



भारत सरकार  
GOVERNMENT OF INDIA  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
MINISTRY OF ENVIRONMENT, FORESTS &  
CLIMATE CHANGE

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F. No. FC-I/MH-80/2017-NGP / 3067

Date: 29<sup>th</sup> December, 2017

To

The Secretary,  
Govt. of Maharashtra,  
Revenue & Forest Department,  
Mantralaya, Mumbai-400032.

**Sub: Diversion of 0.97 ha of Reserved Forest land in favour of M/s Ujjwala Raman Gavit for construction of Petrol Pump at village Songir, Tal & Dist. Dhule in the State of Maharashtra.**

Sir,

I am directed to refer to the State Government of Maharashtra's letter no. FLD-1617/CR-217/F-10 dated 27.07.2017 on the above subject seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 and the Addl. PCCF & Nodal Officer (FCA), Government of Maharashtra's letter no. Desk-17/NC/II/ID 12489/(29)/1933/17-18 dated 15.11.2017 forwarding additional information as sought by the Regional Office, vide its letter of even number dated 17.08.2017 and to say that the said proposal has been examined in the Regional Office in light of the relevant provisions of the Forest (Conservation) Act, 1980, Rules and Guidelines issued thereunder.

After careful examination of the proposal and on the basis of recommendation of the State Government, the Central Government hereby accords 'in-principle' under Section -2 of the Forest (Conservation) Act, 1980 for diversion of 0.97 ha of Reserved Forest land in favour of M/s Ujjwala Raman Gavit for construction of Petrol Pump at village Songir, Tal & Dist. Dhule in the State of Maharashtra subject to the fulfilment of the following conditions:

- (i) Legal status of the diverted forest land shall remain unchanged;
- (ii) Compensatory afforestation, over the degraded forest land of 1.0 ha, shall be raised and maintained by the State Forest Department at the cost of the User Agency;
- (iii) The land identified for the purpose of CA shall be clearly depicted on a Survey of India toposheet of 1:50,000 scale and the same shall be submitted along with the compliance report;
- (iv) The User Agency shall transfer the cost of raising and maintaining the compensatory afforestation, at the current wage rate, to the State Forest Department. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years;
- (v) The State Government shall charge the Net Present Value (NPV) of the forest land being diverted under this proposal from the User Agency 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 in this regard;
- (vi) At the time of payment of the Net Present Value (NPV) at the then prevailing rate, the User Agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;

- (vii) All the funds received from the user agency under the project, except the funds realized for regeneration/ demarcation of safety zone, shall be transferred to Ad-hoc CAMPA, through e-challan, in the Saving Bank Account pertaining to the State concerned;
- (viii) Wherever possible and technically feasible, the User Agency, in consultation with the State Forest Department, shall undertake afforestation measures in the blanks within the area diverted under this approval, at the project cost;
- (ix) The area between the entry and exist points of the petrol pump shall be afforested with the suitable native tree species;
- (x) The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- (xi) No labour camp shall be established on the forest land;
- (xii) 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;
- (xiii) The boundary of the diverted forest land shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, forward and back bearing and distance from pillar to pillar;
- (xiv) The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- (xv) The User Agency shall submit an appropriate map conspicuously depicting forest land, agricultural land, and villages, etc. and other such features located in the close proximity of the area proposed for diversion;
- (xvi) The forest land shall not be used for any purpose other than that specified in the proposal;
- (xvii) 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;
- (xviii) No damage to the flora and fauna of the adjoining area shall be caused;
- (xix) Any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department.
- (xx) The user agency, if required, shall undertake comprehensive soil conservation measures at the project cost in consultation with State Forest Department;
- (xxi) The user agency in consultation with the State Government shall create and maintain alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project. Bird's nests artificially made out of eco-friendly material shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project;
- (xxii) The State Government shall complete settlement of rights, in terms of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any, on the forest land to be diverted in accordance with the relevant guidelines issued by the MoEF;
- (xxiii) The user agency shall submit the annual self compliance report in respect of the above conditions to the State Government and to the concerned Regional Office of the Ministry regularly.
- (xxiv) 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; and
- (xxv) The User Agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project;



- (xxvi) The User Agency shall submit six monthly self-compliance reports as on 1<sup>st</sup> January and 1<sup>st</sup> July of every year to this office as well as to the Nodal Officer of the State;
- (xxvii) The State Government shall monitor compliance of conditions of Forest Clearance and shall submit in this regard yearly report as on 31<sup>st</sup> December of every year;
- (xxviii) 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;
- (xxix) The User Agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project; and

After receipt of a report on the compliance of conditions no (iii), (iv), (v), (vii), (xxii) and undertakings, duly authenticated by the competent authority in the State Government, in respect of all other conditions, from the State Government, formal approval will be considered in this regard under Section-2 of the Forest (Conservation) Act, 1980.

Yours faithfully



**Charan Jeet Singh**  
Scientist 'C'

**Copy to:**

1. The PCCF, Government of Maharashtra, Nagpur.
2. The Nodal Officer (FCA), O/o the PCCF, Government of Maharashtra, Nagpur.
3. The Director (ROHQ), MoEF&CC, Indira Paryavaran Bhawan, Jorbagh Road, Aliganj, New Delhi.
4. User Agency.
5. Guard File.



**Charan Jeet Singh**  
Scientist 'C'