



Government of Gujarat
Forest & Environment Department

Block No. 14, 8th Floor, New Sachivalaya, Gandhinagar, Gujarat- 382010, 079-23251062, Fax: 079 23252156.

No. FCA-1019/7-31/19/SF-182/F

Date:

To,

17 AUG 2020

Addl. Principal Chief Conservator of Forests (Central)

Ministry of Environment, Forest & Climate Change,

Regional Office, Western Region,

Kendriya Paryavaran Bhavan,

Link Road No.3, E-5, Ravi Shankar Nagar

BHOPAL (M.P.)-462016.

Subject: Diversion of **42.46625 ha.** Protected Forest land for the project of Widening & Strengthening four lane of Mitha Tharad Deesa Road(Section Deesa-Lakhni road) Ch.56/340 to 88/390 Ta.Deesa & Lakhni, District Banaskantha in favour of Executive Engineer, R&B Division, Palanpur.

Sir,

Please refer to your letter F.No. 6-GJA01/2020-BHO/BH-44 dated 27.04.2020 on the subject cited above and it is informed that:-

Sr. No.	Conditions	Compliance
<u>Specific Conditions :</u>		
1	Legal status of the forest land shall remain unchanged.	User agency has agreed.
2	Forest land will be handed over only after required non-forest land for the project is handed over to the user agency.	Forest land shall be handed over to the user agency of the they take over the non-forest land.
3	Compensatory afforestation : g) Compensatory afforestation shall be taken up by the Forest Department over 85.00 ha degraded-forest land at the cost of the user agency. As far as Possible a Mixture of local Indigenous species Shall be Planted and monoculture of any species may be avoided. Details as CA is as following. (1) 25.00 ha. land at S.No.64 pt., Village-Godha, Ta.Palanpur, Dist. Banaskantha (2)	User agency has deposited an amount of Rs.3.65,60,880/- towards the cost of Compensatory Afforestation in the CAMPA fund.

	50.00 ha. S.No.59, 60, 72 pt., Village-Jalotra, Ta.Vadgam, Dist. Banaskantha (3) 10.00 ha. S.No.38, Village-Malpuriya, Ta.Palanpur, Dist. Banaskantha.	
	h) Total No. of sapling to be planted shall be not less than nos.94.435 (85.00 ha / 1111) in CA land. The composition of saplings (number of species-wise) to be planted in the CA land shall be as per National Forest Policy and as per CA scheme uploaded vide secretary, Govt. of Gujarat online upload dt.21/03/2020 and record shall be kept.	Noted
	i) The standard size sapling (minimum height & minimum collar girth species wise) as approved by the State Govt. shall be planted in the selected CA land and shall not shall note less than the specified in the CA scheme uploaded vide secretary, Govt. of Gujarat online uplod dt.21/03/2020.	Noted
	j) The height and collar girth (specie wise) shall be measured & 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 & records shall be maintained.	Noted
	k) All the live stumps & pollards up to 90 cm and having coppicing properties present in this CA area shall be kept in plantation journal.	Noted
	l) The CA plantation shall be taken place before and of 2021 monsoon.	Noted and planned
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	User agency has deposited an amount of Rs.3.65.60.880 - towards the cost of Compensatory Afforestation in the CAMPA fund.

	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.	
5	The user agency shall deposit the amount Rs.3,65,60,880.00 (1,07,53,200+2,15,06,400+43,01,280) for CA in the CAMPA.	User agency has deposited an amount of Rs.3,65,60,880.00 (1,07,53,200+2,15,06,400+43,01,280) for CA in the CAMPA.
6	NPV (c) The State Government shall charges the Net Present Value (NPV) for the 42.46625 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 and 5-3/2007-FC dated 05-02-2009 and chapter 3 of hand book 2019 of 1980 & FC Rules 2003 in this regard.	(c) The User Agency has deposited an amount of Rs. 2,39,08,499/- towards the cost of NPV in the CAMPA fund.
	(d) 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.	(d) User agency has already given the undertaking in this regard.
7	All the funds received from the user agency under the project shall be transferred deposited to CAMPA fund only through e-portal. (https://parivesh.nic.in).	Funds from the user agency has been online payment transferred to the CAMPA fund through e-portal.

8	The certificate of Collector under FRA, 2006 for proposed CA land as per para 6.3e(ii) of Forest Conservation (Rules), 2003 (Amended up to August 2017) shall be submitted before Stage-II approval.	The user agency has submitted a FRA certificate from Collector, Vadodara.
9	Project shall restrict the felling to 3276 number & minimum number in the diverted Forest land and 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.	User agency has agreed.

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.	Working permission is given to user agency by DCF.
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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 obtain before the end of working permission, then the State shall stop work and action shall be initiated under Para 1.2(ii) of FCA Handbook, 2019.	User agency has agreed.
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General Condition :


1	The user agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.	Environmental Clearance is not required in the above proposal.
2	User agency shall raise strip plantation on both sides and central verge of the road, as per the IRC norms.	User agency has agreed
3	User agency shall provide suitable under pass/over pass for free movement of wildlife in and around the forest area in accordance to Eco friendly measures to mitigate impacts of linear infrastructure on Wildlife(2016).	User agency has agreed

4	Speed regulating signage will be erected along the road at regular intervals in the Forest Areas.	User agency has agreed.
5	The User Agency shall provide suitable under / over passes in the Protected area / forest area as per recommendations of CWLW / NBLW / FAC/ REC, if applicable.	User agency has agreed
6	The layout plan of the proposal shall not be changed without prior approval of Central Government.	User agency has agreed
7	No labour camp shall be established on the forest land.	User agency has agreed
8	Sufficient firewood, preferably 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.	User agency has agreed
9	The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of concerned Divisional Forest Officer.	User agency has agreed
10	No additional or new path will be constructed inside the forest area for transportation of construction materials for executive of the project work.	User agency has agreed
11	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.	User agency has agreed
12	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.
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 Govt. of India.	User agency has agreed

14	The State Government and user agency shall comply the provision of the all Acts, Rules, Regulations, guidelines, NGT order & Hon'ble Court Order(s) pertaining to this project, if any, for the time being in force, as applicable in the project.	User agency has agreed
15	All the conditions of forest department/local forest rules shall be applicable in this project.	User agency has 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 Handbook of FCA, 1980 Handbook 2019.	User agency has agreed
17	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.	User agency has agreed
18	The Complete compliance report for all conditions stipulated in this Stage I approval letter shall be uploaded on e-portal (https://parivesh.nic.in) in letter format.	The compliance report is uploaded on e-portal.

In view of above and since the conditions of In-principle approval have already been complied with, the matter may now be referred to APCCF (Central), Bhopal for issuance of formal approval.

Yours faithfully,



(S. M. Saiyad)

Additional Secretary

Forest & Environment Department

Encl. As above.

copy to:-

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