



सत्यमेव जयते

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

क्षेत्रीय कार्यालय, पश्चिम क्षेत्र,
Regional Office, Western Region,
"केन्द्रीय पर्यावरण भवन"
"Kendriya Paryavaran Bhavan"
लिंक रोड नं०-३, Link Road No. 3
E-5, रविशंकर नगर/Ravi Shankar Nagar.
भोपाल (म०प्र०) Bhopal-462016 (M.P.)
फोन- 2466525, 2463102, 2465496
अणुडाक/Email: rowz.bpl-mef@nic.in

File No. 6-GJB025/2018-BHO/ 1124

Date : 19/11/2019

To,


The Additional Chief Secretary (Forests)
Govt. of Gujarat
Sachivalaya, Gandhinagar, (Gujarat).

Sub: Diversion of 0.0402 ha Protected area for irrigation purpose passing U/G P.V.C. in village Madhupur (Gir) S.No. 126/1 of Gir-Somnath District in favour of Narottam Varajlal Dobariya.

Sir,

I am directed to refer to your letter No. FCA-1018/8-13/17/SF-30/F. dated 07.05.2018 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 diversion of 0.0402 ha Protected area for irrigation purpose passing U/G P.V.C. in village Madhupur (Gir) S.No. 126/1 of Gir-Somnath District in favour of Narottam Varajlal Dobariya 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 required non-forest land for the project is handed over by the user agency.
3. Compensatory Afforestation shall be taken up by the Forest Department over **1.00 ha** degraded forest land (Survey No.42 paiki) Village- Bhakha, Tal-Girgadhada, District-Gir-Somnath 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 may be avoided.
4. 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.
5. NPV:
 - a) The State Government shall charge the "Net Present Value" (NPV) for the **0.0402 ha** of forest land to be diverted under the proposal from the User

0.0402 ha 

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. 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.
6. No tree felling shall be carried out during the implementation of the project.
 7. All the funds received from the User Agency under the project shall be transferred/deposited to CAMPA fund only through e-portal.
 8. The Pipeline shall be laid down 1.5 meter below the ground and after lying down of pipe line the ground will be leveled.
 9. The user agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.
 10. The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
 11. No labour camp shall be established on the forest land.
 12. 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.
 13. 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.
 14. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
 15. 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.
 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 Government of India.

0.0402hs


13/11/19

18. 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 dt 29/01/2018.
19. 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.
20. All other conditions of State Forest Department, Local Forest Act/rules shall be strictly complied.
21. The compliance report in the letter format from Govt. of Gujarat shall be uploaded on e-portal (<https://parivesh.nic.in/>).

The compliance report on all of the above conditions 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)

Asstt. Inspector General of Forests (C)

Copy to :-

1. Director, ROHQ, Ministry of Environment, Forests and Climate Change, Agni, C-wing, 3rd Floor, Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, New Delhi – 110003.
2. The Addl. Principal Chief Conservator of Forests and Nodal Officer (Land), Gandhinagar, Gujarat.
3. The Dy. Conservator of Forests, Gir(West) Division, Junagadh, Gujarat.
4. Collector & District Magistrate, Gir-Somnath District, Gujarat.
5. Shri Narottam Varajlal Dobariya, Village Madhupur (Gir), Ta. Talala, District Gir-Somnath, Gujarat.
6. Order file.

0.0402hs



(B. Abhay Bhaskar)

Asstt. Inspector General of Forests (C)