



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

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File No. 6-GJB017/2020-BHO/506

Date : 26/06/2020

To,

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

Sub: Diversion of 0.83 ha Reserved Forest land and Wildlife Sanctuary land for laying of drinking supply to Pilgrims on Girnar Mountain upto Ambaji Temple from Dharagadh head works to Bhavnath sump and through Bhavnath sump, water will be further pumped at two different pumping station to Ambaji Temple proposed sump in Girnar Sanctuary District Junagadh in favour of Executive Engineer, P.H. Works Division, G.W.S. & S. Board, Junagadh.

Ref: The APCCF (L), Govt. of Gujarat letter no. FCA/29/A/82-83/2020-21 dated 10/06/2020.

Sir,

I am directed to refer to your letter No. FCA-1020/4-15/19/SF-21/F dated 03/03/2020 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 0.83 ha Reserved Forest land and Wildlife Sanctuary land for laying of drinking supply to Pilgrims on Girnar Mountain upto Ambaji Temple from Dharagadh head works to Bhavnath sump and through Bhavnath sump, water will be further pumped at two different pumping station to Ambaji Temple proposed sump in Girnar Sanctuary District Junagadh in favour of Executive Engineer, P.H. Works Division, G.W.S. & S. Board, Junagadh, Gujarat State Petronet Ltd., Gandhinagar subject to the following conditions:-

Specific 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 :**
 - a) Compensatory Afforestation shall be taken up by the Forest Department over **2.00 ha** degraded forest land of Compartment No. 589, Village-Khageshri, Taluka-Kutiyana, District-Porbandar 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.
 - b) Total No. of sapling to be planted shall be not less than 2,222 nos. (2.00 ha x 1111) in CA land. The composition of saplings (number of species-wise) to be planted in the CA land shall be as per National Forest Policy and as per CA scheme submitted vide APCCF (L), Govt. of Gujarat letter No. FCA/29/A/82-83/2020-21 dated 10.06.2020 and record shall be kept.
 - c) The standard size sapling (minimum height & minimum collar girth and maximum sturdiness quotient species wise) as approved by the State Govt. and as per specification in CA scheme submitted by APCCF (L), Govt. of Gujarat letter No. FCA/29/A/82-83/2020-21 dated 10.06.2020 shall be planted in the selected CA land.
 - d) The height and collar girth (species wise) shall be measured & recorded at the time of plantation and in November of plantation year. Further, data of height, collar girth and survival

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percentage (species wise) twice a year (April & November month) shall be recorded & records shall be maintained.

- e) The Sturdiness Quotient of the plants at the time of plantation shall not be more than 7.

$$\text{The Sturdiness Quotient} = \frac{\text{The height of plant (cm)}}{\text{The collar diameter (mm)}}$$

- f) All the live stumps and pollards having girth at ground level ≤ 90 cm and having coppicing properties present in this CA area shall be dressed from the ground level and girthwise record shall be kept.

- g) The CA plantation shall be taken place before end of 2021 monsoon.

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. The user agency shall deposit **Rs. 8,60,254/-** for CA in CAMPA fund, New Delhi.

6. Net Present Value (NPV):

- a) The State Government shall charge the Net Present Value(NPV) for the **0.83 ha** forest area to be diverted under this 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, 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, 5-3/2007-FC dated 05/02/2009 and chapter 3 of handbook 2019 of F(C)A, 1980 & FC Rules 2003 in this regard.

- b) Additional amount of the NPV of the 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. The User Agency shall furnish an undertaking to this effect.

7. User agency shall restrict the felling of trees upto **73 numbers** in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the user agency with the State Forest Department.
8. All the funds received from the user agency under the project shall be transferred/deposited to CAMPA fund only through e-portal (<http://parivesh.nic.in/>).
9. Sol toposheet map and geo-referenced map of CA shall be submitted along with the compliance report of Stage-II approval.
10. The User Agency shall be eligible for the working permission of one year as per the Para 11.2 of FCA Handbook, 2019 and copy of the working permission shall be submitted to this office.
11. The State Govt. shall obtain the Stage-II approval in case of User Agency eligible for the working permission of one year as per the Para 11.2 of FCA Handbook, 2019. If the Stage-II approval is not obtained before the end of working permission, then the State shall stop the work and action shall be initiated under Para 1.21 (ii) of FCA, Handbook, 2019.

Genral Conditions:

1. The Pipeline shall be laid down 1.5 meter below the ground and after lying down of pipe line the ground will be leveled.
2. User agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.
3. The layout plan of the proposal shall not be changed without prior approval of Central Government.
4. No labour camp shall be established on the forest land.
5. The trees with bird nest, reptiles and habitat of wildlife was observed then such trees shall be treated with special care for relocation in the forest land by forest department at the cost of user agency.

0.83 ha
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6. 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.
7. 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.
8. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
9. The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less.
10. The forest land shall not be use for any purpose other than that specified in the project proposal.
11. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India.
12. The State Government and user agency shall comply the provisions of the all Acts, Rules, Regulations, guidelines, NGT order & Hon'ble Court Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.
13. All the conditions of State Forest Department/Local Forest rules shall be applicable in this project.
14. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the para 1.21 of Handbook of F(C) 1980 & FC Rules 2003 published in 2019.
15. Any other condition that the Ministry of Environment, Forests and Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.
16. The complete compliance report in letter format from Govt. of Gujarat shall be uploaded on e-portal (<http://parivesh.nic.in/>).

After receipt of compliance report on fulfillment of all the above conditions from the State Government, proposal will be considered for final approval under Section-2 of the Forest (Conservation) Act, 1980.

Any order for transfer of forest land to user agency shall not be issued by the State Government till formal approval for diversion of forest land is issued by this office.

This has been issued with the approval of the Competent Authority.



(B. Abhay Bhaskar)

Asstt. Inspector General of Forests (C)

Copy to :-

1. The Principal Chief Conservator of Forests & Head of Forest Force, Aranya Bhavan, "CH" Circle, Opposite St. Xaviars High School, Sector-10A, Gandhinagar (Gujarat).
2. The Addl. Director General of Forests (FC), Govt. of India, Ministry of Environment and Forests and Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, New Delhi - 110003.
3. The Addl. Principal Chief Conservator of Forests (L) and Nodal Officer (Forest Conservation), Aranya Bhavan, Gandhinagar (Gujarat).
4. The Dy. Conservator of Forest, Junagadh Forest Division, Junagadh, Gujarat.
5. The Executive Engineer, P.H.Works Division, G.W.S. & S. Board, "Jal-Bhavan" Bikha road, Junagadh, Gujarat.
6. Order file

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(B. Abhay Bhaskar)
Asstt. Inspector General of Forests (C)