

I/5866/2021



भारत सरकार / GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE
एकीकृत क्षेत्रीय कार्यालय, गांधीनगर
INTEGRATED REGIONAL OFFICE, GANDHINAGAR



F. No: 6-GJC 071/2018-BHO/

Date: 23/09/2021

To,

The Additional Chief Secretary (Forests)
Govt. of Gujarat,
Forest and Environment Department,
Block No14, 8th Floor, New Sachivalaya,
Gandhinagar, Gujarat.

Sub: Final (Stage-II) approval of Central Government under Forest (Conservation) Act, 1980 for proposed diversion of 11.2680 ha Protected/ Section-4 Forest land for 2504 meter long and 45 wide waste water pipeline in Mithapur in favour of General Manager, Tata Chemicals Ltd Mithapur in Devbhumi Dwarka District in Gujarat-reg.

Sir,

I am directed to refer to the State Govt. letter No. FCA-1018/4-07/18/S.F-157/F dated 29/10/2018 and APCCF, Land, Gujarat Forest Department, Gandhinagar letter No. FCA/31/A/608-09/2018-19 dated 16/1/2019, wherein prior approval of Ministry of Environment, Forest and Climate Change for diversion of 11.2680 ha Protected/ Section-4 Forest land for laying a waste water pipeline in Mithapur in favour of General Manager, Tata Chemicals Ltd. Mithapur in Devbhumi Dwarka District, Gujarat was sought in accordance with Section-2 of the Forest (Conservation) Act, 1980. After due consideration of the proposal of the State Government, the 'in-principle' approval of the Central Government for diversion of the said forest land was accorded vide this office letter of even number dated 22/02/2019 subject to fulfilment of certain conditions. The State Govt. of Gujarat vide their letter No. FCA-1018/4-07/18/S.F-157/F dated 18/08/2021 has furnished the compliance report in respect of relevant conditions stipulated in the in-principle approval for grant of final approval.

In this connection, on the basis of the compliance report under reference and confirmation of receipt of compensatory levies from National Authority of CAMPA online portal dated 10/07/2019 & 18/02/2021, the **final approval** of the Central Government under Section 2 of the Forest (Conservation) Act, 1980 is hereby accorded for diversion of 11.2680 ha Protected/ Section-4 Forest land for laying a waste water pipeline in Mithapur in favour of General Manager, Tata Chemicals Ltd Mithapur in Devbhumi Dwarka District in Gujarat, subject to the following conditions and stipulations:-

- (1) Legal status of the forest land diverted shall remain unchanged.
- (2) **Compensatory Afforestation:** Compensatory Afforestation shall be taken up by the Forest Department over **11.268 ha non-forest land** at Survey No. 328, 320, 300, Village-Positra, Range- MNP Dwarka, Taluka-Dwarka, District- Dev Bhumi Dwarka, at the cost of the User Agency. As far as possible, a mixture of local native species shall be planted and monoculture of any species should be avoided.
- (3) The non-forest land which has been transferred and mutated in favour of the State Forest Department for the purpose of Compensatory Afforestation shall be declared as Reserved Forest under Section-4 or Protected Forest under Section-29 of the Indian

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Forest Act, 1927 or under the relevant Section(s) of the State Forest Act. The Nodal Officer, Forest (Conservation) Act, 1980, may report compliance within a period of 6 months from the date of grant of final approval and send a copy of the original notification declaring the non-forest land under Section 4 or Section 29 of the Indian Forest Act, 1927, or under the relevant section of the State Forest Act as the case may be, to this Office for information and record.

- (4) The State Government shall ensure that compliance of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 has been completed in accordance with the relevant Rules and Guidelines issued by the MoEF&CC, GoI in this regard.
- (5) User Agency shall restrict the felling of trees up to 28700 to minimum number in the diverted forest land and 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.
- (6) The KML file of diverted area and CA areas shall be uploaded in the e-Green watch portal with all requisite details prior to plantation work.
- (7) The boundary of the diverted forest land shall be demarcated on the ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, DGPS coordinates, forward and back bearing and distance from adjoining pillars etc. The pillars should be spaced at about 50 meter and each pillar should be clearly visible from pillars on both sides.
- (8) In the stretches of the existing road where no cross-drainage is existing in 500 m and more, the User Agency may make the provision of hume pipe/ box culvert for the safe passage of wildlife as may be deemed appropriate as per site requirement.
- (9) The designing of culverts/ bridges, if any, over the natural streams/ rivers/ canals should be done in such a manner that it does not hamper the natural course of water, does not give rise to water-logging and also does not hamper the movement of wild animals.
- (10) The layout plan of the proposed diversion of the forest land shall not be changed without prior approval of Central Government.
- (11) No additional or new paths will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- (12) No labour camp shall be established inside the forest land.
- (13) The User Agency shall provide alternate fuels preferably LPG to the labourers and the staff working at the site to avoid any damage and pressure on the nearby forest areas.
- (14) The diverted forest land shall not be used for any purpose other than that specified in the project proposal.
- (15) The period of diversion under this approval shall be co-terminus with the period of the project life.
- (16) The diverted forest land shall under no circumstances be transferred to any other agencies, department, or person without prior approval of the Central Government.
- (17) The User Agency and the State Government shall ensure compliance to provisions of all the Acts, Rules, Regulations, Guidelines, Hon'ble Court Order(s) and National

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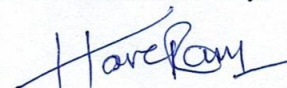
Green Tribunal Order(s) pertaining to this project, if any, for the time in force, as applicable to the project.

- (18) All the conditions of In-principle approval shall be strictly complied.
- (19) Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF&CC Guideline F. No. 11-42/2017-FC dt 29/01/2018.
- (20) Any other condition that the Ministry of Environment, Forest & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests and wildlife.

2. As mentioned in Para-2 of the Stage-II approval, the diversion of forest land is subject to the fulfillment of stipulated conditions mentioned in this approval letter. Therefore, in the event of non-compliance of any of the conditions laid out in this approval letter, the Regional Office of Ministry of Environment, Forest & Climate Change may withdraw the said approval for diversion of the forest land and stop the non-forest activity being carried out in the forest land besides initiating the legal action as per provisions of Forest (Conservation) Act, 1980.

This has been issued with the approval of the Competent Authority.

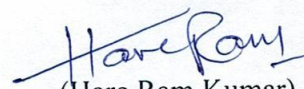
Yours faithfully,



(Hare Ram Kumar)
Technical Officer (Forestry)

Copy to:-

1. The DIG (F), RO(HQ), Ministry of Environment, Forests and Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi – 110 003.
2. The APCCF-cum-Nodal Officer (FCA), Arayan Bhavan, Block No. A/3, Sector-10A, Gandhinagar, Gujarat.
3. The Dy. Conservator of Forests, Marine National Park, Van Sankool, Jamnagar, District-Jamnagar, Gujarat.
4. The General Manager, Corporate Affair, TATA Chemicals Ltd, Mithapur-31345, District-Devbhumi Dwarka, Gujarat.
5. Guard File.



(Hare Ram Kumar)
Technical Officer (Forestry)