



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

Regional Office (WCZ)
Ground Floor, East Wing
New Secretariat Building
Civil Lines, Nagpur - 440001
apccfcentral-ngp-mef@gov.in

F. No. FC-I/MH-80/2017-NGP/3697.

Date: 6th April, 2018

To

The Secretary,
Govt. of Maharashtra,
Revenue & Forest Department,
Mantralaya, Mumbai-400032.

Sub: Diversion of 0.97 ha of Reserved Forest land in favour of M/s Ujjwala Raman Gavit for construction of Petrol Pump at village Songir, Tal & Dist. Dhule in the State of Maharashtra.

Sir,

I am directed to refer to the State Government of Maharashtra's letter no. FLD-1617/CR-217/F-10 dated 27.07.2017 on the above subject seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 and the Addl. PCCF & Nodal Officer (FCA), Government of Maharashtra's letter no. Desk-17/NC/II/ID 12489/(29)/1933/17-18 dated 15.11.2017 forwarding additional information as sought by the Regional Office, vide its letter of even number dated 17.08.2017. After careful examination of the proposal of the State Government, 'in-principle' approval was accorded by the Central Government vide its letter of even number dated 29.12.2017 subject to fulfilment of certain conditions prescribed therein. The Addl. PCCF & Nodal Officer (FCA), Government of Maharashtra has now submitted a report on the compliance of conditions stipulated in the 'in-principle' approval and requested the State Government to grant final approval to the proposal.

In this connection, I am directed to say that on the basis of compliance report submitted by the Addl. PCCF & Nodal Officer (FCA), Government of Maharashtra vide his letters no Desk17/NC/II/ID 12489/(29)/3075 dated 13.03.2018 and letter no. Desk-17/NC/II/ID-12489/(29)/3200/2017-18 dated 26.03.2018, the Central Government hereby accords final approval under Section - 2 of the Forest (Conservation) Act, 1980 for diversion of 0.97 ha of Reserved Forest land in favour of M/s Ujjwala Raman Gavit for construction of Petrol Pump at village Songir, Tal & Dist. Dhule in the State of Maharashtra subject to following conditions:

- (i) Legal status of the diverted forest land shall remain unchanged;
- (ii) Compensatory afforestation, over the degraded forest land of 1.0 ha, shall be raised and maintained by the State Forest Department from the funds already provided by the User Agency;
- (iii) The compensatory afforestation may be raised and maintained as per the compensatory afforestation scheme from the funds already provided by the User Agency. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years;
- (iv) The State Government has realized the Net Present Value (NPV) of the forest land being diverted under this proposal from the User Agency 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 in this regard. The User Agency shall pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;

- (v) The User Agency shall pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
- (vi) Funds, if any, to be realized from the user agency under the project in future, except the funds realized for regeneration/ demarcation of safety zone, shall be transferred to Ad-hoc CAMPA, through e-challan, in the Saving Bank Account pertaining to the State concerned;
- (vii) The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- (viii) Wherever possible and technically feasible, the User Agency, in consultation with the State Forest Department, shall undertake afforestation measures in the blanks within the area diverted under this approval, at the project cost;
- (ix) The area between the entry and exist points of the petrol pump shall be afforested with the suitable native tree species;
- (x) No labour camp shall be established on the forest land;
- (xi) 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;
- (xii) 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;
- (xiii) The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- (xiv) The User Agency shall submit an appropriate map conspicuously depicting forest land, agricultural land, and villages, etc. and other such features located in the close proximity of the area proposed for diversion;
- (xv) The forest land shall not be used for any purpose other than that specified in the proposal;
- (xvi) 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;
- (xvii) No damage to the flora and fauna of the adjoining area shall be caused;
- (xviii) 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, if required, shall undertake comprehensive soil conservation measures at the project cost in consultation with State Forest Department;
- (xx) 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 diverted for the project;
- (xxi) The State Government shall ensure that process of settlement of rights, in terms of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any, on the forest land to be diverted has been completed in accordance with the relevant guidelines issued by the MoEF;
- (xxii) The User Agency shall submit six monthly self-compliance reports as on 1st January and 1st July of every year to this office as well as to the Nodal Officer of the State;



- (xxiii) The State Government shall monitor compliance of conditions of Forest Clearance and shall submit in this regard yearly report as on 31st December of every year;
- (xxiv) Any other condition that the concerned Regional Office of this Ministry may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife;
- (xxv) The User Agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project; and

Yours faithfully



Charan Jeet Singh
Scientist 'C'

Copy to:

1. The PCCF, Government of Maharashtra, Nagpur.
2. The Nodal Officer (FCA), O/o the PCCF, Government of Maharashtra, Nagpur.
3. The Director (ROHQ), MoEF&CC, Indira Paryavaran Bhawan, Jorbagh Road, Aliganj, New Delhi.
4. User Agency.
5. Guard File.



Charan Jeet Singh
Scientist 'C'