



भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण एवं वन मंत्रालय
MINISTRY OF ENVIRONMENT & FORESTS

Regional Office, Western Region
केन्द्रीय पर्यावरण भवन
"Kendriya Parivaran Bhavan"
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No 6-GJC 005/2013-BHO/456
To,

Dt 06/09/13

The Principal Secretary,
Govt. of Gujarat,
Environment and Forest Department,
Sardar Patel Bhawavan,
Block No. 14/8, Gandhiagar -382010.

Sub: Diversion of 24.12 ha protected forest land for widening of Dabhoi-Bodeli SH from Km 29.6 to Km 68.20 in favour of Executive Engineer, State Road Project Division, Vadodara District, Gujarat.

Sir,

I am directed to invite a reference to your letter No FCA-7-23/12/27/12/2012 and letter of even dated 28/03/2013 on the above mentioned subject seeking prior approval of the Central Government under Section 2 of the Forest (Conservation) Act, 1980.

After careful consideration of the proposal of the State Government, the undersigned, on behalf of the Central Government is directed to convey in principle approval for diversion of 24.12 ha protected forest land for widening of Dabhoi-Bodeli SH from Km 29.6 to Km 68.20 in favour of Executive Engineer, State Road Project Division in Vadodara district subject to the following conditions:-

1. The legal status of the forest land shall remain unchanged.
2. Compensatory afforestation shall be taken up by the forest department of 48.24 ha degraded forest land (Survey No. 76 pt, Village-Sangpur, Tal- Jetpurpavi, District- Vadodara) at the cost of the project authority.
3. The cost of compensatory afforestation shall be deposited in advance at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars on the CA land shall be deposited in advance with the Forest Department by the project authority. CA shall be maintained for 07 to 10 years.
4. (a) The State Government shall charge the "Net Present Value"(NPV) for the 24.12 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-566 in W.P. (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 regard.
(b) Additional amount of 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.

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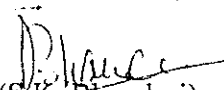
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- 5.. All funds received from the User Agency under the project shall be transferred to the Ad-hoc Compensatory Afforestation Fund Management & Planning Agency(CAMPA) in Saving Bank A/c No.CAF Gujarat SB01025208 of Corporation Bank, Lodhi Complex, New Delhi- 110003.
6. *The guidelines as issued by Indian Road Congress (IRC) as contained in IRC specification No. SP:39 of 2001 as amended from time to time regarding use of fly ash shall be followed and any deviation from this direction can only be agreed to on technical reasons if the same is approved by Chief Engineer (Design) or Engineer-in-Chief of the Road and Building Department or organization or on production of a certificate of "Fly ash not available" from the thermal power plants located within hundred kilometers of the site of construction and this certificate shall be provided by the TPP within two working days from the date of receipt of a request for fly ash, if fly ash is not available.*
7. a) The User Agency will defray the cost of removal of 1262 trees in the forest land proposed for diversion. However only the required and minimum number of trees will be felled.
b) The funds shall be deposited by User Agency for the trees to be felled in the Adhoc-CAMPA New Delhi.
8. Road side plantation will be raised by the User Agency under the supervision of Forest Department.
9. Safe passage to the movement of wildlife will be provided as per the suggestions of Chief Wildlife Warden.
10. The User Agency will obtain clearance under the provisions of ST & OTFD (Recognition of Forest Rights) Act, 2006, as may be applicable, before the final approval and will submit certificate to the effect that all claims and rights over the proposed forest land have been settled.
11. All statutory provisions under various Acts and rules there under and guidelines applicable to this project shall be strictly adhered to.
12. The forest land shall not be used for any purpose other than that specified in the project proposal.

After receipt of compliance report on the fulfillment of the condition Nos. 3, 4, 5, 7(b) and 10 from the State Government, proposal will be considered for final approval under Section-2 of the Forest (Conservation) Act, 1980.

An order for transfer of forest land to user agency shall not be issued by the State Government till formal approval order for diversion of forest land is issued by the Regional Office, MoEF, Bhopal.

Yours faithfully,


(S.K. Bhandari)
Chief Conservator of Forests (Central)

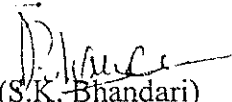
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6. *The guidelines as issued by Indian Road Congress (IRC) as contained in IRC specification No. SP:11 of 2001 as amended from time to time regarding use of fly ash shall be followed and any deviation from this direction can only be agreed to on technical reasons if the same is approved by Chief Engineer (Design) or Engineer-in-Chief of the Road and Building Department or organization or on production of a certificate of "Fly ash not available" from the thermal power plants located within hundred kilometers of the site of construction and this certificate shall be provided by the TPP within two working days from the date of receipt of a request for fly ash, if fly ash is not available.*
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