



F. No. 8- 67/2010-FC
Government of India
Ministry of Environment & Forests
(FC Division)

Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi - 110510
Dated: 10th March, 2011.

To

The Principal Secretary (Forests),
Government of Gujarat,
Gandhinagar.

Sub: Diversion of 151.588 ha Protected Forest land for widening into four lane of Bagodara to Bhavnagar road, Km. 61/400 to 137/800 (under VGF Yojana) in Ahmedabad district, Gujarat.

Sir,

I am directed to refer to the Government of Gujarat's letter no. FCA-1009(7-1)S.F-59-F dated 25th May, 2009 on the above mentioned subject, wherein prior approval of the Central Government for the diversion of 151.588 ha Protected Forest land for widening into four lane of Bagodara to Bhavnagar road, Km. 61/400 to 137/800 (under VGF Yojana) in Ahmedabad district, Gujarat was sought, in accordance with section-2 of the Forest (Conservation) Act, 1980. The said proposal has been examined by the Forest Advisory Committee constituted by the Central Government under section-3 of the aforesaid Act.

After careful consideration of the proposal of the State Government of Gujarat, the Central Government hereby conveys the recommendations of the Forest Advisory Committee (FAC) for the diversion of 151.588 ha Protected Forest land for widening into four lane of Bagodara to Bhavnagar road, Km. 61/400 to 137/800 (under VGF Yojana) in Ahmedabad district, Gujarat, subject to the fulfillment of the following conditions:-

1. The legal status of the forest land shall remain unchanged.
2. Compensatory Afforestation shall be raised and maintained over double the degraded forest land i.e. over 151.588 ha x 2 = 303.176 at the cost of the User Agency. The cost of Compensatory Afforestation shall be transferred to the State Forest Department by the User Agency.
3. The State Government shall charge the Net Present Value of the forest area diverted under this proposal from the User Agency as per the Judgement of the Hon'ble Supreme Court of India dated 28.03.2008 & 09.05.2008 in IA No. 566 in WP(C) No. 202/1995 and as per the guidelines issued by this Ministry vide letter No. 5-3/2007-FC dated 05.02.2009 in this regard.
4. 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.
5. All the funds received from the user agency shall be transferred to Ad-hoc CAMPA in account number CA 1583 of Corporation Bank, CGO Complex, Lodhi Road, New Delhi- 110003.
6. The difference between the figures shown for diversion (i.e. 151.588 ha and 152.310 ha) is required to be decided by the State Government. However, Ministry considers the project as per the recommendation of State Government

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subject to felling requirement of minimum no. of trees.

7. Penal CA on 1.00 ha in Sy. No. 196 in village Sangsar in Taluk Barwala in District Ahmedabad.
8. The User Agency shall submit design of road widening with provisions of at least 2-3 rows of long rotation indigenous trees on either side of the road before final clearance.
9. Trees shall be felled only when it becomes necessary and that too under strict supervision of State Forest Department, and at the cost of the project.
10. The tree felling shall be restricted to the ROW through the forests except in those areas where extra width is required.
11. The avenue plantation on both side of the road will be undertaken by the project proponent as per the guidelines IRC SP21-1979 of the Indian Road Congress.
12. The User Agency shall provide fuel-wood preferably alternate fuel to the laborers working at the site to avoid damage / felling of trees.
13. The forest land shall not be used for any purpose other than that specified in the proposal.
14. The user agency will not collect any toll tax from the Forest Department vehicles.
15. The State Government shall ensure compliance of all the conditions stipulated by the Government of India and also the legal matter, if any.
16. All other conditions under different Rules, Regulations, Acts including environmental clearance and provisions of Scheduled Tribes and Other Forest Dwellers (Recognition of Rights) Act, 2006 shall be complied with before transfer of forest land.
17. Any other condition that the CCF (Central), Regional Office, Bhopal/the State Forest Department may impose from time to time for protection and improvement of flora and fauna in the forest area, shall also be applicable.
18. **Additional condition: An equivalent amount of degraded forest land will be regenerated at project proponent's cost.**

After receipt of the compliance report on the fulfillment of the above mentioned conditions above, from the State Government of Gujarat, approval will be issued in this regard under section-2 of the Forest (Conservation) Act, 1980. The transfer of forest land to the User Agency shall not be effected by the State Government till final orders approving the diversion of forest land are issued by the Central Government.

Yours faithfully,




(Umakant)

Assistant Inspector General of Forests

Tele fax: 011-24363974

Copy to:

1. The Principal Chief Conservator of Forests, Government of Gujarat, Gandhinagar.
2. The Nodal Officer (FCA), Forest Department, Government of Gujarat, Gandhinagar.
3. The Chief Conservator of Forests (C), Ministry of Environment and Forests, Regional Office (WZ), Bhopal-462016, M.P.
4. The User Agency.
5. Monitoring Cell, FC Division, MoEF, New Delhi.
6. Guard File.


(Umakant)

Assistant Inspector General of Forests