



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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दिनांक: 05.04.2021

पत्र सं०-8बी/यू.पी./07/162/2020/एफ.सी. 105

सेवा में,

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

Online Proposal No. FP/UP/Rail/43121/2019

विषय: उत्तर रेलवे, लखनऊ द्वारा जंघई-प्रतापगढ़-अमेठी रेलवे ट्रैक के दोहरीकरण में जनपद जौनपुर (किमी० 847.170 से 868.000 तक) में प्रभावित 11.5778 हे० संरक्षित वनभूमि एवं 450 वृक्षों/पौधों के पातन, जनपद प्रतापगढ़ में (किमी० 868.000 से 924.000 तक) प्रभावित 29.5555 हे० संरक्षित वनभूमि एवं 4471 वृक्षों/पौधों (2673 वृक्षों/पौधों एवं प्राकृतिक रूप से उगे 1798 पौधों को मिलाकर 4471 वृक्षों/पौधों) के पातन तथा जनपद अमेठी में (किमी० 924.000 से 934.450 तक) प्रभावित 6.1698 हे० संरक्षित वनभूमि एवं 2816 वृक्षों/पौधों के पातन अर्थात् कुल 47.3031 हे० संरक्षित वनभूमि के गैर वानिकी प्रयोग एवं बाधक 7737 वृक्षों/पौधों के पातन की अनुमति के सम्बन्ध में।

सन्दर्भ: विशेष सचिव(वन), उत्तर प्रदेश का पत्रांक सं०-465/81-2-2021-800(102)/2020, दिनांक-10.03.2021.

महोदय,

उपरोक्त विषय पर विशेष सचिव(वन), उत्तर प्रदेश का पत्रांक-पी-94/81-2-2020-800(102)/2020, दिनांक-19.11.2020 का आशय ग्रहण करने का कष्ट करें। जिसके द्वारा विषयांकित प्रस्ताव पर वन(संरक्षण) अधिनियम, 1980 की धारा(2) के अन्तर्गत भारत सरकार की स्वीकृति माँगी थी।

प्रकरण को दिनांक 23.03.2021 को आहूत की गयी क्षेत्रीय सशक्त समिति (REC) की बैठक में (REC Agenda item 54.5-UP) शामिल किया गया था, बैठक में प्रकरण को स्वीकृति प्रदान की गयी है। क्षेत्रीय सशक्त समिति की स्वीकृति उपरान्त मुझे आपको यह सूचित करने का निर्देश हुआ है कि केन्द्र सरकार उत्तर रेलवे, लखनऊ द्वारा जंघई-प्रतापगढ़-अमेठी रेलवे ट्रैक के दोहरीकरण में जनपद जौनपुर (किमी० 847.170 से 868.000 तक) में प्रभावित 11.5778 हे० संरक्षित वनभूमि एवं 450 वृक्षों/पौधों के पातन, जनपद प्रतापगढ़ में (किमी० 868.000 से 924.000 तक) प्रभावित 29.5555 हे० संरक्षित वनभूमि एवं 4471 वृक्षों/पौधों (2673 वृक्षों/पौधों एवं प्राकृतिक रूप से उगे 1798 पौधों को मिलाकर 4471 वृक्षों/पौधों) के पातन तथा जनपद अमेठी में (किमी० 924.000 से 934.450 तक) प्रभावित 6.1698 हे० संरक्षित वनभूमि एवं 2816 वृक्षों/पौधों के पातन अर्थात् कुल 47.3031 हे० संरक्षित वनभूमि के गैर वानिकी प्रयोग एवं बाधक 7737 वृक्षों/पौधों 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 100 ha. double degraded forest land in Kalchiha Forest Block, Bargarh Range, District-Chitrakoot 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 47.3031 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.

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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. Speed regulating signage will be erected along the railway line at regular intervals in the Protected Areas/ Forest Areas.
9. The user agency shall provide suitable under/ over passes in Protected Area/ Forest Area as per recommendations of CWLW / NBWL / FAC / REC.
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. No violation of FCA certificate of concerned DFO needs to be provided.
20. 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.
21. No alteration in CA site shall be permitted and CA shall be carried out according to the site inspection report submitted by the concerned CF within a period of 1-2 years after the availability of CAMPA fund.
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 concerned DFO /DFOs will not issue working permission in view of model code of conduct of UP Panchayat Election and shall strictly ensure the guidelines of model code of conduct.

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}

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. मुख्य वन संरक्षक, कैम्पा, 17, राणा प्रताप मार्ग, लखनऊ, उ०प्र०।
4. प्रभागीय वनाधिकारी/निदेशक, जौनपुर, प्रतापगढ़ एवं अमेठी।
5. श्री राज किशोर, अधिशासी अभियंता, उत्तर रेलवे, चारबाग, लखनऊ।
6. पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, एकीकृत क्षेत्रीय कार्यालय, लखनऊ को वेबसाइट पर अपलोडिंग हेतु/आदेश पत्रावली।


(प्राची गंगवार)
उप वन महानिरीक्षक {केन्द्रीय}