



**Government of Gujarat**  
**Forest & Environment Department**

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

**No. FCA-1020/2-03/20/SF-206/F**

**Date:**

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

9 JUN 2022

**Subject:** Diversion of **0.175 ha.** Protected Forest land for construction of approach road for Petrol pump and complex at Village Kondh Ta.Valia District Bharuch in favour of Shree Vindheshwari Petroleum, Village-Kondh, Ta.Valia, District Bharuch.

Sir,

Please refer to your letter F.No. 6-GJB015/2021-BHO/ dated 23.02.2022 on the subject cited above and it is informed that:-

Sr. No.	Condition	Compliance
<b>A: Conditions which needs to be complied prior to handing over of forest land by the State Forest Department:</b>		
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.	The User Agency has deposited an amount of Rs.6,03,513/- towards the cost of Compensatory Afforestation in the CAMPA fund.
2	The State Government shall charge the Net Present Value (NPV) for the 0.175 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.11) 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 FCA Handbook, 2019 in this regard.	The User Agency has already deposited an amount of Rs.2,37,494/- towards the cost of Net Present Value in the CAMPA fund.

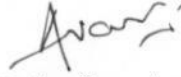
3	Under section 1.21 (ii) of FCA guidelines Penal NPV shall be charged for the area used in violation by the State Govt. of Gujarat since the User Agency has committed violation after applying for diversion.	The User Agency has already deposited an amount of Rs.5,46,237/- towards the cost of Penal Net Present Value in the CAMPA fund.
4	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.
5	The complete compliance FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.	FRA certificate of Collector, Bharuch is attached herewith.
6	The State Govt. shall take suitable action as per IFA, 1927 (as applicable to the State of Gujarat) against User Agency under relevant sections of Indian Forest Act.	Range Forest Officer, Valia has issued FOR and recovered Rs 40,000/- as compensation towards the offence booked under Indian Forest Act-1927.
7	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
8	The KML file of the are 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.	Noted
9	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.
<b>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 Stage-II approval:</b>		
1	Legal status of the diverted forest land shall remain unchanged.	The User Agency has Agreed
2	Forest land will be handed over to the User Agency only after required non-forest land for the project is handed over by the User Agency.	This project is linear diversion therefore Non Forest land is not required for this project.

3	Compensatory afforestation shall be taken up by the Forest Department over 1.00 ha. degraded forest land Compartment no.547 (79), Village-Koyali Mandvi, Taluka-Netrang, District-Bharuch of Gujarat 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 shall be avoided.	The User Agency has deposited an amount of Rs. 6,03,513/- towards the cost of Compensatory Afforestation in the CAMPA fund.
4	User Agency shall restrict the felling of trees to 40 trees/ minimum numbers 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.	The User Agency has Agreed
5	Greenery shall be maintained along the boundary and between the entry and exit of the fuel pumping station by the User Agency.	The User Agency has Agreed
6	No damage to the flora and fauna of the adjoining area shall be caused.	The User Agency has Agreed
7	The layout plan of the proposal shall not be changed without prior approval of Central Government.	The User Agency has agreed
8	No labour camp shall be establishment on the forest land.	The User Agency has agreed
9	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
10	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
11	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
12	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
13	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.
14	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

15	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.	The User Agency has agreed
16	The State Government and user agency shall comply the provisions 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 to the project.	The User Agency has agreed
17	Violation of any of these conditions will amount to violations of Forest (Conservation) Act, 1980 and action would be taken as Para 1.21 of FCA, 1980 Handbook 2019.	The User Agency has agreed
18	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
19	The compliance report in letter format of State Govt. of Gujarat shall be uploaded on e-portal ( <a href="http://parivesh.nic.in">http://parivesh.nic.in</a> ) 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, it is requested to issue a formal approval.

Yours faithfully,



Under 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. Select File