

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

क्षेत्रीय कार्यालय, पश्चिम क्षेत्र,
Regional Office, Western Region,
"केन्द्रीय पर्यावरण भवन"

"Kendriya Paryavaran Bhavan"
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No. 6-GJB-13/2016-BHO/285

Date: 31/03/2016

To,

The Principal Secretary,
Govt. of Gujarat,
Forest and Environment Department,
Sachivalaya,
Gandhinagar (Gujarat).

Sub: Diversion of 0.99 ha Protected Forest land for construction of new ROB on Kalol-Pandu-Thasra road km 1/500 to 2/400 (LC No. 32 Railway crossing) of Panchmahal district in favour of Executive Engineer, R & B Division, Godhra, Gujarat.

Sir,

I am directed to refer to your letter No.FCA-1016/7-09/15/S.F.-15/F dated 17/03/2016 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 0.99 ha Protected Forest land for construction of new ROB on Kalol-Pandu-Thasra road km 1/500 to 2/400 (LC No. 32 Railway crossing) of Panchmahal district in favour of Executive Engineer, R & B Division, Godhra, Gujarat subject to the following conditions:-

1. Legal status of the forest land shall remain unchanged.
2. 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 2.00 ha degraded-forest land (Survey No. 143/1-2) Village-Shekhpur, Tal-Shahera, District-Panchmahal at the cost of the User Agency. Compensatory afforestation shall be of a mix of local indigenous species and monoculture of species shall be avoided.

Diversion of 0.99 ha.

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3. a) The cost of compensatory afforestation, survey, demarcation and erection of pillars, if required shall be deposited in advance at prevailing wage rates with the Forest Department by the User Agency. The CA shall be maintained for 07 to 10 years. 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. a) The State Government shall be charge the "Net Present Value" (NPV) for the 0.99 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 regards.
- 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 to the Ad-hoc Compensatory Afforestation Fund Management & Planning Agency (CAMPA) in Savings Bank A/c No. (CAF Gujarat) SB 01025208 Corporation Bank, Lodhi Complex, New Delhi-110003.
6. Felling of trees : Project shall restrict the felling of trees upto 68 numbers in the diverted forest land and the trees shall be felled under strict supervision of the State Forest Department.
7. No additional or new path shall be constructed inside the forest area for transportation of construction materials for execution of the project work.
8. No labour camps shall be established on forest land.
9. Proposed labour camps outside the forest area are to be dismantled and removed. The labourers shall be sent back immediately after the completion of the work.
10. The User Agency shall provide alternate fuel to the labourers working at the site to avoid damage / felling of trees.

Diversion of 0.99 ha.



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11. The User Agency shall ensure that because of this project, no damage is caused to the Wildlife.
12. Relevant directions contained in various notifications issued by the Central Government 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.
13. Muck disposal, if required, shall be taken up as per the scheme approved by the Forest Department.
14. Soil conservation measures, if required, shall be taken up by the User Agency for which fund should be provided as per the current rate of works.
15. The boundary of the diverted forest land shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, forward and back bearing and distance from pillar to pillar.
16. 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.
17. The layout plan of the proposal shall not be changed without prior approval of the Central Government.
18. No taxes/toll shall be levied on the vehicles of Forest Department plying on the road.
19. All statutory provisions under various Acts, rules there under and guidelines applicable to this project shall be strictly adhered to.
20. The forest land shall not be used for any purpose other than that specified in the project proposal.
21. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Central Government.
22.
 - a) The User Agency shall submit compliance report as on 1st January of every year to the Nodal Officer of the State.
 - b) The State Government shall monitor compliance of conditions of Forest Clearance and shall submit in this regard yearly report as on 1st July of every year.
23. 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.

Diversion of 0.99 ha.

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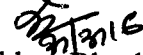


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After receipt of compliance report on fulfillment of the condition Nos. 3, 4, 5 & 6 from the State Government, proposal will be considered for final approval under Section-2 of the Forest (Conservation) Act, 1980.

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.

Yours faithfully,



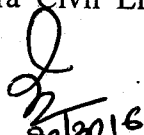
(B. Abhay Bhaskar)

Deputy Conservator of Forests(C)

Copy to:-

1. The Director (ROHQ), Ministry of Environment, Forests and Climate Change, AGNI, C-Wing, 3rd Floor, Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, New Delhi.
2. The Addl. Principal Chief Conservator of Forests and Nodal Officer (FC), Gandhinagar,
3. The Dy. Conservator of Forests, Social Forestry Division Godhara, District-Godhara, Gujarat.
4. The Executive Engineer, Road and Building Division, Godhara Civil Lines road, District-Godhara, Gujarat.
5. Order file.

Diversion of 0.99 ha.



(B. Abhay Bhaskar)

Deputy Conservator of Forests(C)

