



भारत सरकार
Government of India

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
Ministry of Environment, Forest & Climate Change
एकीकृत क्षेत्रीय कार्यालय, जयपुर
Integrated Regional Office, Jaipur



कैम्प कार्यालय, केन्द्रीय भवन, पंचम तल, सेक्टर-एच, अलीगंज, लखनऊ-226024
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पत्र सं० 8बी/दिल्ली/09/01/2021 /20

दिनांक: 01.06.2021

सेवा में,

प्रधान मुख्य वन संरक्षक
वन एवं वन्यजीव विभाग, ए-ब्लाक, द्वितीय तल,
विकास भवन, आई0पी0 इस्टेट, नई दिल्ली-110002

Online Proposal No: FP/DL/Others/50743/2020

विषय: Proposal for diversion of 0.124 ha. Protected forest land for construction of Guru Ravidas Temple as per order dated 21-10-2019 by Hon'ble Supreme Court of India-reg.

सन्दर्भ: Letter No. 10/FCA/DDA/2020-21/(PR.BR)29-31, dated-28-05-2021.

महोदय,

उपरोक्त विषयक प्रधान मुख्य वन संरक्षक का पत्रांक 10/FCA/DDA/2020-21/10894-97, dated 17-02-2021 का आशय ग्रहण करने का कष्ट करें जिसके द्वारा विषयांकित प्रकरण में राज्य सरकार द्वारा वन (संरक्षण) अधिनियम, 1980 की धारा (2) के अन्तर्गत भारत सरकार की स्वीकृति माँगी गयी थी।

प्रश्नगत प्रकरण में इस कार्यालय के समसंख्यक पत्र दिनांक-10.03.2021 द्वारा अतिरिक्त सूचना चाही गयी थी जिसकी अनुपालना मुख्य वन संरक्षक एवं नोडल अधिकारी, नई दिल्ली के उपरोक्त संदर्भित पत्र द्वारा प्रस्तुत की गयी है। प्रस्तुत अनुपालना पर विचारोपरान्त केन्द्र सरकार उपरोक्त विषयांकित परियोजना हेतु 0.124 हे० वनभूमि के प्रत्यावर्तन एवं 16 वृक्षों के पातन की सैद्धान्तिक स्वीकृति निम्नलिखित शर्तों पर प्रदान करती है:-

1. Legal status of the forest land shall remain unchanged.
2. Compensatory afforestation shall be taken up by the Forest Department over an area of 0.124 ha non-forest land in Compartment/Khasra/Survey No.16, village Chiragah North, Usmanpur, Delhi at the cost of the user agency. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided.
3. The non-forest land proposed for CA shall be transferred and mutated in the name of Forest Department and notified as RF/PF prior to Stage-II approval. A copy of original notification declaring the non-forest land under Section-4 or Section-29 of the Indian Forest Act, 1927 or under the relevant section of the State Forest Act as the case may be, will be submitted by the State Government prior to Stage-II approval.
4. Forest land will be handed over only after required non-forest land for the project is handed over to the user agency.
5. The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars if required on the CA land shall be deposited in advance with the Forest Department by the project authority. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.
6. The State Government shall charge the Net Present Value (NPV) for the 0.124 ha. forest area to be diverted under this 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, 24/04/2008 and 09/05/2008 in IA No. 566 in WP (C) 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.
7. 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.

8. User agency shall restrict the felling of trees to minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the User Agency with the State Forest Department.
9. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
10. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.
11. The layout plan of the proposal shall not be changed without prior approval of Central Government.
12. No labour camp shall be established on the forest land.
13. Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.
14. The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.
15. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
16. The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less.
17. The forest land shall not be used for any purpose other than that specified in the project proposal.
18. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India.
19. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF&CC Guideline F. No. 11-42/2017-FC dt 29/01/2018.
20. All the funds received from the user agency under the project shall be transferred/ deposited to CAMPA fund only through e-portal.
21. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).
22. Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.

After receipt of compliance report on fulfillment of all of the above conditions from the State Government, proposal will be considered for final approval under Section-2 of the Forest (Conservation) Act, 1980, by this office.

The order for transfer of forest land to user agency shall not be issued by the State Government till final approval order for diversion of forest land is issued by Government of India.

भवदीया,

(प्राची गंगवार)

उप वन महानिरीक्षक {केन्द्रीय}/क्षेत्रीय अधिकारी, जयपुर

प्रतिलिपि (ईमेल द्वारा):

1. प्रमुख सचिव (पर्याव एवं वन), दिल्ली राज्य सरकार, छठवा तल, सी-अनुभाग, दिल्ली सचिवालय, आईपीओ इस्टेट, नई दिल्ली-110002.
2. उप वन महानिरीक्षक(दक्षिण), नियर डॉ० कर्णी सिंह शूटिंग रेंज, नई दिल्ली-110044.
3. श्री अशोक कुमार, निदेशक(Hort.)दक्षिण-पूर्वी, दिल्ली विकास प्राधिकरण, 15वीं मंजिल, विकास मीनार, दिल्ली-110002.
4. पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, एकीकृत क्षेत्रीय कार्यालय, लखनऊ को वेबसाइट पर अपलोडिंग हेतु/आदेश पत्रावली।

01-06-2021
(प्राची गंगवार)

उप वन महानिरीक्षक {केन्द्रीय}/क्षेत्रीय अधिकारी, जयपुर