



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

क्षेत्रीय कार्यालय, पश्चिम क्षेत्र
Regional Office, Western Region
"केन्द्रीय पर्यावरण भवन"
"Kendriya Paryavaran Bhavan"
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No. 6-GJB038/2017-BHO/1237

Date: 21/03/2018

To,

The Addl. Chief Secretary (Forests),
Govt. of Gujarat,
Sardar Patel Bhawan, Block No14/8,
Sachivalaya, Gandhinagar, Gujarat.

Sub.: Diversion of 3.3588 ha Reserved Forest land for construction of Charanka Distry, Kalyanpura Distry, Garamadi Distry, Rozu Distry and their Minors of taking from Kachchh Branch Canal Dist. Patan in favour of Executive Engineer, Sardar Sarovar Narmada Nigam Ltd. Kutch Branch Canal Dn. No 1/7 Radhanpur.

Ref.: Govt. Gujarat letter No. FCA-1017/8-04/17/S.F.-114/F dated 22.09.2017.

Sir,

Kind attention is invited to the subject matter and reference cited by which prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 was sought.

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 diversion of 3.3588 ha Reserved Forest land for construction of Charanka Distry, Kalyanpura Distry, Garamadi Distry, Rozu Distry and their Minors of taking from Kachchh Branch Canal Dist. Patan in favour of Executive Engineer, Sardar Sarovar Narmada Nigam Ltd. Kutch Branch Canal Dn. No 1/7 Radhanpur subject to the following conditions:-

1. The legal status of the forest land shall remain unchanged.
2. Compensatory Afforestation : -
 - a) 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.
 - b) Compensatory Afforestation shall be taken up by the Forest Department over 4.00 ha non forest land, Survey no. 357 pt, Village- Bhachunda, Tal- Abdasa, Dist-Kutch at the cost of the User Agency. Compensatory afforestation shall be of a mix of local indigenous species. Monoculture of species shall be avoided. The CA will be maintained for 10 years.
 - c) The Non-forest land shall be transferred and mutated in favour of Forest Department.
 - d) The non-forest land shall be notified as Reserve / Protected Forest.

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3. CA Scheme for 10 years :

- a) The cost of Compensatory Afforestation and its maintenance for 10 years shall be deposited in advance at prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation, erection of boundary pillars etc. on the CA land shall be deposited in advance with the Forest Department by the User Agency. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.
- b) Land identified for CA shall be clearly depicted on a Survey of India Toposheet of 1:50,000. The bearing of each corner point and distances between two successive points shall be recorded alongwith the GPS readings of Geo coordinates (Latitudes & Longitudes).

4. Net Present Value (NPV) :

- a) The State Government shall charge the "Net Present Value" (NPV) for the **3.3588 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 regard.
 - 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.
5. All the funds received from the User Agency under the project shall be transferred/deposited in CAMPA fund only through e.potal.
 6. Relevant directions contained in various notifications issued by the Government of India 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.
 7. The user agency shall obtain Environmental Clearance, if required.
 8. Muck disposal, if required, should be taken up as per the scheme approved by the Forest Department.
 9. 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.
 10. The boundary of the diverted forestland shall be demarcated on ground at the project cost.
 11. The User Agency shall provide water for forestry and allied purposes at the rate fixed by the State Government.
 12. No felling of trees shall be involved in the implementation of the proposal.
 13. 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.
 14. Proposed labour camps outside the forest area are to be dismantled and removed and the labourers shall be sent back immediately after the completion of the work.

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15. No damage shall be caused to the flora and fauna.
16. All the conditions proposed by the Chief Wildlife Warden vide his letter No. WLP/32/B/16302-10/2015-16 dated 11.03.2016 shall be fully complied with.
17. The forest land shall not be used for any purpose other than the one specified in the project proposal.
18. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of the Government of India.
19. 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 the forest areas.
20. 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.
21. The User Agency shall submit six-monthly compliance report as on 1st July of every year to this office as well as to the Nodal Officer of the State.
22. The State Government shall monitor compliance of conditions of Forest Clearance and shall submit in this regard yearly report as on 31st December of every year.
23. The layout plan of the proposal shall not be changed without the prior approval of the Government of India.
24. Statutory provisions under various Acts, rules made there under and guidelines applicable to this project shall be strictly adhered to.
25. Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation and development of forests & wildlife.
26. The compliance report shall be uploaded on e.portal (<http://forestsclearance.nic.in>).

The compliance report on condition Nos. 2 (c), 3(a), 4, 5 and 26 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 order 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 & Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, New Delhi-110003.
2. The Addl. Principal Chief Conservator of Forests and Nodal Officer (FC), Gandhinagar (Gujarat).
3. Dy. Conservator of Forest, Patan Forest Division, Patan, Gujarat.
4. The Executive Engineer, Sardar Sarovar Narmada Nigam Ltd. Kutch Branch Canal Dn. No. 17, Radhanpur, Patan, Gujarat.
5. Order file.

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(B. Abhay Bhaskar)

Dy. Conservator of Forests(C)