

No. : NH/PB/NH-341/FDP / 747 /2020

Office of the Executive Engineer
National Highway Division, Gandhidham
Plot No.-1, Ward -3 B
Tagore road,
Adipur (District- Kachchh)
Date :- 30/06/2020

To
The Deputy Conservator of Forests
Kutch Social Forestry Division
301, Bahumali Bhawan
Bhuj
District Kutch – 370 001
GUJARAT

Sub: Diversion of 122.4077 Ha. of Protected Forest Land for 2/4 laning for Bhuj-Khavada-Dhramshala Section of NH-341 from km 65+478 to 162+185 in the State of Gujarat, Package II, Kutch District in favour of Executive Engineer, NH Division, Gandhidham.

S.H: Submission of Compliance for Stage – II Forest Clearance

Ref: Ministry of Environment & Forests, Regional Office Bhopal, Government of India's letter number 6-GJA029/2018-BHO/BH-41 dated 26.04.2020

Dear Sir,

With reference to the above, we are pleased to submit the compliance / agreement towards laid down conditions as under:

S.No	Specific Conditions	Compliance
1.	Legal Status of the forest land shall remain unchanged.	Agreed.
2.	Forest land will be handed over only after required non-forest land for the project is handed over by the user agency.	Agreed.
3.	<p>Compensatory afforestation:</p> <p>a) Compensatory Afforestation shall be taken up by the Forest Department over</p> <ul style="list-style-type: none"> i. 4.50 ha NFL is part of 9.85 Ha Govt waste land at survey no 29/p, Village- Bocha, Taluka – Mundra, District Kutch ii. 245 ha degraded forest at comp 870/p Range-Bhuj West, Gujarat iii. As far as possible, a mixture of local Indigenous species shall be planted and monoculture of any species may be avoided. <p>b) Total No. of saplings to be planted shall not be less than 277,195 nos (245 + 4.50 ha = 249.50 ha x 1111) in CA land. The composition of saplings (number species wise) to be planted shall be as per the National Forest Policy & as per Govt. of Gujarat State letter No FCA-1018/7-47/18/s.f-195/f dated 24.02.2020 and shall be recorded in plantation journal.</p> <p>c) The standard size sapling (minimum height & minimum collar girth</p>	<p>Agreed.</p> <p>Agreed.</p> <p>Agreed.</p>

S.No	Specific Conditions	Compliance
	species wise) as approved by the State Govt shall be planted in the selected CA land shall not be less than the specified in the CA scheme submitted by the letter No. FCA-1018/7-47/18/S.F-195/F dated 24.02.2020.	
	d) The height and collar girth (species wise) shall be measured and recorded at the time of plantation and in November of plantation year. Further, data of height, collar, girth and survival percentage (species wise) twice a year (April & November month) shall be recorded and records shall be maintained.	Agreed.
	e) All the live stumps & pollards up to 90 cm girth shall be dressed from ground level for the purpose of regeneration & record shall be kept in plantation journal.	Agreed.
	f) Plantation shall be taken up before end of 2021 monsoon.	Agreed.
4.	The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars if required on the CA land shall be deposited in advance with the Forest Department by the project authority. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.	Deposited. . Payment receipt enclosed.
5.	The State Govt shall deposit Rs. 10,74,25,024 for CA in CAMPA fund, New Delhi.	Agreed.
6.	NPV: a) The State Government shall charge the Net Present Value(NPV) for the 122.4077 ha forest area to be diverted under this proposal from the User Agency as per orders of the Hon'ble Supreme Court of India dated 30.10.2002, 01.08.2003, 28.03.2008, 24.04.2008 and 09.05.2008 in IA No.566 in WP (C) No. 202/1995 and as per the guidelines issued by the Ministry vide letters No. 5-1/1998-FC (Pt. II) dated 18.09.2003, as well as letter No. 5-3/2006-FC dated 03.10.2006 and 5-3/2007-FC dated 05.02.2009 and chapter 3 of FCA Handbook, 2019 in this regard.	NPV deposited. Payment receipt enclosed.
	b) Additional Amount of the NPV of the diverted forest land, if any becoming due after finalization of the same by the Hon'ble Supreme Court of the India on receipt of the report from the Expert Committee, shall be charged by the State Government from the User Agency, which shall furnish an undertaking to this effect.	Undertaking to pay is enclosed.
7.	All the funds received from the user agency under the project shall be transferred / deposited in CAMPA fund only through e-portal (https://parivesh.nic.in)	Complied.
8.	The Certificate of Collector under FRA, 2006 for proposed CA land as per 6.3 (ii) of Forest Conservation (Rule), 2003 (Amended up to August 2017) shall be submitted before Stage II approval.	FRA Certificate enclosed.
9.	User agency shall restrict the felling of trees to 2821 numbers	Agreed.

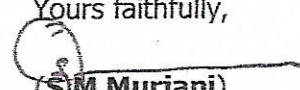
S.No	Specific Conditions	Compliance
	&minimum number in the diverted forest land. The trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the User Agency with the State Forest Department.	
10.	The user agency shall be eligible for the working permission of one year as per the Para 11.2 of FCA Handbook, 2019 and copy of the working permission shall be submitted to this office.	Agreed.
11.	The State Govt. shall obtain the Stage II approval in case of User Agency eligible for the working permission of one year as per the Para 11.2 of FCA Handbook, 2019. If the Stage II approval is not obtained before the end of working permission, then the State shall stop the work and action shall be initiated under Para 1.21 (ii) of FCA Handbook, 2019.	Agreed.

S.No	General Conditions	Compliance
1.	User Agency shall raise strip plantation on both sides and central verge of the road as per the IRC norms.	Agreed.
2.	Speed regulating signage will be erected along the road at regular intervals in the Protected Areas /Forest Areas.	Agreed.
3.	User agency shall provide suitable measures for free movement of wildlife in and around the forest area in accordance to the <i>Eco friendly measures to mitigate impacts of linear infrastructure on wildlife (2016)</i> .	Undertaking enclosed.
4.	User agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.	Environmental Clearance is not required..
5.	User agency shall obtain Coastal Regulatory Zone (CRZ) Clearance, if required.	CRZ Clearance not required.
6.	The layout plan of the proposal shall not be changed without prior approval of the Central Government.	Agreed.
7.	No labour camp shall be established on the forest land.	Agreed.
8.	Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.	Agreed.
9.	The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest officer.	Agreed.
10.	No additional or new path shall be constructed inside the forest area for transportation of constructions materials for execution of the project work.	Agreed.
11.	The period of diversion under this approval shall be co-terminus with period of lease to be granted in favour of the User Agency or the project life, whichever is less.	Agreed.
12.	The Forest land shall not be used for any purpose other than that specified in the project proposal.	Agreed.

S.No	General Conditions	Compliance
13.	The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Government of India.	Agreed.
14.	The State Government and User Agency shall comply the provisions of the all Acts, Rules, Regulations, Guidelines, NGT order and Hon'ble Court Order(s) pertaining to this project, if any for the time being in force, as applicable to the project.	Agreed.
15.	The user agency shall adhere to all rules, regulations, guidelines and acts enforced by State Govt. and Central Govt. for the proposal.	Agreed.
16.	Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per para 1.21 of FCA, 1980 Handbook 2019.	Agreed.
17.	Any other condition that the Ministry of the Environment Forest & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forest & wildlife.	Agreed.
18.	The compliance report in letter format from Govt. of Gujarat shall be uploaded on e-Portal. http://forestclearance.nic.in)	Agreed.

We request you to kindly accord working permission as well as final approval under section-2 of the Forest (Conservation) Act, 1980.

Thanking You.

Yours faithfully,

(S.M. Murjani)
 Executive Engineer
 National Highways Division
 Gandhidham

Encl: As above

Copy To:

- (1) The Addl. Principal Chief Conservator of Forests & Nodal Officer, FCA, AranyaBhavan, Block No A/3, Near "Ch" Circle, Opposite St. Xaviers School, Sector 10A, Gandhinagar, Gujarat
- ✓ (2) Dy. Conservator of Forests, Kutch East Forest Division, Bhuj
- (3) Uploaded in e-portal of Forest Clearance (www.forestclearance.nic.in)
- (4) Sh. Aseem Prabhakar, President, M/s ICT Pvt. Ltd, A-8 Green Park, New Delhi 110016 – for information please

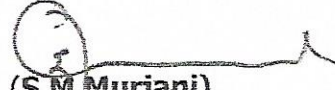
Undertaking to Pay Additional NPV if required

Project: 2/4 laning of Bhuj – Khavda – Dharmshala section NH-341 from km 65+475 to km 162+185 in the State of Gujarat - Package II

I, Shri S M Murjani, Executive Engineer, National Highways Division, Gandhidham hereby undertake to pay the Net present Value (NPV) for the **122.4077 ha.** of Forest Land to be diverted for the said non forestry purpose as per the Hon. Supreme Court's order Dt. 12-11-2002.

The revision of rate of NPV is under consideration of the expert committee appointed by the Hon. Supreme Court. Therefore the **user agency** mentioned above **also undertakes to pay the difference if any in case of upward revision of the NPV.**

Date: 30.06.2020
Place: Gandhidham


(S M Murjani)
Executive Engineer
National Highways Division
Gandhidham

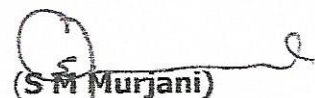
Undertaking to ensure free movement of wildlife in and around Forest Area

Project: 2/4 laning of Bhuj – Khavda – Dharmshala section NH-341 from km 65+475 to km 162+185 in the State of Gujarat - Package II

I, Shri S M Murjani, Executive Engineer, National Highways Division, Gandhidham hereby undertake to provide suitable under/ over passes to facilitate crossing of wild animals, if recommended by the Forest Department.

Date: 30.06.2020

Place: Gandhidham



(S M Murjani)

Executive Engineer
National Highways Division
Gandhidham

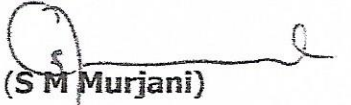
Undertaking to Restrict Felling of Trees to Minimum Number

Project: 2/4 laning of Bhuj – Khavda – Dharmshala section NH-341 from km 65+475 to km 162+185 in the State of Gujarat - Package II

I, Shri S M Murjani, Executive Engineer, National Highways Division, Gandhidham hereby undertake to restrict the felling of trees to minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department. The cost of felling of trees shall be deposited by the user agency with the State Forest Department.

Date: 30.06.2020

Place: Gandhidham



(S M Murjani)

Executive Engineer
National Highways Division
Gandhidham

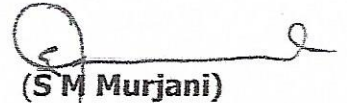
Undertaking to raise strip plantation along the Road

Project: 2/4 laning of Bhuj – Khavda – Dharmshala section NH-341 from km 65+475 to km 162+185 in the State of Gujarat - Package II

I, Shri S M Murjani, Executive Engineer, National Highways Division, Gandhidham hereby undertake that strip plantation will be raised on both sides and central verge of the road as per the IRC norms.

Date: 30.06.2020

Place: Gandhidham



(S M Murjani)

Executive Engineer
National Highways Division
Gandhidham

FORM-II

(for project other than linear projects)

Government of Gujarat
Office of the District Collector, Kutch

No.LAND/4/W.S/12/2020

Dated 23/06/2020

TO WHOMSOEVER IT MAY CONCERN

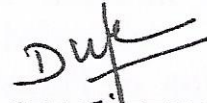
In compliance of the Ministry of Environment and Forests (MoEF), Government of India's letter No. 11-9/98-FC (pt.) dated 3rd August 2009 wherein the MoEF issued guidelines on submission of evidences for having initiated and completed the process of settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (FRA', for short) on the forest land proposed to be diverted for non-forest, it is certified that **16.20 Hectares** (Land details shown in the table belows) of forest land proposed to be diverted in favour of **Executive Engineer, National Highway, Gandhidham for Construction of Missing Link(single lane) in Lakhpat-Gaduli-hajipir-Odama-Khavda-Dholavira-Mauvana-Gadkabet-Santalput Road along Indo-pakistan Boarder in Kutch** district falls within jurisdiction of **lakhpat** tehsils

Sr. NO.	Taluka	Village/Route	Survey No./ Road Name	Total Forest Area Required (Ha)
1	Lakhpat	Village Nara Ta. Lakhpat	252 P	16.20
Total				16.20

It is further certified that:

- the complete process for identification and settlement of rights under the FRA has been carried out for the entire 16.20 Ha of forest area proposed for diversion. A copy of records of all consultation and meetings of the Forest Rights Committee(s), and the District Level Committee are enclosed. (Not Applicable)
- the proposal for such diversion (with full details of the project and its implication, in vernacular / local language) have been placed before each concerned Gram Sabha of forest-dwellers, who are eligible under the FRA. (NOT APPLICABLE)
- the each of concerned Gram Sabha(s), has certified that all formalities/process under FRA, have been carried out, and that they have given their consent to the proposed diversion and compensation and ameliorative measure, if any , having understood the purpose and details of proposed diversion. A

- copy of certificate issued by the gram sabha of all villages is enclosed as annexure. (NOT APPLICABLE)
- (d) the discussion and decisions on such proposal had taken place only when there was a quorum of minimum 50% of the member of Gram sabha present. (NOT APPLICABLE)
- (e) the diversion of forest land for facilities managed by the Government as required under section 3 (2) of the FRA have been completed and the Grama Sabhas have given their consent to it.(NOT APPLICABLE)
- (f) the right of Primitive Tribal Groups and pre-agricultural communities, where applicable have been specially safeguarded as per section 3(1) (e) of the FRA.



(PRAVEENA D.K.)

**COLLECTOR & DISTRICT MAGISTRATE
KUTCH-BHUJ**

TO,

- (1) Deputy Conservator of Forest, Kachchh West Division, Bhuj-Kachchh.
(2) Deputy Conservator of Forest, Social Forestry Division, Bhuj-Kachchh.
(3) Deputy Conservator of Forest, Kachchh East Division, Bhuj-Kachchh.
(4) **Executive Engineer, National Highway Division, Plot No.1,
Ward No.3B, Tagore Road, Adipur.**

☒ Proposals received on or after 15th July 2014 ☐ All Proposals received upto 14th July 2014

Sno.	Proposal No.	Application No	Application No (New)	Proposal Name	Category	Area (ha.)	User Agency Name	Date of IN-PRINCIPLE	Demand Verified Date	Action	Status
1	FP/GJ/ROAD/23626/2017	ROAD236262017018	6123626018	2/4 laning of Bhuj - Khavda - Dharmshala section NH-341 from km 65+475 to km 162+185 in the State of Gujarat - Package II	Road	122.4077	MINISTRY OF ROAD TRANSPORT & HIGHWAYS	26-4-2020	21-5-2020	✓ Paid	✓ Paid
2	FP/GJ/ROAD/26649/2017	ROAD266492017627	6126649627	2 laning of Tharad Dhanera Panthawada Section of NH-168 from km 0+000 to km 42+420 and km 43+250 to km 68+174 in the State of Gujarat - Package I	Road	96.2254	MINISTRY OF ROAD TRANSPORT & HIGHWAYS	20-2-2019	08-3-2019	✓ Paid	✓ Paid
3	FP/GJ/ROAD/23584/2017	ROAD235842017748	6123584748	2 laning of Nenava-Dhanera Section of NH-168A from km 11+800 to km 33+600 in the State of Gujarat - Package III	Road	30.2928	MINISTRY OF ROAD TRANSPORT & HIGHWAYS	22-10-2018	16-1-2019	✓ Paid	✓ Paid

Executive Engineer,
National Highway Division,
Gandhidham