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F. No. 11-268/2014-FC
Government of India
Ministry of Environment, Forests & Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Aliganj, Jorbagh Road,
New Delhi - 110 001
Dated: 11th July, 2014

To
The Principal Secretary (Forests)
All State / Union Territory Governments

Sub: Diversion of forest land for non-forest purposes under the Forest (Conservation) Act, 1980-Procedure of utilizing the land for approach/ exit road to petrol pumps-reg.

Sir,

I am directed to refer to this Ministry's letters No. 11-29/2004-FC dated 15th July 2004, No. 11-29/2004-FC dated 8th -9th December 2004, No. 11-29/2004-FC dated 10th February 2005 and No. 5-3/2007-FC (pt.-I) dated 18th March 2010 on the above-mentioned subject wherein this Ministry stipulated guidelines on diversion of forest land for non-forest purposes under the Forest (Conservation) Act, 1980 for approach/ exit road to petrol pumps. This Ministry has received representations to amend certain provisions of the said guidelines. It has also been brought to notice of this Ministry that certain provisions of the said guidelines are contrary to the norms for location, layout and access to fuel stations issued by the Ministry of Road Transport & Highways.

The matter has been examined in this Ministry and after careful consideration, keeping in view the road safety requirements, this Ministry hereby decides that, in supersession of the earlier guidelines issued by this Ministry vide letters No. 11-29/2004-FC dated 15th July 2004, No. 11-29/2004-FC dated 8th -9th December 2004, No. 11-29/2004-FC dated 10th February 2005 and No. 5-3/2007-FC (pt.-I) dated 18th March 2010, the following procedure should be adopted for consideration of proposals for diversion of forest land under Forest (Conservation) Act, 1980 for approach/ exit road to fuel stations dealing with distribution of petrol, diesel, LPG, CNG or any kind of fuel:

- (i) Requirement for diversion of forest land for construction of acceleration/ de-acceleration lane and exit/entry openings shall be based on approved layout plan provided in the guidelines issued by the Ministry of Road Transport and Highways in this regard. A copy of guidelines containing norms for location, layout and access to fuel stations along National Highways issued by the Ministry of Road Transport and Highways letter no. RW/NH-33023/19/99-DO III dated the 23rd July 2013 is enclosed.
- (ii) If 2 or more fuel stations are to be constructed in close proximity or adjacent to each other for some reasons, a common access and exit shall be provided.

11/07/2014

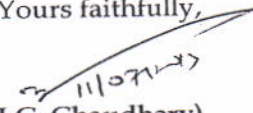
- (iii) Fuel stations should generally be a part of rest area complex having other amenities like place for parking, toilets, restaurants, rest rooms, shops etc. Proper planning should be done by the user agencies, in advance, for construction of such complexes along the highways so that destruction of road side forest is minimized.
- (iv) In case approval under the Forest (Conservation) Act, 1980 for diversion of whole or a part of the forest land proposed to be utilised for construction of approach road for a fuel station has already been accorded by the Central Government for construction/widening of a road, approval under the Forest (Conservation) Act, 1980 for use of such forest land for construction of approach/ exit for fuel station will be required only if it involves clearing of or felling of any tree.
- (v) Suitable signs and markings showing the location of the fuel station may be provided without disturbing the road side plantations.
- (vi) Entire periphery of the establishment should be lined up with tree plantation at a close spacing of 1.0 to 1.5 meter keeping an offset of 1.5 meter from the boundary, with light crown trees which will maintain greenery without compromising with the land requirement of the establishment.
- (vii) Suitable plantations should be raised by the User Agency along the approach roads, separator island and other vacant areas in addition to the Compensatory Afforestation, required to be raised as per the extant guidelines

I am further directed to say that proposals for diversion of forest land under Forest (Conservation) Act, 1980 for approach/ exit road to fuel stations which are presently pending before the Regional Offices of this Ministry will be returned back to the State Government concerned in case requirement of forest land proposed to be diverted has not been assessed on the basis of the approved layout plan provided in the guidelines issued by the Ministry of Road Transport and Highways, in this regard.

This issue with the approval of the competent authority.

Encl.: As above.

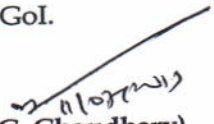
Yours faithfully,


(H.C. Chaudhary)
Director

Copy to:-

1. Prime Minister's Office (kind attn.: Shri Santosh D. Vaidya, Director)
2. Secretary, Ministry of Road Transport and Highways, Government of India, New Delhi.
3. The Secretary (Coordination), Cabinet Secretariat, Rashtrapati Bhawan, New Delhi.
4. Principal Chief Conservator of Forests, all State/UT Governments.
5. Nodal Officer, the Forest (Conservation) Act, 1980, all State/UT Governments.
6. All Regional Offices, Ministry of Environment, Forests and Climate Change (MoEFCC), Government of India (GoI).
7. Joint Secretary in-charge, Impact Assessment Division, MoEFCC, GoI.

8. All Assistant Inspector General of Forests/ Directors in the Forest Conservation Division, MoEFCC, GoI.
9. Director Regional Offices Headquarters Division, MoEFCC, GoI.
10. Sr. Director (Technical), NIC, MoEFCC, GoI with a request to place a copy of the letter on website of this Ministry.
11. Sr. PPS to the Secretary, Ministry of Environment, Forests and Climate Change, GoI.
12. Sr. PPS to the Director General of Forests & Special Secretary, MoEFCC, GoI.
13. Sr. PPS to the Addl. Director General of Forests (Forest Conservation), MoEFCC, GoI.
14. PPS to the Inspector General of Forests (Forest Conservation), MoEFCC, GoI.
15. Guárd File.


(H.C. Chaudhary)
Director