am watching this hill/mountain. It was totally desert. There were not a single tree on the road. There was a high road to the temple above. The devotees, people and other visitors used to slip. Now the hill / mountain is converted into lush green cover. It is due to tireless efforts of Jivdani Trust and Mahanagar Palika. This Rope way will be beneficial to all people residing in the area. The time, money and unnecessary trouble will be saved. There will not be any environment degradation due to this passenger funicular ropeway. There will not be any smoke. The speakers here already raised the suggestions. Hence, I request Public Hearing Committee to sanction the project.

Environment Consultant expressed thanks for the support.

13) Mrs. Kanchan Zha, Social Worker, Resident-Virar, Tal – Vasai, Dist – Palghar:-

Mrs. Zha informed that in Maharashtra the people are well connected by cultural relations. Many people do worship Goddess by Vrat / Vow. Just as Mumbaikars do worship Mumbadevi, here at Virar we worship Jivdani Devi. Due to Rope Way, all the sections of society will be benefitted. As expressed earlier, there are huge scope for tourism industries. The small children also can get darshan after following security. There will boost to our cultural heritagés. We support the project.

Environment Consultant expressed thanks for the support.

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14) Shri Vivek Madan Patil, Resident-Sopara Gaon, Dist-Palghar:-

I am local person. We came here since our childhood. In the young age, we used to come by walk. But as the age is increasing, we middle aged people require Rope Way.

Secondly, regarding Environment. It is understood that this project will run on solar energy. It will be operated on electricity. Hence, there will not be any smoke.

This project will be beneficial to the people. The people have to take rest at 2-3 places while going by stairs. After eating the biscuits, the people keep the plastic covers and plastic bottles there only. The plastic pollution on the hill/mountains will be avoided and the time will be saved. I personally appeal to other Trusts to imitate the Trust of Jivdani Devi for the activities in social, educational, medical and at emergency situation. It is observed by me that, there is increase in the numbers of monkey. It shows the nourishment of nature.

Environment consultant thanked for the support.

15) Shri Chandrakant Shankar Katare, Residnet-Virar, Tal - Vasai, Dist - Palghar:-

I have retired in 2011. Now I am carrying the work at Jivdani Goddess Mountain. Since last year, I am extending the support to Jivdani Devi Trust as an Environmentalist.

Since last year, I am working near the Funicular Systems. The 60 meters green drive is carried at both sides. There will be fogging and drip system in two stages. This project will bring happiest moments to all. Due to this project, old persons, daughters and daughter-in-law, small children will get the darshan of the Mata.

He further informed that he is submitting written suggestions. He read the suggestions and objections which are as under:-

- a) The kitchen is used for preparation of Prasad for many thousand devotees. The domestic effluent/sewage is treated in Sewage Treatment Plant (STP), which is installed by the Trust and the treated domestic effluent/sewage is reused for toilet and green belt development;

- b) I have seen the workings of the Trust very closely during the Corona period. The Trust has donated cooked foods and vegetables to nearly 25 lakh needy people. The whole Taluka is indebted for this generous act.
- c) I am staying at the foot of the goddess since last 50 years. I have written a book on Jivdani Goddess as "Jjvdani Gatha." It is in Marathi and in Hindi. At that time, my wishes were mentioned in the book that when there will be stoppage of sacrifice of animals, it will be golden day. Now, the Trust has already banned the method of sacrificing the animals.
- d) The Jivdani Hill/ Mountain is of black stone. It is difficult challenge to sow the tree. Now there are trees, which is of years. The trees have been kept alive. The Environment Consultant thanks for giving support.

16) Shri Anupra singh, Resident – Virar, Tal – Vasai, Dist–Palghar-

I am from Uttar Pradesh and staying at Virar since last 17 years. We go to take darshan of Jivdani Devi every Tuesday. Here in Public Hearing on Environment, I am telling 2-3 examples how the Trust is carrying good work:-

- a) For the protection and preservation of Environment, the green belt development, tree plantation is carried. The Trust protects all the planted trees and total forest area;
- b) The Trust has already banned the use of plastic on the Jivdani Devi Mountain.
- c) We support the project.

17) Shri Parag Kamble, Resident – Nalasopara, Dist – Palghar:-

I stay at Nalasopara. All the participants have expressed their suggestions. The Jivdani Devi Trust is implementing various social welfare projects. My family deity Renuka Devi is at Karnataka. But now I believe Jivdani as Family Deity and take darshan at every year.

Last year my age-old mother and father cannot taken darshan.

Hence, I request to complete the project at the earliest, so that my father and mother can be brought to take the darshan. On behalf of Nalasopara, I request to complete the project at the earliest.

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18) Shri Gajendra Kayekar, Resident – Virar, Tal – Vasai, Dist – Palghar:-

I request Maharashtra Pollution Control Board to sanction this project at the earliest. There is no word how the Jivdani Devi Trust has helped the needy and poor people donated cooked food & medicines in the days of Corona. Due to this project, local people will get the job opportunities. Hence, the Government should give sanction at the earliest.

19) Shri Amol Chaudhari, Resident-Virar, Tal-Vasai, Dist – Palghar:-

I am from Bihar, but staying here since last 19 years. I have become devotee of Jivdani Mata. In the days of lockdown, the Trust has provided cooked food to more than 50-60 thousand. Also the doctors and ambulance are also provided. Needy students have been provided books. Hence, those who want to oppose, may think first the social work of the Trust and then support. We support the project.

Environment Consultant thanked for the support.

20) Shri L.N.Gosavi, Resident – Nalasopara, Dist – Palghar:-

It is understood by me that 90% work of Funicular System is completed and only 10% is remained. The Jivdani Devi Trust do implement various social programmed at various villages. The free medication is provided. I am from Khandesh Region and came here in 1973. My whole life is spent at Vasai, Virar and Nallasopara. I was Head Master at Secondary School. I here desires to inform the participants that with blessings of Jivdani Mandir, this project will be completed.

21) Shri Balkrishna Shttety, Ranga Senior Citizen Sanstha, Virar, Tal-Vasai, Dist – Palghar:-

We are senior citizens and we have 360 members. It is very difficult to seniors to climb by the stairs. Hence, we are not able to take darshan. Hence, MPCB should sanction the project at the earliest.

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22) Shri Prafulla Sane, Resident – Virar, Tal – Vasai, Dist – Palghar:-

When I was one year old, my parents came to Virar. I am watching the Mandir since my childhood. Previously, there was very small temple. Afterwards stairs were built. Then the rope way was prepared. Few last years back, the population and devotees has increased tremendously. As per the need of the time, the Trust has given various facilities. The facility of drinking water system is definitely good.

The Trust is carrying various social welfare schemes. The medical help is provided at rural areas by the Trust. This place is developed as pilgrim place. Now the school is started and there are 3,000 students studying in the school. As Mumbai and Thane districts are near, this area should be developed as Tourist Spots. Hence, Rope Way is essential.

Hence, all members of Jivdani Trusts who have attended the meeting are thanked and MPCB is requested to sanction the project.

Project Environment Consultant thanked for supporting the project.

Here Project Environment Consultant informed that in the meeting, all have supported for the project. One objection is received for the technical reason.

Environment Public Hearing Committee here appealed all to raise any views, suggestions or objections. There was no response in the meeting. At this moment, Convener of the Public Hearing Committee informed that the suggestions, objections raised during the meeting are noted and it will be included in the minutes of the meeting. The writing suggestions, objections, Final Environment Impact Assessment Report and minutes of the meeting will be submitted to an Expert Committee, Ministry of Environment, Forest & Climate Change, Govt. of India, New Delhi. An Expert Committee will take further decision accordingly.

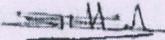
Convener, Environment Public Hearing Committee thanked all local people for attending the meeting and raising their views, suggestions, objections, project officials and government officials and on behalf of Chairman of the Public Hearing Committee declared that the meeting is completed.

The meeting ended extending thanks to the Chair.

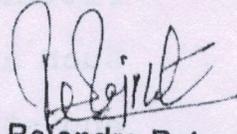
In the meeting 27 suggestions have been received.

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Total 26 suggestions are received for supporting the project. One objection is received for the technical reason. All the letters are enclosed herewith for consideration.



(Ishwar Thakare)
Convener,
Environment Public Hearing
Committee
And
Sub Regional Officer, Thane-2,
MPCB, Thane



(Dr. Rajendra Rajput)
Member,
Environment Public Hearing
Committee
And
Regional Officer, MPCB, Thane



(Dr. Kiran Mahajan),
Chairman,
Environment Public Hearing Committee
And
Additional District Magistrate, Palghar,
District - Palghar

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भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FORESTS
& CLIMATE CHANGE

Integrated Regional Office
Ground Floor, East Wing
New Secretariat Building
Civil Lines, Nagpur - 440001
E-mail: apccfcentral-ngp-mef@gov.in

F.No:EC-1087/RON/2019-NGP/8384

Date: 31.07.2021

To,

The Director
Member Secretary
IA Division (Infra-2)
Ministry of Environment, Forest & Climate Change
Indira Paryavaran Bhawan,
Aliganj, Jorbagh Road,
New Delhi-110003

Sub: Sri Jivdani Mata Temple Ropeway Project by M/s. Damodar ropeways and construction co.(pvt.) ltd. at Sri Jivdhani Temple Trust, Jivdhani Road, Virar (E), Tal-Vasai, Dist-Thane, Maharashtra

Ref:

1. SEIAA, Government of Maharashtra letter no. SEAC-2008/CR.26/TC2 dated 17.09.2009
2. Ministry letter no. IA-3-3/29/2021-IA-III dated 28.05.2021

Sir,

I am directed to invite your kind attention on the above subject and letter under reference. Site inspection report of Sri Jivdani Mata Temple Ropeway Project at Sri Jivdhani Temple, Jivdhani Road, Virar (E), Tal-Vasai, Dist-Thane, Maharashtra is enclosed herewith. Site inspection has been carried out on 21.06.2021. The validity of EC granted by SEIAA, Govt. of Maharashtra expired in September 2014. **As there is no valid EC and the work of mono cable pulsed fixed grip passenger ropeway was not completed, the compliance status of the EC dated 17.09.2009 holds no significance.**

During the site inspection, it was observed that the construction of funicular ropeway system was completed. The system contains track of 400 meters with two funicular cars. One Car goes up and one Car comes down. Both cross at one location. Steps have been constructed on the side of the track to evacuate passengers in case of any emergency. The track is over 35 pillars with height ranging from 30 cm to 11 meters. The installation of the system is completed and trial runs were conducted. The operations of the system are yet to be commenced.

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

A. Suresh Kumar
31/07/2021
Suresh Kumar Adapa
Scientist 'D'

Encl: as above

Copy to:

1. Additional Director (Monitoring Cell), Ministry of Environment, Forest & Climate Change, Indira Paryavaran Bhawan, Aliganj, Jorbagh Road, New Delhi-110003
2. The Secretary, Sri Jivdhani Temple Trust, Virar (East), Palghar District, Maharashtra

A. Suresh Kumar
 Suresh Kumar Adapa
 Scientist 'D'

(which expression shall relate, respectively to the
 context, need not include their names, addresses,
 administrators and assigns) THE PARTY OF THE
 OTHER PART.

Schedule I of the Proviso above referred

All that piece and parcel of the land situate
 within the registration division and District
 Pune, Sub-Registrar and Taluka Kavali, No. 11 within
 the local limits of the Pune Municipal Corporation
 Revenue village - Venward, Plot No. 12, out of
 Survey No. 29-1 + 20-21, known as known as
 Gratikon Unit No. 1.

On or towards the East :
 On or towards the South :
 On or towards the West :
 On or towards the North :

Schedule II of the List above referred

Plot known as survey No. 11 situate in

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Compliance status of conditions stipulated in environmental clearance granted for construction of Sri Jivdani Mata Temple Ropeway Project by M/s. Damodar ropeways and construction co.(pvt.) ltd. at Sri Jivdhani Temple Trust, Jivdhani Road, Virar (E), Tal-Vasai, Dist-Thane, Maharashtra granted by SEIAA, Government of Maharashtra vide letter no. SEAC-2008/CR.26/TC2 dated 17.09.2009

SEIAA, Government of Maharashtra granted Environmental Clearance (EC) for the construction of ropeway project at Sri Jivdhani Mata Temple at Jivdhani Road, Virar (E), Tal-Vasai, Dist-Thane, Maharashtra. EC has been granted to M/s. Damodar Ropeways and Construction co. (pvt.) ltd. in 2009. Project proponent submitted that the ropeway work has been started after obtaining the EC. However the same has been stopped due to proposed change in technology. Project proponent decided to implement the "Funicular System Technology" instead of approved "mono cable pulsed fixed grip passenger ropeway" due to safety provisions in the Funicular technology. The validity of EC granted by SEIAA, Govt. of Maharashtra expired in September 2014. **As there is no valid EC and the work of mono cable pulsed fixed grip passenger ropeway was not completed, the compliance status of the EC dated 17.09.2009 holds no significance.**

PP submitted that the work (Funicular Ropeway) has been started as the project assumed that the "Funicular Ropeway" does not fall under aerial ropeway category. Later on PP submitted application to SEIAA, Government of Maharashtra for the environmental clearance for the installation of Funicular Ropeway. SEIAA, Govt. of Maharashtra advised the project proponent that the "General Condition is applicable for the project" as the project falls within 4.4 kms of Tungreshwar Wildlife Sanctuary. Accordingly PP submitted the application to Ministry vide letter dated 30.09.2019. The proposal was considered by the EAC in 45th EAC held from 17th to 18th October 2019 and Terms of Reference was granted for the project vide letter dated 03.12.2019.

Site inspection of the project has been carried out on 21.06.2021. During the site inspection, it was observed that the construction of funicular ropeway system was completed. The system contains track of 400 meters with two funicular cars. One Car goes up and one Car comes down. Both cross at one location. Steps have been constructed on the side of the track to evacuate passengers in case of any emergency. The track is over 35 pillars with height ranging from 30 cm to 11 meters. The photographs are enclosed as Annexure-1. PP submitted that previous contractor M/s. Damodar Ropeways and Construction co. (pvt.) ltd. did not submit any six monthly compliance reports till date after obtaining EC.

As per the information provided, PP sought clarification from Ropeway Advisory Board of Public Works Department (PWD), Government of Maharashtra whether the "Funicular Ropeway" falls under Aerial Ropeway Category. PWD vide letter dated 30.11.2019 clarified

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that Funicular Ropeway does not fall under the purview of Ropeway Advisory Board of Public Works Department (PWD), Government of Maharashtra. PP further submitted that necessary engineering standards for the safety of ropeway shall be implemented.

Regional Office, MoEF, Bhopal diverted 1.95 ha. of forest land vide letter no. 8B/37/97-FCW/982 dated 02.05.2000. However PP did not obtain the change in land use permission in view of the change of technology from "mono cable pulsed fixed grip passenger ropeway" to "Funicular Ropeway". Copy is enclosed as Annexure-2.

MPCB granted consent to establish for the project vide letter no. Format 1.0/BO/JD(WPC)/UAN-0000083713/CE/CC dated 08.07.2020.

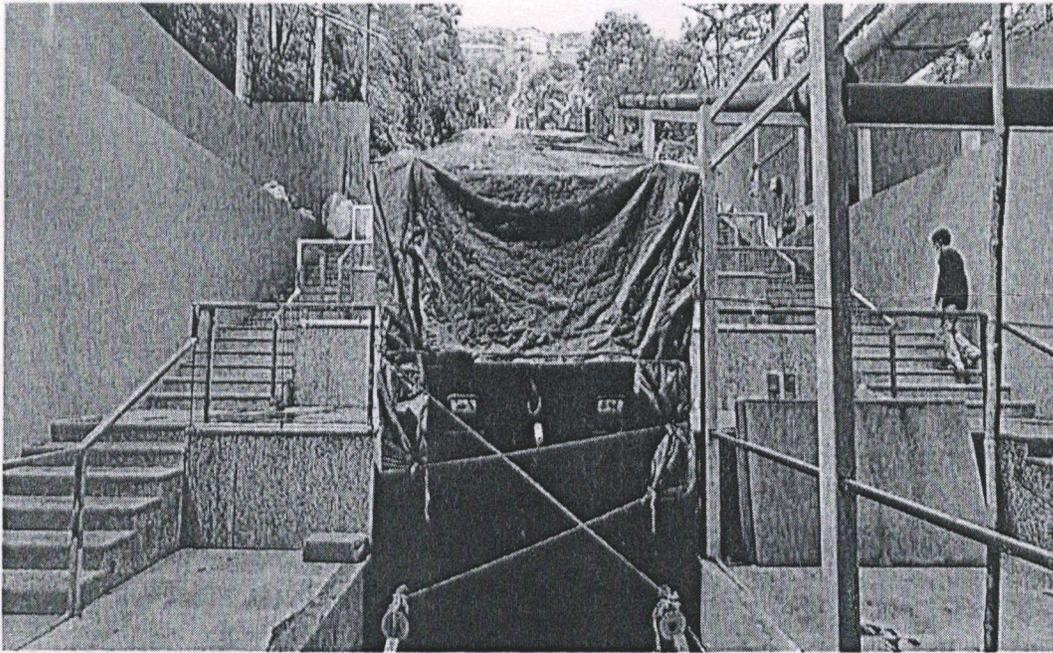
Green belt has been developed in the surrounding areas of the ropeway. As informed, temple trust is upgrading the nearby degraded forest area in consultation with State Forest Department. 2 Lakh saplings have been planted in the area since 2005.

One Organic Waste Composter (OWC) has been installed at the project. STP of 165 CMD has been installed.

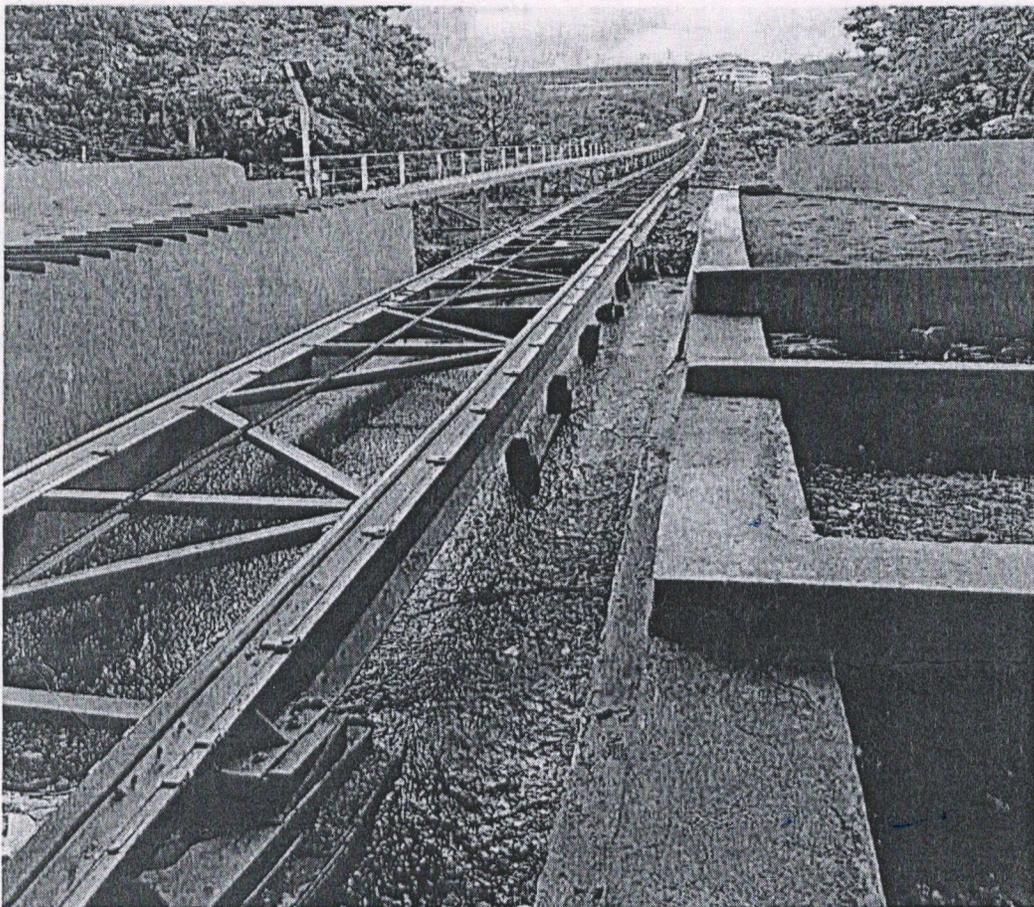
A. Suranjan / An
31/07/2020
Scientist 'D'

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Photographs of the Project

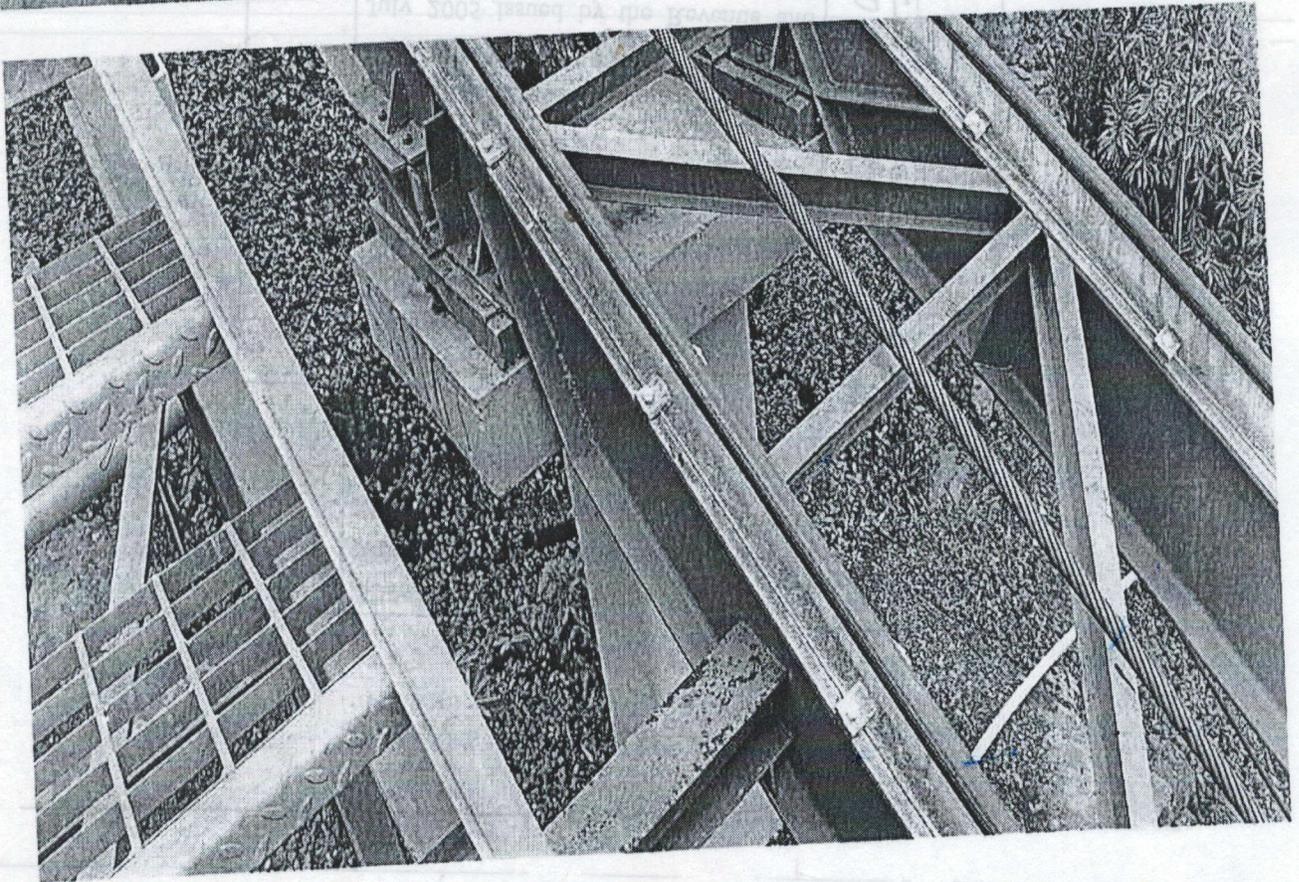


Funicular System Car

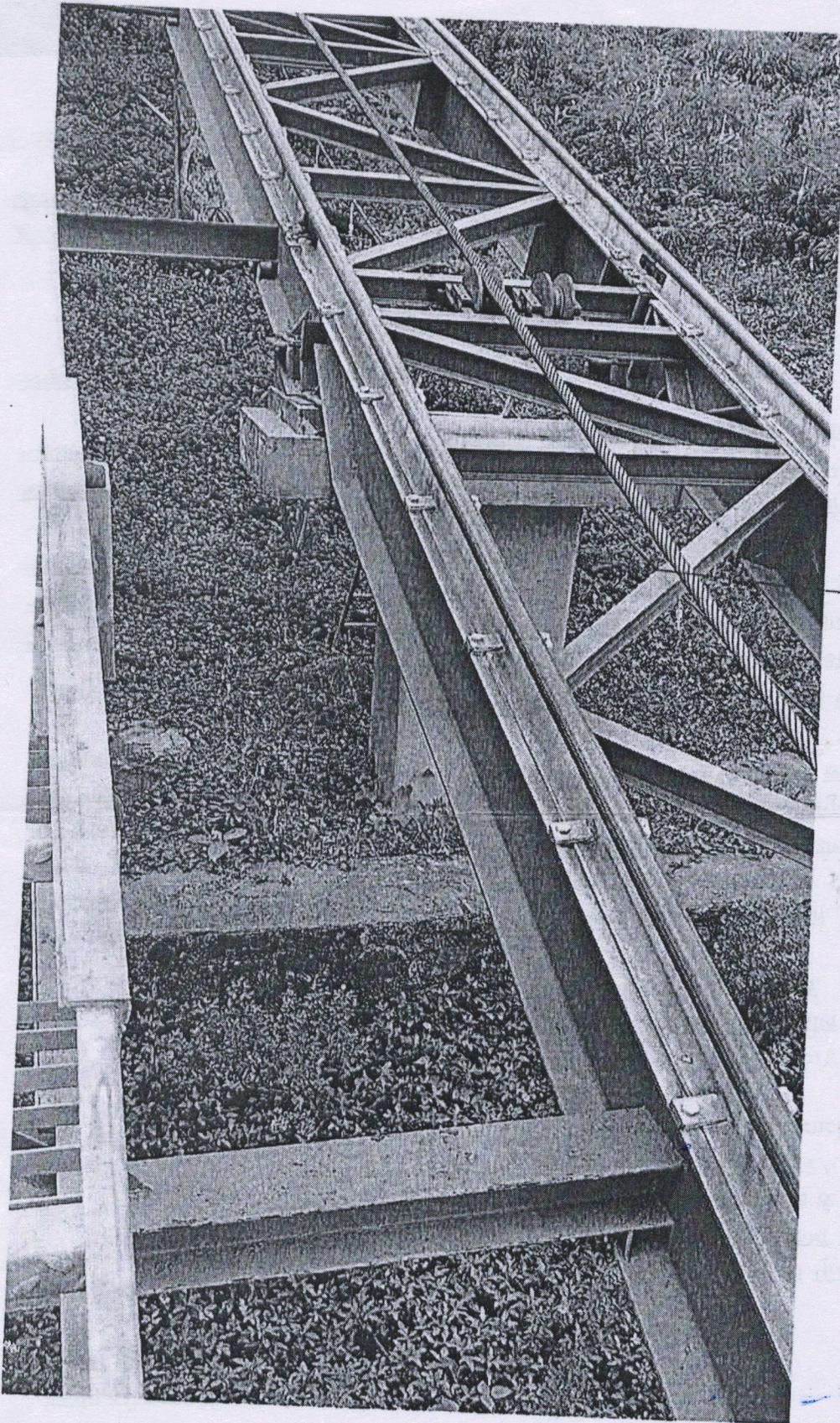


Funicular System Track

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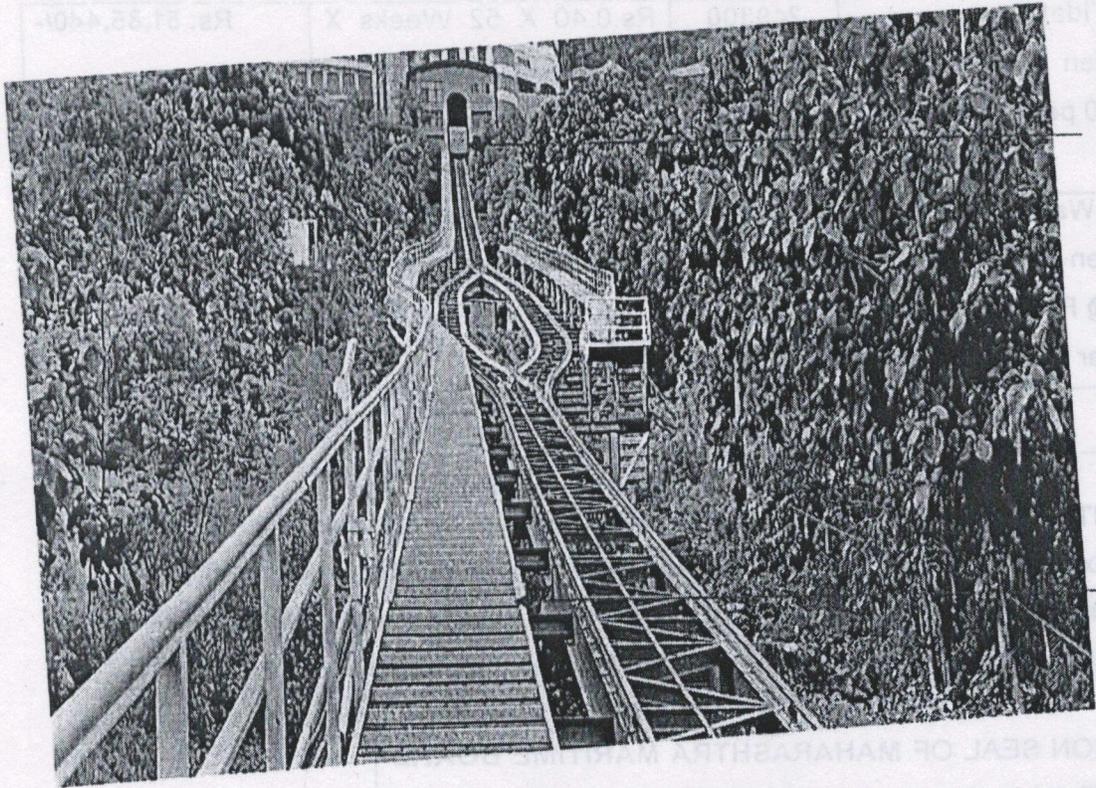
1064



Funicular
System
Track on
Pillars

7/15

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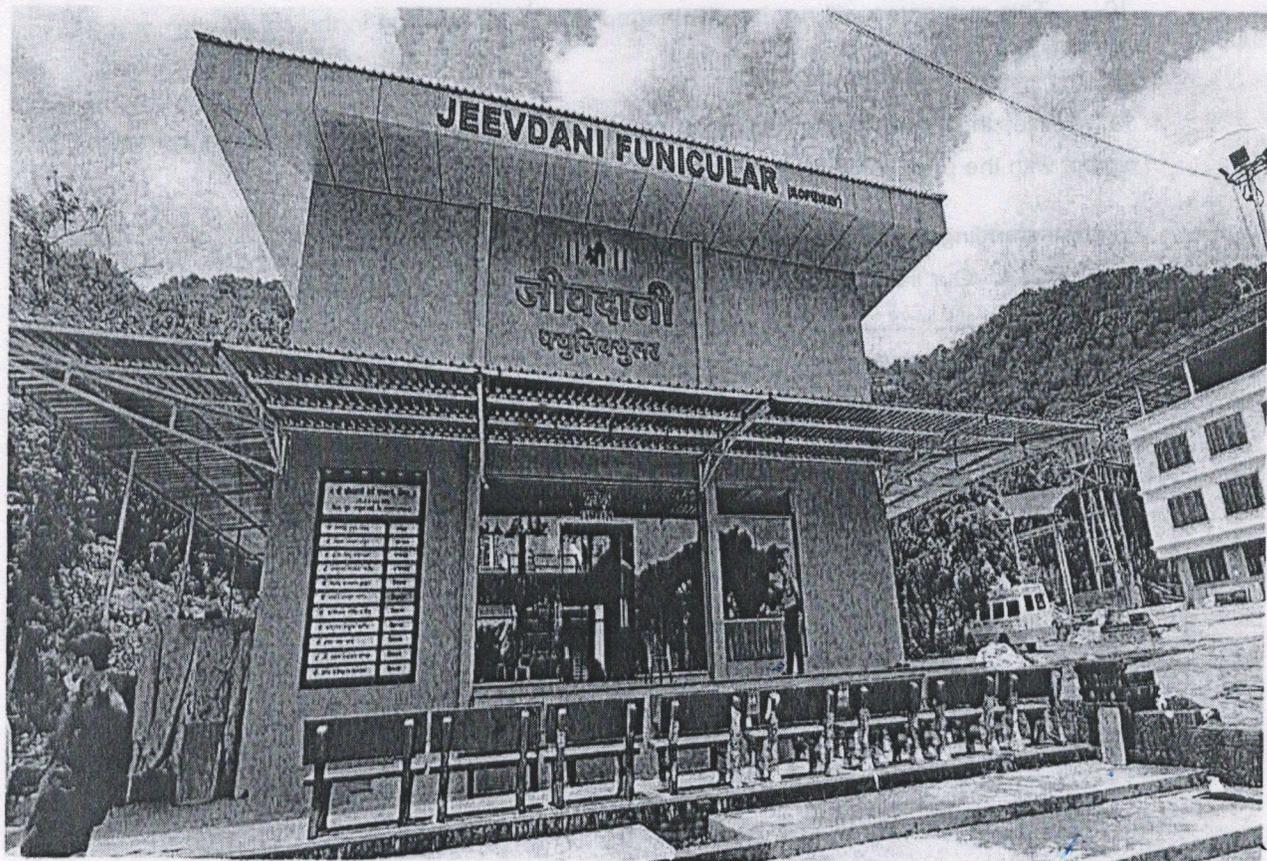
Funicular Car at the top

Steps for evacuation in case of emergency



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भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण एवं वन मंत्रालय
MINISTRY OF ENVIRONMENT & FORESTS

ANNEXURE
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क्षेत्रीय कार्यालय, पश्चिम क्षेत्र
Regional Office, Western Region
E-3/240, अरेरा कालोनी Arera Colony
भोपाल Bhopal-462016 (म. प्र.) M. P.
तार/Telegram : CENTFOREST
दूरभाष/Phone : 566525, 563102

No. 8B/37/97-FCW/ 982.

To,

The Principal Secretary,
Government of Maharashtra,
Revenue and Forest Department,
Mantralaya,
MUMBAI

Dated 565496. 565054
2000

Tele Fax : 0755-563102

Dt. 2.5.2000

Sub: Diversion of 1.95 ha. of forest land for renovation of Shri Jivdani Devi Temple and its allied construction under Shanhpur Forest Division in Thane district.

Ref: 1. This office letter No. 8B/37/97-FCW/1513, dated 15.7.1999.
2. State Government's letter No.FLD-1299/CR-116/F-10 dated 13.3.2000.

Sir,

I am to invite a reference to your letter No.FLD-1299/CR-116/F-10 dated 12.3.1997 on the above mentioned subject seeking prior approval of the Central Government under section 2 of the Forest (Conservation) Act, 1980.

The Central Government vide this office letter (1) referred above had agreed in principle for diversion of the above forest land for the purpose mentioned, subject to the fulfilment of condition No. 2(b), (c) 5 and 6 (a) stipulated therein.

The State Government vide letter (2) referred above have reported compliance on the fulfilment of the said conditions.

Therefore, the undersigned hereby conveys the formal approval of the Central Government under section 2 of the Forest (Conservation) Act, 1980 for diversion of 1.95 ha. of forest land for renovation of Shri Jivdani Devi Temple and its allied construction in Thane district subject to the following terms and conditions:-

- (1) The legal status of the forest land shall remain unchanged.
- (2) Compensatory afforestation shall be raised over 1.95 ha. non forest land within two years from the date of issue of this order on survey No. 217/3, 217/4 at Village Veluk (Thane) at the cost of the Shri Jivdani Devi Temple Trust. This non forest land shall be notified as RF/PF.
- (3) At least 500 ha. degraded forest area around the Temple site (village Virer comptt. No. 1132, 1133, 1134 & 1135 etc.) will be rehabilitated through Joint Forest Management as envisaged in the State Government's resolution on the subject as per the microplan approved by the committee headed by the Conservator of Forests, Thane.

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- (4) The Trust has already deposited Rs. 5.00 Lakhs as Forest Deposit with the Divisional Forest Officer, Thane. Trust will deposit another Rs. 25.00 Lakhs in 5-6 annual instalments in accordance with the projections made in the plan. Bank Guarantee furnished by the Trust will remain in the custody of Divisional Forest Officer, Thane and renewed every year for the remaining amount till all the instalments are deposited.
- (5) Entire amount of Rs. 30.00 Lakhs deposited with the Divisional Forest Officer, Thane as "Forest Deposit" will be released in instalments to the Executive Body of the Forest Protection Committee of the village directly. The Executive Body will regularly submit account to the Divisional Forest Officer, Thane as per his directions.
- (6) Proper utilisation of funds and implementation of programme will be supervised by a committee comprising the DFO and representatives of the Trust and Village Protection Committee.
- (7) Forest Protection Committee will be responsible for the protection of the entire 500 ha.(app.) forest land under compartment No. 1132, 1133, 1134 and 1135 etc. against fire, grazing and illicit felling etc. and will share the produce/income as admissible under Joint Forest Management Resolution of Maharashtra for the area under the control of Maharashtra Forest Department and as per the policy of the Forest Development Corporation, Maharashtra for the forest area under the control of the Corporation.
- (8) Trust will promote awareness among the devotees for the development and protection of forests.
- (9) The forest land shall not be used for any purpose other than that specified in the project proposal.
- (10) Any other condition which the State Government may stipulate.

Yours faithfully,

Sd/-
(D.K. Sharma)

Dy. Conservator of Forests (Central)

Copy to:-

- 1. The Director (FC), Ministry of Environment and Forests, Paryavaran Bhawan, C.G.O. Complex, Lodi Road, New Delhi.
- 2. The Conservator of Forests and Nodal Officer, Government of Maharashtra, O/o the PCCF, Nagpur.
- 3. The Dy. Conservator of Forests, Thane Forest Division, Thane
- 4. Shri Jivdani Devi Temple Trust, Virar East, Thane, District
- 5. Order file.

D.K. Sharma
(D.K. Sharma)

Dy. Conservator of Forests (Central)

भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण एवं वन मंत्रालय
MINISTRY OF ENVIRONMENT & FORESTS

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क्षेत्रीय कार्यालय, पश्चिम क्षेत्र
Regional Office, Western Region
E-3/240, अरेरा कॉलोनी Arcera Colony
भापाल Bhopal-462016 (म.प्र.) M.P.

तार/Telegram : CENTFOREST

दूरभाष/Phone : 566525, 563102
Dated: 12/11/1999 563496, 565054

Tele Fax : 0755-563102

No. : BB/37/97-FCW/1513

To,
The Principal Secretary (Forests),
Govt. of Maharashtra,
Revenue and Forest Department,
Mantralaya,
Mumbai - 400032.

Sub: Diversion of 1.95 ha. of forest land for renovation of Shri Jivdani Devi Temple and its allied construction under Thane Forest Division in Thane district.

Sir,
I am directed to invite a reference to your letter No. FLD.1299/CR-116/F-10 dated 02.7.1999 on the above mentioned subject seeking prior approval of the Central Government under section 2 of the Forest (Conservation) Act, 1980.

After careful consideration of the proposal of the State Government, the undersigned on behalf of the Central Government, hereby agrees in principle for diversion of 1.95 ha. of forest land for renovation of Shri Jivdani Devi Temple and its allied construction including installation of ropeway under Thane Forest Division in Thane district subject to the following conditions:-

1. The legal status of the forest land shall remain unchanged.
- 2(a) Compensatory afforestation shall be raised over 1.95 ha non-forest land under survey No. 217/3, 217/4 at Vill. Veluk (Thane) at the cost of the Shri Jivdani Temple Trust. This non-forest land shall be notified as RF/PF.
- (b) Transfer and mutation of equivalent non-forest land shall be done in favour of the State Forest Department.
- (c) Cost of raising compensatory afforestation will be deposited by the Trust in advance with the State Forest Department as per the current wage rates.
3. At least 500 ha. degraded forest area around the Temple site (village Virar comp. No. 1132, 1133, 1134 & 1135 etc.) will be rehabilitated, through Joint Forest Management as envisaged in the State Government's resolution on the subject.

contd.....2.



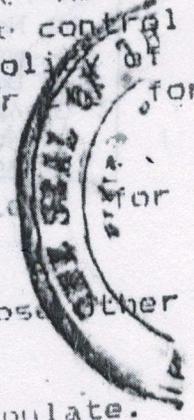
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4. Microplan for the rehabilitation works will be prepared indicating clearly the responsibilities to be discharged by the three agencies namely the Trust, the Forest Protection Committee of the village and the Forest Department. The payment schedule, flow of funds etc. will also be specified in the plan.
5. The microplan will be approved by a Committee headed by the concerned Conservator of Forests and copy of this plan will be sent to this office for record.
- 6(a) The Trust will pay Rs. 5 lakhs initially & give a bank guarantee for another Rs. 25 Lakhs which will be paid in annual instalments in 5 - 6 years period in accordance with the projections made in the microplan.
- (b) This amount will be deposited with the Divisional Forest Officer as "Forest Deposites" and will be released in installments to the Executive Body of the Forest Protection Committee of the village directly. The Executive Body will submit the account to the Divisional Forest Officer as per his directions.
7. Proper utilisation of funds and implementation of programme will be supervised by a committee comprising the DFO and representatives of the Trust and Village Protection Committee.
8. Forest Protection Committee will be responsible for the protection of the entire 500 ha (app.) forest land under compartment No. 1132, 1133, 1134 & 1135 etc. against fire grazing and illicit felling etc. and will share the produce/income as admissible under Joint Forest Management Resolution of Maharashtra for the area under the control of Maharashtra Forest Department and as per the policy of the Forest Development Corporation, Maharashtra for the area under the control of the Corporation.
9. Trust will promote awareness among the devotees for the development and protection of forests.
10. The forest land shall not be used for any purpose other than that specified in the project proposal.
11. Any other condition which State Govt. may stipulate.



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After receipt of the compliance report on the fulfilment of the condition No. 2(b), (C) 5 and 6(a) from the State Government formal approval will be issued in this regard under section 2 of the Forest (Conservation) Act, 1980.

The order for diversion of forest land to trust should not be issued by the State Government till formal approval order is issued by this office.

Yours faithfully,

sd/-

(S.P. Yadav)

Dy Conservator of Forests (Central)
Regional Office, Bhopal

Copy to :-

1. The Director (FC), Ministry of Environment and Forests, Paryavaran Bhawan, CGO Complex, Lodi Road, New Delhi - 110 003.
2. The Conservator of Forests and Nodal Officer, D/o P.C.C.F., Maharashtra State, Forest Department, Jaika Building, Civil Lines, Nagpur.
3. The Dy.Conservator of Forests, Thane Forest Division, Thane.
- ✓ 4. Shri Jivdani Devi Temple Trust, Virar East, Thane, Dist.Thane.

Order file.

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(S.P. Yadav)

Dy Conservator of Forests (Central)
Regional Office, Bhopal



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महाराष्ट्र शासन

अधिष्ठाक अभियंता (विद्युत),
यांचे कार्यालय, पुणे प्रादेशिक विद्युत मंडळ

सा.बां.विभाग, दातो बंगला, शासकीय दूध योजना आवार
खाडकी, पुणे ४११००३.

जा.क्रं. अआ(वि.)/प्राथम्य/मअआ/३३७४/२०१९

दिनांक. ३०.११.२०१९

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Web Site:-www.mahapwd.com
E-Mail :-elpune.sc@mahapwd.com
दुरध्वनी क्रमांक ०२०-२५८१६०१०

प्रति.

श्री.प्रदिप वि.तेंडोलकर,
कार्यवाह, श्री.जीवदानी देवी संस्थान, विरार,
पञ्जीक ट्रस्ट रजि.नं.ए.३१७(ठाणे)
जीवदानी रोड, विरार(पूर्व),
जि.पालघर.४०१ ३०५.

विषय- श्री.जीवदानी देवी संस्थान विरार जि.पालघर येथे फनिक्युलर सिस्टमचे बांधकाम करणेस मंजूरी मिळणेबाबत.

संदर्भ - १) आपले पत्र क्रं.जा.क्रं.१२/२०१९-२० दि.२७.१०.२०१९.

२) कार्यासन अधिकारी, रस्ते-५ सा.बां.विभाग मुंबई यांचे पत्र क्रं.रोपवे २०१३/प्र.क्रं.५९/दि.२७.११.२०१९ अन्वये दि.१५.११.२०१९ रोजी झालेल्या हवाई रज्जुमार्ग सल्लागार मंडळाच्या बैठकीचे मंजूर इतिवृत.

उपरोक्त विषयास अनुसरून, संदर्भीय पत्र क्रं.१ अन्वये श्री. जीवदानी देवी संस्थान, विरार जि.पालघर येथे फनिक्युलर सिस्टम उभारणे करणेकरिता मंजूरी मिळणेबाबतचा प्रस्ताव दि.१३.११.२०१९ रोजी या कार्यालयास प्राप्त झाला असून, सदर प्रस्तावाच्या अनुषंगाने, संदर्भ क्रं.२ अन्वये हवाई रज्जुमार्ग सल्लागार मंडळ समिती यांचेशी चर्चा केली असता, फनिक्युलर सिस्टम उभारणे करणे हा बाब या समितीच्या कार्यक्षेत्र येत नाही असे निश्चित झाले आहे. सबब आपले माहितीस्तव.

(ज.आ.धोरात)

सदस्य सचिव

हवाई रज्जुमार्ग सल्लागार मंडळ
तथा अधीक्षक अभियंता
पुणे प्रादेशिक विद्युत मंडळ,
सा.बां.विभाग,पुणे.

प्रत- मा.अध्यक्ष,हवाई रज्जुमार्ग सल्लागार मंडळ समिती तथा सहसचिव व मुख्य अभियंता,सा.बां.विभाग, मंत्रालय, मुंबई यांना
माहितीस्तव सविनय सादर.