

F. No. 8-48/2017-FC
Government of India
Ministry of Environment, Forests and Climate Change
(F.C. Division)

Indira Paryavaran Bhawan,
Jor bagh Aliganj Road,
New Delhi – 110003.
Dated: 19th September, 2017

To,

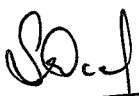
The Principal Secretary (Forests),
Government of Gujarat,
Gandhi Nagar.

Sub: Diversion of 632.24 ha of forest land (429.90 ha Reserved Forest land in Rajkot District + 202.34 Reserved Forest land in Surendranagar District) for Development of Greenfield Airport at Rajkot in favour of Director of Civil Aviation, Government of Gujarat.

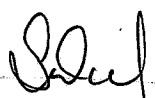
I am directed to refer to the State Government's letter No. FCA-1017/10-30/17/S.F-97/F dated 13.07.2017 on the subject mentioned above seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 and to say that the proposal has been examined by the Forest Advisory Committee constituted by the Central Government under Section-3 of the aforesaid Act.

After careful examination of the proposal of the State Government and on the basis of the recommendations of the Forest Advisory Committee, *In-principle approval/Stage-I Clearance* of the Central Government is hereby granted for diversion of 632.24 ha of forest land (429.90 ha Reserved Forest land in Rajkot District + 202.34 Reserved Forest land in Surendranagar District) for Development of Greenfield Airport at Rajkot in favour of Director of Civil Aviation, Government of Gujarat subject to the following conditions:

- (i) Legal status of the diverted forest land shall remain unchanged;
- (ii) Compensatory afforestation (CA) over the non-forest land equal in extent to the forest land being diverted shall be raised on the identified land within three years from the date of issue of stage –II clearance and maintained thereafter as per approved plan by the State Forest Department at the cost of the User Agency;
- (iii) No stand-alone commercial activity such as hotels, shopping malls, shopping arcades residential complexes etc. shall be allowed over forest land proposed for diversion for establishment of Greenfield Airport complex. The revised land use plan with component wise break up shall be submitted in view observations of FAC. The forest land will be used for only for development of airport and related ancillary activities;
- (iv) State Government shall verify the area from the record and submit revised equal non-forest land (632.24 ha) for CA land with shape files and site suitability certificate from state authority prior to final approval (stage II clearance);
- (v) The revised CA scheme shall be submitted. Compensatory afforestation cost will be revised as per the present guidelines. The CA site shall be developed as natural habitat of local species by planting grasses shrubs etc also along with the plants of tree species;
- (vi) 25% of revised CA cost will be deposited extra by the user agency for soil and moisture conservation activities on the CA land;
- (vii) State Government shall ensure complete compliance of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 in accordance with the guidelines issued by this Ministry on 03.08.2009 read with 05.07.2013;
- (viii) The Forest clearance will be for a period co terminus with the lease period specified in the lease agreement. The State Government will submit the lease agreement document;



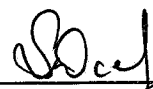
- (ix) The User Agency shall transfer the cost of raising and maintaining the compensatory afforestation at the current wage rate in consultation with State Forest Department in the account of Ad-hoc CAMPA of the concerned State through online portal. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years;
- (x) The User Agency shall transfer online, the Net Present Value (NPV) of the forest land being diverted under this proposal, as per the orders of the Hon'ble Supreme Court of India dated 28.03.2008, 24.04.2008 and 09.05.2008 in Writ Petition (Civil) No. 202/1995 and the guidelines issued by this Ministry vide its letter No. 5-3/2007-FC dated 05.02.2009. The requisite funds shall be transferred through online portal into Ad-hoc CAMPA account of the State Concerned;
- (xi) The area proposed for diversion for the component of Aviation Park shall be maintained as green zone and the Aviation Park may be adjusted in the remaining proposed area of forest land for diversion. It may be ensured that forest area as shown in Part A in revised map assigned for Aviation Park (Which includes Training facility, Educational Institutions etc.) as numbered 23 in the legend on the revised map may maintain as forest and the activities proposed in this area may be adjusted in the remaining forest land under diversion;
- (xii) Any fund received from the user agency under the project and deposited in the State Forest Department account, except the funds realized for regeneration/ demarcation of safety zone, shall be transferred through online portal only into Ad-hoc CAMPA account of the State Concerned;
- (xiii) The non-forest land transferred and mutated in favour of the State Forest Department shall be notified by the State Government as RF under Section-4 or PF under Section-29 of the Indian Forest Act, 1927 or under the relevant Section(s) of the local Forest Act, 1927 latest within a period of six months from the date of issue of Stage--II approval. The Nodal Officer shall report compliance in this regard along with a copy of the original notification declaring the non-forest land under Section 4 or Section 29 of the Indian Forest Act, 1927, as the case may be, within the stipulated period to the Central Government for information and record;
- (xiv) The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986;
- (xv) The User Agency shall pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
- (xvi) The user agency shall implement the R&R Plan as per the R&R Policy of State Government in consonance with National R&R Policy, Government of India before the commencement of the project work. The said R&R Plan will be monitored by the State Government/concern Regional Office of MoEF &CC along with indicators for monitoring and expected observable milestones
- (xvii) Any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;
- (xviii) The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- (xix) No labour camp shall be established on the forest land;
- (xx) The User Agency shall provide fuels preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;
- (xxi) The user agency will abide by the applicable recommendations of the State Government including State Forest/Wildlife Departments;
- (xxii) The forest land shall not be used for any purpose other than that specified in the proposal;
- (xxiii) The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government;



- (xxiv) No damage to the flora and fauna of the adjoining area shall be caused;
- (xxv) The User Agency shall submit the annual self - compliance report in respect of the above stated conditions to the State Government, concerned Regional Office and to this Ministry by the end of March every year;
- (xxvi) Any other condition that the concerned Regional Office of this Ministry may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife;
- (xxvii) The user agency shall comply all the provisions of the all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and National Green Tribunal Order(s) pertaining to this project, if any, for the time being in force, as applicable to the project; and
- (xxviii) The CA land shall be free from all seasonal and temporary encroachments and same shall be mutated in favour of forest department prior to Stage-II. Forest Department shall certify that the area proposed for CA is free from encroachment.

After receipt of compliance report on fulfilment of the conditions mentioned above, the proposal shall be considered for final approval under Section-2 of the Forest (Conservation) Act, 1980. Transfer of forest land shall not be affected till final approval is granted by the Central Government in this regard.

Yours faithfully,

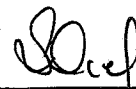


(Sandeep Sharma)

Assistant Inspector General of Forests

Copy to:

- 1) The Principal Chief Conservator of Forests, Government of Gujarat, Gandhi Nagar.
- 2) The Addl. PCCF (Central), Regional Office of MoEF&CC, Bhopal.
- 3) The Nodal Officer, O/o the PCCF, Government of Gujarat, Gandhi Nagar.
- 4) The User Agency.
- 5) Monitoring Cell, FC Division, MoEF&CC, New Delhi.
- 6) Guard File.



(Sandeep Sharma)

Assistant Inspector General of Forests