



सत्यमेव जयते

GOI/232/F
23/09/13

भारत सरकार

GOVERNMENT OF INDIA

पर्यावरण एवं वन मंत्रालय

MINISTRY OF ENVIRONMENT & FORESTS

क्षेत्रीय कार्यालय, पश्चिम क्षेत्र
Regional Office, Western Region

"केन्द्रीय पर्यावरण भवन"

"Kendriya Paryavaran Bhavan"

लिंक रोड नं-3, Link Road No. 3

E-5, रविशंकर नगर/Ravi Shankar Nagar

भोपाल (म0प्र0)/Bhopal-462016 (M.P.)

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अणुडाक /E-mail: apccfbhopal@gmail.com

No 6-GJC 007/2013-BHO/1346
To,

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



Dr. 23/08/13

Sub: Diversion of 33.18 ha protected forest land for widening and strengthening the road km. 212/0 to Km 245/486 Atkot- Gondal road in favour of Executive Engineer, Road and Building Division in Rajkot District of Gujarat.

Sir,

I am directed to invite a reference to your letter No FCA-1012/7-12/(12)/S.F-109/F date 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 33.18 ha protected forest land for widening and strengthening the road km. 212/0 to Km 245/486 Atkot- Gondal road in favour of Executive Engineer, Road and Building Division in Rajkot 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 over 66.36 ha degraded forest land (30.00 ha, Survey No. 84 pt, Village- Ravsiya, Ta- Jamjodhpur, District- Jamnagar and 36.36 ha, Survey No. 120 pt, Village- Ghelda, Ta- Jamjodhpur, District- Jamnagar) at the cost of the project authority. Compensatory afforestation shall be maintained for 07 to 10 years.
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 on the CA land shall be deposited in advance with the Forest Department by the project authority.
4. (a) The State Government shall charge the "Net Present Value"(NPV) for the 33.18 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.

श्री. अ. अ. अ.
28/10/13

16/08/13

Contd....

- 5.. All funds received from the User Agency under the project shall be transferred to the Compensatory Afforestation Fund Management & Planning Agency(CAMPA) in Savings A/c No.CAF SB01025208 of Corporation Bank, Lodhi Complex, New Delhi- 110003.
6. *The guidelines as issued by Indian Road Congress (IRC) as contained in IRC specification SP:58 of 2001 as amended from time to time regarding use of fly ash shall be followed and 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 organization or on production of a certificate of "Fly ash not available" from the thermal power plant (s) 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 426 trees in the area that fall in 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 plantations shall be taken up by the user agency at its own cost under the supervision of State Forest Department.
9. Provisions of all statutory Acts and rules made thereunder and guidelines applicable to the project will have to be strictly followed.
10. 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 and 7(b) from the State Government, proposal will be considered for final approval under Section-2 of the Forest (Conservation) Act, 1980.

The 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)
16/08/13

Copy to :-

- 1.. The Director, ROHQ, Ministry of Environment and Forests, CGO Complex, Lodhi Road, New Delhi.
2. The Addl. Principal Chief Conservator of Forest and Nodal Officer (Forest Conservation) Act, Aranya Bhavan, Block No. A/3, Near "Ch" Circle, Opposite St. Xaviers High School, Sector-10A, Gandhinagar (Gujarat).
3. Dy. Conservator of Forests, Extension Division Rajkot, District- Rajkot, Gujarat.
4. Dy. Conservator of Forests, Jamnagar Forest Division, District-Jamnagar, Gujarat.
5. The Executive Engineer, Road and Buildings Department, State Road Project Division, Vadodara, Gujarat.
- 6.. Order File.

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