

Government of Gujarat,
Forest and Environment Department,
Block No. 14, 8th Floor, Sardar Patel Bhavan, Sachivalaya,
Gandhinagar, Gujarat-382010

No. FED/FLP/e-file/6/2023/1644/F

To,

Regional Officer, IRO-Gandhinagar,

Ministry of Environment, Forest & Climate Change,

A-407 & A-409, Aranya Bhavan,

CH-3 Circle, Sectr-10 A, Gandhinagar-382010

Subject: Diversion of **0.769995 ha.** Protected Forest & Wildlife Sanctuary area for laying underground Optical Fiber Cable from Village Dayapar to Gaduli and Village Dolatpar to Matana MADh in Lakhpat Taluka of Kutch District in favour of Deputy Manager/NOFN, Railtel Corporation of India Ltd., Bhuj.

Sir,

With reference to your letter F.No. 6-GJB103/2021-BHO dated 03.01.2022 on the subject cited above, it is informed that:-

Sr. No.	Conditions	Reply
1	Legal status of the diverted forest land shall remain unchanged.	The User Agency has Agreed
2	Compensatory afforestation shall be taken up by the Forest Department over 2.00 ha. degraded forest land Survey no.56/pt., Village-Baiyavo, Taluka-Lakhpat, District-Kutch. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species shall be avoided.	The User Agency has deposited an amount of Rs.9,90,593/- towards the cost of Compensatory Afforestation in the CAMPA fund.
3	The cost of compensatory afforestation on the degraded CA land 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.	The User Agency has deposited an amount of Rs.9,90,593/- towards the cost of Compensatory Afforestation in the CAMPA fund.
4	The Net Present Value (NPV) for the 0.769995 ha. forest area to be diverted under the proposal shall be deposited by the user agency as per the order of the Hon'ble Supreme Court of India dated 30/10/2002, 01/08/2003, 28/03/2008 and 09/05/2008 in IA-566 in W.P. (Civil) No.202/1995 and as per the guidelines issued by the MoEF&CC vide letters No.5-1/1998-FC(pt-II) dated 18/09/2003 as well as letter No.5-2/2006-FC dated 03/10/2006 and 5-3/2007-FC dated 05/02/2009 and revision of NPV vide Ministry letter no. 5-3/2011-FC(Vol-1) dated 06/01/2022 in this regard.	The User Agency has already deposited an amount of Rs.3,37,258/- and Rs.2,28,873/- total Rs. 5,66,131/- towards the cost of Net Present Value in the CAMPA fund.
5	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 India on receipt of the report from the Expert Committee, shall be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect.	The User Agency has already given the undertaking in this regard.
6	The complete compliance of the FRA 2006 shall be ensured	FRA certificate of Collector, Kutch-RI

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Approved By: B.I.chaudhari(DS,F Section,FED)

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6	The complete compliance of the F.P.N., 2000 shall be ensured by way of prescribed certificate from the concerned District Collector.	First certificate of Collector, Kutch Entry is attached herewith.
7	No tree felling shall be involved in the implementation of this project.	The User Agency has Agreed
8	User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.	The Environment Clearance is not required for this project.
9	The layout plan of the proposal shall not be changed without prior approval of Central Government.	The User Agency has agreed
10	No labour camp shall be establishment on the forest land.	The User Agency has agreed
11	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 Corporation or any other legal source of alternate fuel.	The User Agency has agreed
12	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.	The User Agency has agreed
13	No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.	The User Agency has agreed
14	The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less.	The User Agency has agreed
15	The forest land shall not be used for any purpose other than that specified in the project proposal.	The User Agency has undertaken that the forest land shall not be used for any purpose, other than that specified in the FCA Proposal.
16	The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India.	The User Agency has agreed
17	The KML files of diverted area and CA areas shall be uploaded on the e-Green watch portal with all requisite details prior to Stage-II approval.	The KML files of CA area is uploaded on the e-Green watch portal.
18	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.	The User Agency has agreed
19	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 & wildlife.	The User Agency has agreed
20	All the funds received from the user agency under the project shall be transferred/ deposited in CAMPA fund only through e-portal.	Funds from the user agency has been transferred online to the CAMPA fund through e-portal.
21	It has been observed that there are multiple proposals seen submitted for the optical fiber cable in same forest area. Accordingly, in future user agency/ State Government shall submit a single comprehensive proposal for all such projects together in the same forest land.	The User Agency has agreed
22	The compliance report in letter format of State Govt. of Gujarat shall be uploaded on e-portal (http://parivesh.nic.in)	The Compliance report is uploaded on e-portal.

Yours faithfully,

(Prasun Patel)

Under Secretary(Forest)

Forest & Environment Departmen

Encl. As above.

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copy to:-

1. Nodal officer (FCA), Pr. Chief Conservator of Forest's Office, Gujarat State, 'Aranya Bhavan' Sector-10/A, Gandhinagar.
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