



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 8बी/यू०पी०/०६/४०/२०१७/एफ.सी./609

दिनांक: 03.01.2022

सेवा में,

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

Online Proposal No. FP/UP/Others/13877/2015

विषय: कार्योपरांत स्वीकृति (Ex. Post facto) के अंतर्गत जनपद अलीगढ़ में अलीगढ़-राया मथुरा मार्ग (एस०एच०-८०) किमी० २६.३२० ग्राम बिसावली के खसरा सं०-५३७ में एस्सार ऑयल लि० द्वारा विकसित किए जा रहे रिटेल आउटलेट के सम्पर्क मार्ग के निर्माण हेतु ०.०७५०१२ हे० संरक्षित वनभूमि के गैरवार्निकी प्रयोग एवं उस पर अवस्थित ०७ वृक्षों के पातन की अनुमति के सम्बन्ध में।
सन्दर्भ: सचिव(वन), उत्तर प्रदेश का पत्रांक-२०६९/८१-२-२०२०-८००(५८)/२०१६, दिनांक-०२.१२.२०२१।

महोदय,

उपरोक्त विषयक विशेष सचिव(वन), उत्तर प्रदेश के पत्रांक-पी-५३/१४-२-२०१६-८००(५८)/२०१६, लखनऊ, दिनांक-३०.०६.२०१७ 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 माँगी थी।

प्रकरण में विचारोपरान्त मुझे आपको यह सूचित करने का निर्देश हुआ है कि केन्द्र सरकार कार्योपरांत स्वीकृति (Ex. Post facto) के अंतर्गत जनपद अलीगढ़ में अलीगढ़-राया मथुरा मार्ग (एस०एच०-८०) किमी० २६.३२० ग्राम बिसावली के खसरा सं०-५३७ में एस्सार ऑयल लि० द्वारा विकसित किए जा रहे रिटेल आउटलेट के सम्पर्क मार्ग के निर्माण हेतु ०.०७५०१२ हे० संरक्षित वनभूमि के गैरवार्निकी प्रयोग एवं उस पर अवस्थित ०७ 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 for plantation of 100 trees in Tuamai Forest Block, Range & District-Aligarh at the cost of the User Agency. As far as practicable a mixture of local indigenous species will be planted and monoculture of a species has to 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 0.075012 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.
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. Penal NPV to be imposed & collected as per the FCA guidelines dated 29-01-2018 and deposited to CAMPA fund.
7. 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.
8. Greenery will be maintained by user agency around Periphery of petrol pump.
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 use the land between entry and exit for plantation and conservation of trees, the same shall be demarcated by 2 feet wall.
11. Plantation shall also be done along the inside boundary of Fuel Station.
12. Certificate of DFO certifying that the proposed RO is not in close proximity of any existing RO in accordance with MORTH guidelines dated 24-07-2013 has to be provided.
13. 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.
14. 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.
15. 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.
16. A report with full details of violation shall be submitted by the State Government to initiate proceedings under Section 3B of Forest (Conservation) Act and Rule 9 of Forest Conservation Rules, 2003.
17. 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.
18. All the funds received from the user agency under the project shall be transferred/ deposited to CAMPA fund only through e-portal (<https://parivesh.nic.in/>).
19. 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 : (ई-मेल 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. मुख्य वन संरक्षक, कैम्पा, 17, राणा प्रताप मार्ग, लखनऊ, उ०प्र०।
4. प्रभागीय निदेशक, सा०वा० प्रभाग, अलीगढ़, उ०प्र०।
5. जिलाधिकारी, अलीगढ़।
6. डिवाजनल मैनेजर, एस्सार ऑयल लि०, ए-5, सं०-3, नोएडा।
7. पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, एकीकृत क्षेत्रीय कार्यालय, लखनऊ को वेबसाइट पर अपलोडिंग हेतु/आदेश पत्रावली।

(डॉ० प्राची गंगवार)
उप वन महानिरीक्षक (केन्द्रीय)