



भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE
CHANGE
एकीकृत क्षेत्रीय कार्यालय, गांधीनगर/ Integrated Regional Office,
Gandhinagar



ए वींग- 407 एवं 409, "अरण्य भवन", सी.एच.-3 सर्किल के समीप, सेक्टर-10 ए, गांधीनगर-382010 / A wing- 407 & 409, "ARANYA BHAWAN", Near CH-3 Circle, Sector-10A, Gandhi Nagar-382010

Email: iro.gandhingr-mefcc@gov.in

File No. 6-GJB093/2021-FC

Dated: 30th December, 2021

To
Additional Chief Secretary (Forests)
Govt. of Gujarat
Block No. 14, 8th Floor, New Sachivalaya
Gandhinagar, Gujarat.

(Online Proposal No: FP/GJ/ROAD/44056/2020)

Sub: Diversion of 3.76 ha Reserved Forest land for widening and strengthening four lane of Bilimora- Chikhli- Vansda-Waghai road Km. 53/40 to Km 56/600 (only for left side of road) & Km. 56/600 to Km. 59/600 (for both side of the road) District- Navsari in favour of Executive Engineer, R&B Division, Navsari.

Sir,

This refers to letter No. FCA-1021/7-10/21/S.F-168/F dated 24.11.2021 of the State Govt. of Gujarat on the above mentioned subject seeking prior approval of the Ministry of Environment, Forest & Climate Change under section 2 of Forest (Conservation) Act, 1980.

The proposal was duly considered and approved by the Central Government for issuance of In-principle approval. Therefore, the undersigned, on the behalf of the Central Government, conveys **In-principle/Stage-I approval** for diversion of 3.76 ha Reserved Forest land for widening and strengthening four lanes of Bilimora- Chikhli- Vansda-Waghai road Km. 53/40 to Km 56/600 (only for left side of road) & Km. 56/600 to Km. 59/600 (for both side of the road) District- Navsari in favour of Executive Engineer, R&B Division, Navsari subject to the following terms and conditions: -

A: Conditions which need to be complied prior to handing over of forest land by the State Forest Department.

1. Compensatory afforestation shall be taken up by the Forest Department over an area of 3.76 ha Non-forest land at Survey No. 659 (Re. S.No. 682), Village- Jamanpada, Taluka- Khergam, District- Navsari, Gujarat 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.

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2. The non-forest land proposed for CA shall be transferred and mutated in favour of State Forest Department.
3. **The non-forest land which is transferred and mutated in favour of State Forest Department for the purpose of compensatory afforestation shall be declared as Reserved Forest under Section- 4 or Protected Forest under Section- 29 of the Indian Forest Act, 1927 or under the relevant Section(s) of the State Forest Act prior to Stage-II approval.**
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 State Government shall charge the Net Present Value(NPV) for the **3.76 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 and 5-3/2007-FC dated 05/02/2009 in this regard.
6. 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.
7. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
8. 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.
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 proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India.
11. The KML file of the area to be diverted and the CA areas shall be uploaded on the e-Green watch portal with all requisite details, before issuing working permission towards linear projects or submitting compliance report for seeking Stage-II approval, as the case may be.
12. 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-

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42/2017-FC dt 29/01/2018.

13. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).

B: Conditions which need to be strictly 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 prior to Stage-II approval:

1. Legal status of the diverted forest land shall remain unchanged.
2. Compensatory Afforestation shall be raised over identified non-forest land within three years from the date of Stage –II Clearance and maintained thereafter by the State Forest Department at the cost of the User Agency and at least 1000 plants per hectare shall be planted in the non-forest land within three years of grant of final approval. If it is not possible to plant so many saplings in the area identified for CA, the balance saplings will be planted in any other forests as per prescriptions of approved working plan with provision for ten years on subsequent maintenance.
3. At the time of payment of the Net Present Value (NPV) at the then 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.
4. **All the conditions stipulated by the National Board of Wildlife in 61st Meeting of Standing Committee on 18.02.2021 shall be strictly complied by the User Agency under supervision of State Forest Department.**
5. Tree felling shall be restricted to the barest minimum possible and under confirmation from the local forest officials.
6. Suitable signages for speed regulation and animal safety will be erected along the road through forest areas.
7. The User Agency / concessionaire at their cost shall take up strip plantation on both sides and central verge of the road as per the IRC norms, wherever possible in consultation with State Forest Department as per the guidelines issued by Ministry vide letter No.FC-11/39/2020-FC dated 08/09/2021.
8. 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.
9. No labour camp shall be established on the forest land.
10. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
11. 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.
12. The forest land shall not be used for any purpose other than that specified in the project proposal.
13. The forest land proposed to be diverted shall under no circumstances be transferred to

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any other agency, department or person without prior approval of the Central Government.

- 14.No damage to the flora and fauna of the adjoining area shall be caused.
- 15.User Agency shall obtain the Environmental Clearance as per the provisions of the Environment (Protection) Act, 1986, if applicable.
- 16.The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
- 17.The User Agency shall submit the annual self-compliance report in respect of the above stated conditions to the State Government and Integrated Regional Office, Gandhinagar by the end of March every year.
- 18.The user agency shall comply with 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.

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. The User Agency shall take up the work as per the Guidelines in force and after ensuring that all necessary clearances for the entire stretch are in place. Working permission, if any issued, shall be intimated to IRO, Gandhinagar. Transfer of forest land shall not be effected till final approval is granted by the Central Government in this regard.

Further, it may also be noted that this **in-principle/Stage-I approval** shall be valid for a period of 5 years from the date of issue of this letter. In the event of non-compliance of the above conditions, this in-principle approval shall be revoked after 5 years.

Yours faithfully,

(Shrawan Kumar Verma)
DIG & RO, IRO Jaipur

Copy to:

1. The Inspector General of Forests (Central), ROHQ Division, Ministry of Environment Forest and Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi-110003.
2. The APCCF & Nodal Officer (FCA), Aranya Bhawan, Sector- 10A, Gandhinagar, Gujarat.
3. The Executive Engineer, R&B Division, Navsari, Gujarat.
4. Guard File.