



O.W. No. PB / Road / 4182 / 2023
Office Of the Executive Engineer,
Road & Building Division (State)
Behind Railway Station,
Nr. Sales Tax office,
PATAN (N.G.) 384265
Phone No. : 02766-299177
Date : 26 / 10 / 2023

✓ To,
Deputy Conservator of Forests,
Behind Railway Station,
Patan Division,
Patan.

Project :- Compliance of Diversion of 10.80 Ha. Protected Forest For Construction of Pagdandi on Ahmedabad-Viramgam-Mandal-Dasada-Panchasar-Shankheshwar road in Patan District in favour of Executive R & B Division, Patan in Gujarat.

Ref :- 1. Government of India, Ministry of Environment, Forest & climate change Intergrated Religion office, Gandhinagar, Letter No – 6/GJCO43/2021 – BHO, Date :- 10/05/2023.
2. Government of India, Ministry of Environment, Forest & climate change Intergrated Religion office, Gandhinagar, Letter No – 6/GJCO43/2021 – BHO, Date :- 24/01/2022.

Dear Sir,

With reference to the above said matter, in principal approval has been granted vide letter reference No-2 above against Diversion of 10.80 Ha. Protected Forest For Construction of Pagdandi on Ahmedabad-Viramgam-Mandal-Dasada-Panchasar-Shankheshwar road in Patan District in favour of Executive R & B Division, Patan.


Please find below point wise compliance of letter reference (1) for your ready reference and needful action for issuing final approval.

Sr.No	Remarks	Compliance
1	Complete compliance of Forest rights act, 2006 is not submitted. That state government is requested to submit the FRA certificate in the prescribed format along with all enclosures i.e. proceedings of DLL, SDLC and gramsabha.	Revised FRA Certificate attached here.
2	KML file of diversion area and CA area shall be upload on e. green watch portal along with all requisite details	KML file of diversion area Uploaded by office of Deputy Conservator of Forests, Patan.

Considering the above facts, we request you to kindly process the proposal for issuing final approval at the earliest possible.

Thanking You...

Attachemnt :- Revised FRA Certificate.


Executive Engineer
R & B Division
Patan

Copy to Respectively, The Additional Principal Chief conservartor of forests land, Gujarat state, Aranya bhavan, Block No-A/3, Near 'CH' Circle, Opposite St. Xaviers high school, Sector – 10/A, Gandhinagar for information & necessary action please.

Copy to, Deputy Executive Engineer, R & B Sub Division, Harij for information.

023/IRO-GNR

6-GJC043/2021-BHO
6-GJC043/2021-BHO

42587/2023

भारत सरकार
GOVERNMENT OF INDIAपर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE
CHANGEएकीकृत क्षेत्रीय कार्यालय, गांधीनगर / Integrated Regional Office,
Gandhinagarए 407, 409 "अरण्य भवन", सीएच-3 सर्कल के पास, सेक्टर-10 ए, गांधीनगर-382010/ A-407& A-409,
"ARANYA BHAWAN" Near CH-3 Circle, Sector-10A, Gandhinagar-382010
Tel No: +9179-23255067 Email: iro.gandhinagar-mefcc@gov.inदिनांक: 10th May, 2023

To

अपर मुख्य सचिव (वन)/The Additional Chief Secretary (Forests)
गुजरात सरकार/Govt. of Gujarat
ब्लॉक नं. 14, आठवां तल, न्यू सचिवालय
Block No. 14, 8th Floor, New Sachivalaya
गांधीनगर, गुजरात/Gandhinagar, Gujarat.

(प्रस्ताव संख्या: FP/GJ/ROAD/48671/2020)

विषय: Diversion of 10.80 ha Protected Forest for construction of pagdandi on
Ahmedabad-Viramgam-Mandal-Dasada- Panchasar-Shankheshwar Road in
Patan District in favour of Executive Engineer, R & B Division, Patan.
Madam/Sir,This refers to the Govt. of Gujarat letter No. FED/0105/04/2023 dated
21.04.2023 forwarded the compliance report of Stage-I approval letter dated
24.01.2022. After examination of the compliance report of State Government,
following are observed:

1. Complete compliance of Forest Rights Act, 2006 is not submitted. Thus, State Government is requested to submit the FRA certificate in the prescribed format along with all enclosures i.e. proceedings of DLC, SDLC and Gram Sabha.
2. KML file of diversion area and CA area shall be uploaded on e.Green Watch Portal along with all requisite details.

Accordingly, it is requested to furnish/upload the above-mentioned information for further consideration of the proposal.

भवदीय/Sincerely,

(श्रवण कुमार वर्मा/Shrawan Kumar Verma)

उप महानिरीक्षक एवं क्षेत्रीय अधिकारी/
Deputy Inspector General (DIG) & Regional Officer (RO)
एकीकृत क्षेत्रीय कार्यालय, गांधीनगर/
Integrated Regional Office (IRO), Gandhinagar.

प्रतिलिपि/Copy to:

1. The APCCF-cum-Nodal Officer (FCA), Aranya Bhawan, Block No. A/3, Sector- 10A, Gandhinagar, Gujarat.
2. The Dy. Conservator of Forests, Forest Division Patan, Patan, Gujarat.
3. The Executive Engineer, R & B Division Patan, Patan, Gujarat.
4. Guard File/ Order File.

FORM-I

(for linear projects other than Plantations)

[Rule 6(3) (e) of Forest (Conservation) Rules 2003 as amended up to date]

GOVERNMENT OF GUJARAT
Office of the District Collector, PATAN

In compliance of the Rule 6(3)(e) of the Forest (Conservation) Rules, 2003 [as amended vide the Forest (Conservation) Amendment Rules 2014; Forest (Conservation) second Amendment Rules 2014; and Forest (Conservation) Amendment Rules 2016] it is certified that **10.80 hectares** of forest land proposed to be diverted in favour of **Executive Engineer, Road and Building Division, Patan for Diversion proposal (Construction of pagdandi on Ahmedabad-Viramgam -Mandal – Dasada- Panchasar-Shankheshvar road k.m 106/400 to 118/400)** in the district falls within the jurisdiction of PATAN, villages- **Panchasar, Ratanpura and Shankheshvar** in **Shankheshvar** tehsils.

It is further certified that:

(a) the complete process of recognition and vesting of forest rights under the FRA has been carried out for the entire **10.80 hectares** of forest land proposed for diversion. A copy of records of all consultations and meetings of the Forest Rights Committee(s), Gram Sabha(s), Sub- Division Level Committee(s) and the District Level Committee are enclosed as attachment(Not Applicable)

(b) the diversion of forest land for facilities managed by the Government as required under section 3 (2) of the FRA, 2006 have been completed and the Gram Sabhas have given their consent to it;(Not Applicable)

(c) the proposed area does not involve recognized rights of Primitive Tribal Groups and Pre- Agricultural Communities.

Encl.: As above.


COLLECTOR, PATAN

Signature

Full name and official seal of the District Collector


(Bindu Patel)
Deputy Conservator of Forest
Patan Forest Division, Patan



सत्यमेव जयते

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



ए वींग- 407 एवं 409, "अरण्य भवन", सी.एच.-3 सर्किल के समीप, सेक्टर-10 ए, गांधीनगर-3 2010 / A
wing- 407 & 409, "ARANYA BHAWAN", Near CH-3 Circle, Sector-10A, Gandhi Na ar-382010
Email: iro.gandhingar-mefcc@gov.in

File No. 6-GJC043/2021-BHO

Dated: 24th January, 2022

To
Additional Chief Secretary (Forests)
Govt. of Gujarat
Block No. 14, 8th Floor, New Sachivalaya
Gandhinagar, Gujarat.

(Online Proposal No: FP/GJ/ROAD/48671/2020)

Sub: Diversion of 10.80 ha Protected Forest for construction of pigdandi on
Ahmedabad-Viramgam-Mandal-Dasada- Panchasar-Shankheshwar Road in Patan
District in favour of Executive Engineer, R & B Division, Patan of Gujarat.

Sir,

This refers to letter No. FCA-1021/7-16/21/S.F-210/F dated 16.12.2021 of the State Govt. of Gujarat on the above mentioned subject seeking prior approval of the Ministry of Environment, Forest & Climate Change under section 2 of Forest (Conservation) Act, 1980.

The proposal was duly considered and approved by the Regional Empowered Committee in its meeting held on 21.01.2022 for issuance of In-Principle/Stag -I approval. Therefore, the undersigned, on the behalf of the Central Government, conveys In-Principle/Stage-I Approval for diversion of 10.80 ha Protected Forest for construction of pigdandi on Ahmedabad-Viramgam-Mandal-Dasada- Panchasar-Shankheshwar Road in Patan District in favour of Executive Engineer, R & B Division, Patan of Gujarat subject to the following general, standard and specific conditions: -

A: Conditions which needs to be complied prior to handing over of forest land by the State Forest Department:

1. 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.
2. The State Government shall charge the Net Present Value (NPV) for the 10.80 ha forest area to be diverted under this proposal from the User Agency as per the 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. 5-2/2006-FC dated 03/10/2006, 5-3/2007-FC dated 05/02/2009 and 5-3/2011-FC(Vol-1) dated 06.01.2022 in this regard.
3. 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

Amman
24/01/2022

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.

4. Plantation of shade and fruit bearing trees shall be carried out compulsorily on one side and wherever possible on both sides of the *pagdandi*.
5. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
6. The KML file of the area to be diverted and the CA areas shall be uploaded on the e-Green watch portal with all requisite details, before issuing working permission towards linear projects or submitting compliance report for seeking Final/Stage-II approval, as the case may be.
7. All the funds received from the user agency under the project shall be transferred/deposited to CAMPA fund only through e-portal.

B: Conditions which needs to be strictly complied on field after handing over of forest land to the User Agency by the State Forest Department but the compliance in form of undertaking shall be submitted prior to Final/Stage-II approval:

1. Legal status of the forest land shall remain unchanged.
2. Compensatory afforestation shall be taken up by the Forest Department over 2.00 ha of de-graded forest land, Compartment No. 104, Village- Rajusara, Taluka- Satalpur, District- Patan, Gujarat at the cost of the user agency. As far as possible, a mixture of local indigenous species shall be planted and mono-culture of any species may be avoided.
3. User agency shall restrict the felling of trees to 133 trees/minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and cost of felling of trees shall be deposited by the User Agency with the State Forest Department.
4. No damage to the flora and fauna of the adjoining area shall be caused.
5. The layout plan of the proposal shall not be changed without prior approval of Central Government.
6. No labour camp shall be established on the forest land.
7. 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.
8. 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.
9. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
10. 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.
11. The forest land shall not be used for any purpose other than that specified in the project proposal.
12. 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.
13. The User Agency shall submit the annual self compliance report in respect of the above stated conditions to the State Government and Integrated Regional Office, Gandhinagar by the end of March every year.
14. The User Agency shall comply with all the provisions of the all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and NGT Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.
15. 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 No. 11-

[Signature]
24/01/2022

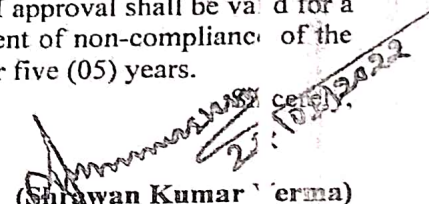
42/2017-FC dt 29/01/2018.

16. Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.

17. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).

After receipt of compliance report on fulfillment of all of the above conditions from the State Government, proposal will be considered for Final/Stage-II approval under Section-2 of the Forest (Conservation) Act, 1980. The User Agency shall take up the work as per the guidelines in force and after ensuring that all necessary clearances for the entire stretch are in place. Working permission, if any issued, shall be intimated to IRO, Gandhinagar. Transfer of forest land shall not be effected till Final/Stage-II approval is granted by the Central Government in this regard.

Further, it may also be noted that this **In-principle / Stage-I** approval shall be valid for a period of 5 years from the date of issue of this letter. In the event of non-compliance of the above conditions, this In-principle approval shall be revoked after five (05) years.


(Shrawan Kumar Verma)
DIG & RO, IRO Gandhinagar

Copy to:

1. The Inspector General of Forests (Central), ROHQ Division, Ministry of Environment Forest and Climate Change, Indira paryavaran Bhawan, Jor Bagh Road, New Delhi-110003.
2. The APCCF & Nodal Officer (FCA), Aranya Bhawan, Sector- 10A, Gandhinagar, Gujarat.
3. The Executive Engineer, R & B Division, Patan, Gujarat.
4. Guard File.