

F.No.11-29/2004-FC
Government of India
Ministry of Environment & Forests
(EC Division)

Paryavaran Bhawan
CGO Complex, Lodhi Road
New Delhi-110 003

Dated: 15th July 2004

To

1. The Principal Secretary (Forests)
2. The Principal Chief Conservator of Forests
(All States)/UTs.

Sub: Diversion of forest land for non-forest purposes under the Forest (Conservation) Act, 1980-Procedure for utilizing the land for approach/exit road to petrol pumps-reg.


Sir,

The Ministry of Environment and Forests is receiving several proposals for diversion of forest land for approach/exit road/passage to the retail petrol pumps located on roads/highways. Development of infrastructure like roads/national highways is essential for the development of the country, as it will facilitate faster movement of passenger and goods traffic. However, several petrol pumps are coming along these roads and highways, resulting in large-scale destruction of roadside forest/plantations, which are declared as Protected Forest. A meeting was organized in the Ministry to discuss the above issue with various stakeholders like Indian Oil Corporation, Bharat Petroleum Corporation, Reliance Industries and official of National Highway Authority of India. The above issue was also examined by the Forest Advisory Committee in its meeting held on 21.06.2004. Ministry is aware that because of requirement of large number of petrol pumps, and extent of area involved for approach/exit roads for these petrol pumps, as per the new guidelines of Ministry of Road Transport and Highways, there will be significant loss of social forestry plantations along the road side which have been declared as protected forests by the States. Therefore, based on the recommendations of the Forest Advisory Committee, and taking a holistic view of the matter to minimize the loss of forest, it has been decided that the following procedure should be adopted for consideration of proposals for diversion of forest land for approach/exit road to petrol pumps under Forest (Conservation) Act, 1980.

- (i) The entry to the petrol pump/fuel station should be through an approach road of maximum 70 metre length and 5.5 metre width and exit should be through approach road having maximum length of 100 metre and width 5.5 metre, as per the norms issued by the Ministry of Road Transport and Highways.
- (ii) The minimum distance between 2 fuel stations, on each side of the road, should not be less than 5 kms. outside the city limits on highways. If 2 or more fuel stations are to be constructed in close proximity or adjacent to each other for some reasons, a common access and exit shall be provided. However, this condition shall not apply if no tree felling is involved.

- (iii) If the forest land has already been diverted for construction/widening of the road/national highway by one user agency and if another user agency intends to construct approach road/culvert for petrol pumps, the user agency shall take the permission of the Central Government after obtaining a no objection certificate from the first user agency about the use of the diverted land and after giving an undertaking that they will comply with all the conditions already stipulated while diverting the forest land for widening of road.
- (iv) Fuel stations should generally be a part of rest area complex having other amenities like place for parking, toilets, restaurants, rest rooms, shops etc. Proper planning should be done by the user agencies, in advance, for construction of such complexes along the highways so that destruction of road side forest is minimized.
- (v) Suitable signs and markings showing the location of the fuel station may be provided without disturbing the road side plantations.
- (vi) Separate proposals for diversion of forest land for approach road to each fuel station/petrol pump should be submitted by the User Agency for consideration by the Central Government as per the provisions of the Forest (Conservation) Act, 1980. Each proposal of diversion of forest land shall be dealt separately.
- (vii) Suitable plantations should be raised by the User Agency along the approach roads, separator island and other vacant areas in addition to the Compensatory Afforestation, if the area is more than 1 ha or plantation of 10 times or more number of the trees that are likely to be felled in such diversion proposals.

Yours faithfully



(Pankaj Asthana)

Assistant Inspector General of Forests

Copy to:

1. The Secretary, Ministry of Road Transport and Highways, Transport Bhavan, Parliament Street, New Delhi.
2. The Secretary, Ministry of Petroleum, New Delhi.
3. The Chairman, National Highway Authority of India, New Delhi.
4. Nodal Officers-All States /UTs.
5. All Regional Offices of this Ministry.
6. Director (FC)/AIGs (FC).
7. CMD, Indian Oil Corporation.
8. CMD, Bharat Petroleum Corporation Limited.
9. CMD, Reliance Industries.
10. File No. 2-1/2003-FC.
11. Guard File.

(Pankaj Asthana)

Assistant Inspector General of Forests