

Government of India  
Ministry of Environment, Forest and Climate Change  
(Forest Conservation Division)

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Indira Paryavaran Bhawan,  
Jor Bagh Road, Aliganj  
New Delhi - 110003.  
Dated: 21<sup>st</sup> April, 2022

To

The Principal Secretary (Forests),  
Government of Gujarat,  
Gandhinagar.

**Subject: Proposal for Re-Diversion of 9.90 ha Protected/Reserve Forest land for construction of Ambaji bypass (Km. 2/950 to km. 5/150) on Himmatnagar- Kheroj-Ambaji - Aburaod SH-9 in Banaskantha District in favour of Executive Engineer, R&B Division (State), Palanpur, Gujarat (Online No. FP/GJ/ROAD/47665/2020) – regarding.**

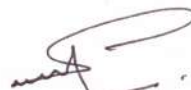
Madam/Sir,

I am directed to refer to the Government of Gujarat letter No. FCA-1020/7-22/20/SF-199/F dated 01.06.2021 on the above mentioned subject, seeking prior approval of Central Government under Section 2 (ii) of the Forest (Conservation) Act, 1980, and to say that the said proposal has been examined by the Forest Advisory Committee constituted by the Central Government under Section-3 of the aforesaid Act.

2. After careful consideration of the proposal of the Government of Gujarat and on the basis of the recommendations of the Forest Advisory Committee, the Central Government hereby agrees to accord ***In-principle/Stage-I*** approval under the Forest (Conservation) Act, 1980 for Re-Diversion of 9.90 ha Protected/Reserve Forest land for construction of Ambaji bypass (Km. 2/950 to km. 5/150) on Himmatnagar- Kheroj-Ambaji - Aburaod SH-9 in Banaskantha District in favour of Executive Engineer, R&B Division (State), Palanpur, Gujarat State, subject to the following conditions: -

**A: Conditions which need to be complied prior to handing over of forest land by the State Forest Department and compliance is to be submitted prior to Stage-II approval:**


- i. *The original User Agency (Gujarat Mineral Development Corporation) shall submit an undertaking that the area of safety zone utilized for the road construction will be duly compensated and equivalent area shall be provided for safety zone adjacent to the re-diverted area;*
- ii. *The State Government shall ensure that the underpass for safe movement of wild animals as recommended by the State Govt. will be constructed by the User Agency as per the design/specifications in the guidelines issued by the Wildlife Institute of India;*
- iii. *The User Agency shall transfer online, the Net Present Value (NPV) of the forest land being diverted under this proposal, 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. The requisite funds shall be transferred through online portal into CAMPA account of the State Concerned;*

  
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- iv. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector;
- v. The State Government shall upload the KML files of the area under diversion in the *E-green watch* portal of FSI, before handing over forest land to the user agency;
- vi. All the funds received from the user agency under the project shall be transferred/ deposited in CAMPA account only through e-portal (<https://parivesh.nic.in/>). Amount deposited through other mode will not be accepted as compliance of the Stage-I clearance;
- vii. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).

**B: Conditions which need to be 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 and compliance is to be submitted prior to Stage-II approval:**

- i. Legal status of the diverted forest land shall remain unchanged;
- ii. Forest land will be handed over only after required non-forest land in the project is obtained by the user agency;
- iii. At the time of payment of the Net Present Value (NPV) at the 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;
- iv. User agency shall raise strip plantation on both sides and central verge of the road as per the IRC norms;
- v. Speed regulating signages will be erected along the road at regular intervals in the Protected Areas/ Forest Areas;
- vi. The user agency shall provide suitable under/over pass in Protected Area/ Forest Area as per recommendations of CWLW /NBWL /FAC;
- vii. The R&R Plan shall be implemented as per the R&R Policy of State Government in consonance with National R&R Policy, Government of India before the commencement of the project work and implementation. The said R&R Plan will be monitored by the State Government/Regional Office of MoEF&CC along with indicators for monitoring and expected observable milestones;
- viii. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- ix. No labour camp shall be established on the forest land and 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;
- x. 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;
- xi. No damage to the flora and fauna of the adjoining area shall be caused;
- xii. 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 or the Forest Development Corporation or any other legal source of alternate fuel;
- xiii. The layout plan of the mining plan/ proposal shall not be changed without the prior approval of the Central Government;
- xiv. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;
- xv. 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

  
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- diverted for the project;
- xvi. The concerned Divisional Forest Officer, will monitor and take necessary mitigative measures to ensure that there is no adverse impact on the forests in the surrounding area;
- xvii. The User Agency shall restrict the felling of trees to minimum numbers in the diverted forest land and trees shall be felled under strict supervision of the State Forest Department;
- xviii. The user agency shall explore the possibility of translocation of maximum number of trees identified to be felled and shall ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;
- xix. The User Agency shall submit the annual self-compliance report in respect of the above stated conditions to the State Government, concerned Integrated Regional Office and to this Ministry by the end of March every year regularly;
- xx. The user agency shall comply all the provisions of the all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and NGT Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project;
- xxi. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF&CC Guideline F. No. 11-42/2017-FC dated 29/01/2018;
- xxii. 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.

After receipt of compliance report on fulfillment of the conditions mentioned above, the proposal shall be considered for final approval under Section-2 of the Forest (Conservation) Act, 1980. Transfer of forest land shall not be affected till final approval is granted by the Central Government in this regard.

Yours sincerely,

  
Sd/-  
(Suneet Bhardwaj) 21/07/22.

Asst. Inspector General of Forests

**Copy to:**

1. The PCCF & HoFF, Department of Forest and Environment, Government of Gujarat, Gandhinagar;
2. The Regional Officer, Integrated Regional Office, MoEF&CC, Gandhinagar;
3. The Nodal Officer, FCA, Department of Forest and Environment, Government of Gujarat, Gandhinagar;
4. User Agency;
5. Monitoring Cell, FC Division, MoEF & CC, New Delhi, for uploading on PARIVESH portal.