



सत्यमेव जयते

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

क्षेत्रीय कार्यालय, पश्चिम क्षेत्र,  
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File No. 6-GJB07/2018-BHO/057

Date: 12/04/2018

To,

The Addl. Chief Secretary,  
Govt. of Gujarat,  
Forest and Environment Department,  
Sachivalaya, Gandhinagar  
(Gujarat).

Sub. : Re-diversion of 0.3855 ha Protected Forest land for construction of Kachchh Branch Canal at the crossing of Bhuj-Bhachau Road of Kachchh district in favour of Executive Engineer, Kachchh Branch Canal Dn. No. 2/4 Bhachau.

I am directed to refer to your letter No. FCA-1017/8-11/17/S.F.-165/F dated 15.02.2018 on the above mentioned subject seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980.

After due consideration of the above proposal of the State Government, the undersigned, on behalf of the Central Government, is hereby directed to convey **in-principle** approval for re-diversion of 0.3855 ha Protected Forest land for construction of Kachchh Branch Canal at the crossing of Bhuj-Bhachau Road of Kachchh district in favour of Executive Engineer, Kachchh Branch Canal Dn. No. 2/4 Bhachau subject to the following conditions:-

1. Legal status of the forest land shall remain unchanged.
2. Forest land shall be handed over to the User Agency only after the User Agency has got possession of non-forest land, if any, required for the project.
3. **Net Present Value (NPV) :**
  - a) The State Government shall charge the "Net Present Value" (NPV) for the **0.3855 ha** of forest land to be diverted under the 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 and 09/05/2008 in IA No. 566 in WP (Civil) 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 in this regards.
  - b) Additional amount of the NPV of 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, which shall furnish an undertaking to this effect.
4. All the funds received from the User Agency under the project shall be transferred/deposited in CAMPA fund only through e.portal (<http://forestsclearance.nic.in>).

0.3855ha

KBC, Bhachau.

12/4/18

5. **CWLW comments to this proposal shall be submitted before issuance of working permission as in case of linear project.**
6. **Part-I and Part-II for re-diversion to this proposal shall be submitted before issuance of working permission as in case of linear project.**
7. The pipeline shall be laid down 1.5 meter below the ground and after lying down of pipe line the ground will be leveled.
8. 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.
9. Relevant directions contained in various notifications issued by the Central Government under the provisions of the Environment (Protection) Act, 1986 and Environment (Protection) Rules, 1986 made there under and as amended from time to time regarding use of fly ash shall be fully complied with.
10. Muck disposal, if required, should be taken up as per the scheme approved by the Forest Department.
11. Soil conservation measures, if required, should be taken up by the User Agency for which fund should be provided as per the current rate of works.
12. No felling of tree shall be involved in the implementation of the proposal.
13. No damage shall be done to flora & fauna.
14. No additional or new path will be constructed inside the forest area for transportation of construction materials to be used for execution of the project work. Camps shall not be allowed in Forest Area.
15. Proposed temporary labour camps outside the forest area are to be dismantled and removed. The labourers shall be sent back immediately after the completion of the work.
16. The forest land shall not be used for any purpose other than that specified in the project proposal.
17. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Central Government.
18. The User Agency shall provide fuel preferably alternate fuel to the staff and labourers working at the site to avoid damage /felling of trees and pressure on forest areas.
19. The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of User Agency or the project life whichever is less.
20. a) The User Agency shall submit compliance report as on 1<sup>st</sup> January of every year to the Nodal Officer of the State.  
b) 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> July of every year.
21. The layout plan of the proposal shall not be changed without the prior approval of the Central Government.

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22. Statutory provisions under various Acts, rules made there under and guidelines applicable to this project shall be strictly adhered to.
23. Any other condition that the Ministry of Environment, Forest & Climate Change may stipulate from time to time in the interest of conservation and development of forests & wildlife.
24. The compliance report shall be uploaded on e.portal (<http://forestsclearance.nic.in>).


The compliance report on condition Nos. 3, 4, 5, 6 and 24 shall be sent to this office. Transfer of Forest land to User Agency shall not be affected by the State Government till the formal approval for diversion of forest land is issued by the this office.

  
(B. Abhay Bhaskar)

Dy. Conservator of Forests(C)

Copy to:-

1. The Director (ROHQ), Ministry of Environment, Forest and Climate Change, AGNI, C-Wing, Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, New Delhi-110003.
2. The Addl. Principal Chief Conservator of Forests and Nodal Officer (FC), Gandhinagar.
3. The Dy. Conservator of Forests, Kuchchh East Division, Bhuj, Gujarat.
4. Executive Engineer, Sardar Sarovar Narmada Nigam Ltd., Kachchh Branch Canal Dn. No. 2/4 Bhachau, Kutch.
5. Order file.

  
(B. Abhay Bhaskar)

Dy. Conservator of Forests(C)

0.3855ha

KBC, Bhachau.