



भारत सरकार
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
एकीकृत क्षेत्रीय कार्यालय, लखनऊ



Ministry of Environment, Forest & Climate Change
Integrated Regional Office, Lucknow

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पत्र सं० ४बी/यू०पी०/०७/९३/२०२१/एफ०सी० / ५५८

दिनांक : 02.12.2021

सेवा में,

अति० मुख्य सचिव,
पर्यावरण, वन एवं जलवायु परिवर्तन विभाग,
उत्तर प्रदेश शासन, बापू भवन, लखनऊ।

Online Proposal No. FP/UP/Rail/44309/2020

विषय: भटनी-औड़िहार रेलवे लाईन (कुल किमी० १.०० से १२५.०० तक) के दोहरीकरण में देवरिया वन प्रभाग में प्रभावित ३८.८२८३ हे० संरक्षित वनभूमि तथा बाधक २०५२ वृक्षों का पातन, बलिया वन प्रभाग में प्रभावित ३३.२९ हे० संरक्षित वन भूमि तथा बाधक २१७२ वृक्षों का पातन, मऊ वन प्रभाग में प्रभावित २९.५७६९ हे० संरक्षित वनभूमि तथा बाधक १०४९ वृक्षों का पातन एवं गाजीपुर वन प्रभाग में प्रभावित ६१.१८२४ हे० संरक्षित वनभूमि तथा बाधक १४४२ वृक्षों का पातन अर्थात् कुल प्रभावित १६२.८७७६ हे० संरक्षित वनभूमि के गैर वानिकी प्रयोग तथा बाधक ६७१५ वृक्षों के पातन की अनुमति के संबंध में।

सन्दर्भ: सचिव, उत्तर प्रदेश का पत्रांक सं०-२०७८/८१-२-२०२१-८००(५०)/२०२१, लखनऊ, दिनांक-२२.११.२०२१।

महोदय,

उपरोक्त विषय पर विशेष सचिव, उत्तर प्रदेश का पत्रांक सं०-पी-५८/८१-२-२०२१-८००(५०)२०२१, लखनऊ, दिनांक - १७.०३.२०२१ का आशय ग्रहण करने का कष्ट करें। जिसके द्वारा विषयांकित प्रस्ताव पर वन(संरक्षण) अधिनियम, १९८० की धारा(२) के अन्तर्गत भारत सरकार की स्वीकृति मांगी थी।

प्रकरण में विचारोपरान्त मुझे आपको यह सूचित करने का निर्देश हुआ है कि केन्द्र सरकार भटनी-औड़िहार रेलवे लाईन (कुल किमी० १.०० से १२५.०० तक) के दोहरीकरण में देवरिया वन प्रभाग में प्रभावित ३८.८२८३ हे० संरक्षित वनभूमि तथा बाधक २०५२ वृक्षों का पातन, बलिया वन प्रभाग में प्रभावित ३३.२९ हे० संरक्षित वन भूमि तथा बाधक २१७२ वृक्षों का पातन, मऊ वन प्रभाग में प्रभावित २९.५७६९ हे० संरक्षित वनभूमि तथा बाधक १०४९ वृक्षों का पातन एवं गाजीपुर वन प्रभाग में प्रभावित ६१.१८२४ हे० संरक्षित वनभूमि तथा बाधक १४४२ वृक्षों का पातन अर्थात् कुल प्रभावित १६२.८७७६ हे० संरक्षित वनभूमि के गैर वानिकी प्रयोग तथा बाधक ६७२५ 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 326 ha. degraded forest land in Naugarh, Majhghai, Jaomohini, Chandraprabha Range, District-Chandauli 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 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.
4. The State Government shall charge the Net Present Value (NPV) for the 162.8776 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.

[Signature]

5. 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.
6. 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.
7. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
8. DFO should submit a 'No violation Certificate' while submitting compliance.
9. Speed regulating signage will be erected along the railway line at regular intervals in the Protected Areas/ Forest Areas.
10. The user agency shall provide suitable under/ over passes in Protected Area/ Forest Area as per recommendations of CWLW / NBWL / FAC / REC.
11. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.
12. The layout plan of the proposal shall not be changed without prior approval of Central Government.
13. No labour camp shall be established on the forest land.
14. 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.
15. 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.
16. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
17. 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.
18. The forest land shall not be used for any purpose other than that specified in the project proposal.
19. 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.
20. The KML file of the area to be diverted, the CA areas, the proposed SMC work, the proposed Catchment Area Treatment area and the WLMP area shall be uploaded on the e-Green watch portal with all requisite details, before issuing working permission towards linear projects or submitting compliance report for seeking Stage-II approval, as the case may be.
21. 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.
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.
23. All the funds received from the user agency under the project shall be transferred/ deposited to CAMPA fund only through (<https://parivesh.nic.in/>).
24. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>)


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,

(डॉ० प्राची गंगवार)
उप वन महानिरीक्षक [केन्द्रीय]

प्रतिलिपि (ईमेल द्वारा):

1. प्रधान मुख्य वन संरक्षक(हॉफ), वन विभाग, 17, राणा प्रताप मार्ग, लखनऊ, उ०प्र०।
2. मुख्य वन संरक्षक(वन संरक्षण) एवं नोडल अधिकारी, 17, राणा प्रताप मार्ग, लखनऊ, उ०प्र०।
3. नोडल अधिकारी/मुख्य वन संरक्षक, कैम्पा, 17, राणा प्रताप मार्ग, लखनऊ, उ०प्र०।
4. प्रभागीय निदेशक, देवरिया, बलिया, मऊ एवं गाजीपुर।
5. प्रबंधक सिविल रेल विकास निगम लि० कार्यालय मुख्य परियोजना प्रबंधक-प्पे नियम डीआरएम ऑफिस लहरतारा, वाराणसी।
6. पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, एकीकृत क्षेत्रीय कार्यालय, लखनऊ को वेबसाइट पर अपलोडिंग हेतु/आदेश पत्रावली।


(डॉ० प्राची गंगवार)
उप वन महानिरीक्षक [केन्द्रीय]