



भारत सरकार
Government of India
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
Ministry of Environment, Forest & Climate Change
क्षेत्रीय कार्यालय, लखनऊ
Regional Office, Lucknow



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पत्र सं० : 8बी/यू0पी0/06/96/2023/एफ.सी. | 57

दिनांक : 31.05.2024

सेवा में,

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

ऑनलाईन प्रस्ताव संख्या- FP/UP/Others/16714/2015

विषय: जनपद हाथरस में नयारा एनर्जी लि० (एस्सार ऑयल लि०) द्वारा पीलीभीत-भरतपुर मार्ग (एस०एच०-33) के किमी० संख्या-234 (चैनेज संख्या-233, 155) के मध्य दांयी पटरी 03 खसरा संख्या-165क व 166 ग्राम नगला शीशम, तहसील हाथरस, जिला हाथरस में पूर्व से संचालित पेट्रोल पम्प स्थल से मुख्य मार्ग तक आवागमन से प्रभावित 0.065378 हे० संरक्षित वनभूमि के गैरवानिकी प्रयोग एवं बिना वृक्ष पातन की अनुमति के सम्बन्ध में।

सन्दर्भ: मुख्य वन संरक्षक/नोडल अधिकारी का पत्रांक 3116/11-सी-FP/UP/Others/16714/2015, दिनांक 28.03.2024.

महोदय,

कृपया उपरोक्त विषयक सचिव (वन), उत्तर प्रदेश शासन के पत्रांक 996/81-2-2023-800(376)/2022, दिनांक 13.04.2023 का आशय ग्रहण करने का कष्ट करें, जिसके द्वारा विषयांकित प्रकरण में राज्य सरकार द्वारा वन (संरक्षण एवं संवर्धन) अधिनियम, 1980 के अन्तर्गत भारत सरकार की स्वीकृति मांगी गयी थी।

प्रणगत प्रकरण में इस कार्यालय के समसंख्यक पत्र दिनांक 17.01.2024 द्वारा कतिपय शर्तों के साथ सैद्धांतिक स्वीकृति प्रदान की गयी थी, जिसकी अनुपालना उपरोक्त संदर्भित पत्र के माध्यम से प्रेषित की गई है। प्रस्तुत अनुपालना के परीक्षणोपरान्त मुझे आपको यह सूचित करने का निर्देश हुआ है कि केन्द्र सरकार जनपद हाथरस में नयारा एनर्जी लि० (एस्सार ऑयल लि०) द्वारा पीलीभीत-भरतपुर मार्ग (एस०एच०-33) के किमी० संख्या-234 (चैनेज संख्या-233, 155) के मध्य दांयी पटरी 03 खसरा संख्या-165क व 166 ग्राम नगला शीशम, तहसील हाथरस, जिला हाथरस में पूर्व से संचालित पेट्रोल पम्प स्थल से मुख्य मार्ग तक आवागमन से प्रभावित 0.065378 हे० संरक्षित वनभूमि के गैरवानिकी प्रयोग एवं बिना वृक्ष पातन की विधिवत् स्वीकृति निम्नलिखित शर्तों के साथ प्रदान करती है:-

1. Legal status of the forest land shall remain unchanged.
2. Compensatory afforestation shall be taken up by the Forest Department in an area of 0.16 ha. Degraded Forest Land in Vardhwari Forest Block, Range & District Hathras 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 complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
4. The layout plan of the proposal shall not be changed without prior approval of Central Government.
5. No labour camp shall be established on the forest land.
6. Separator island has to be maintained as Green Belt, in consultation with DFO. Green belt plan on separator island shall be approved by DFO, ensuring appropriate site specific species. Green belt plan shall also include species to be planted on the periphery of retail outlets and service road, if applicable.
7. Annual Compliance report regarding maintenance of Green belt on separator island along with geo tagged photographs as per approved green plan to be submitted through DFO to Nodal officer and Regional Office, MoEFCC.
8. Entire periphery of the establishment should be lined up with tree plantation at a close spacing of 1.0 to 1.5 meter keeping an offset of 1.5 meter from the boundary, with light crown trees which will maintain greenery without compromising with the land requirement of the establishment.
9. User Agency and authorized signatory oil company issuing sanction letter shall be liable for land use including tree plantation for entry/exit and Separator island strictly as per the approved layout plan and any violation/ non adherence shall attract penal action/ prosecution in competent court of jurisdiction as per Van (Sanrakshan Evam Samvardhan) Adhiniyam, (1980), Rules and guidelines.
10. User Agency shall implement green plan at their cost as approved by DFO. User Agency shall maintain geo tagged photographs of planted trees. Six monthly geo tagged photographs of plantations be maintained and

report be submitted to DFO and also available at site of retail outlet for inspection. Any mortality of trees be replaced by new plant.

11. 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.
12. The separator island will be provided in front of Fuel Station between acceleration and deceleration lanes and the space shall be used for plantation and its boundary shall be demarcated by a 2 ft. wall.
13. Plantation shall also be done along the inside boundary of Fuel Station.
14. Greenery will be maintained by the user agency around the periphery of Retail outlet.
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 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.
18. 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.
19. The forest land shall not be used for any purpose other than that specified in the project proposal.
20. The KML file of area proposed for diversion and area proposed for plantation shall be uploaded on the E-Green watch portal with all requisite details before commencement of works.
21. Annual 3rd party monitoring and concurrent internal monitoring by State Forest Department shall be done and monitoring reports submitted to this office.
22. The User Agency and the State Government shall ensure compliance of all the Court orders, provisions, rules, regulations and guidelines for the time being in force as applicable to the project.
23. Project Completion Report and Stage-II compliance report shall be submitted within a period of 6 months of completion of project.
24. The violation of any of the conditions stipulated under this approval will be liable to the cognizance and appropriate action under MoEFCC rules and Guidelines as applicable, specifically MoEFCC Guidelines dated 15/05/2023, authorizing officers of the rank of Divisional Forest Officer (DFO)/Deputy Conservator of Forests (DCF) and above of the State Government or Union territory Administration concerned, having jurisdiction over the forest land in respect of which any offence under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 is committed or violation of the provisions of the said Act has been made, to file complaints against such person/authority/organization, prima-facie found guilty of offence under the Act or the violation of the rules made thereunder, in the court having jurisdiction in the matter.
25. Violation of any of these conditions will amount to violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, (1980), and action would be taken as per the MoEF&CC Guideline F.No. 11-42/2017-FC dt. 29/01/2018.
26. **In view of enforced Model Code of Conduct, all the rules, procedure and guidelines in force shall be followed.**
27. 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.

भवदीय,

(डॉ० प्रणय मिश्रा)

सहायक 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, वन विभाग, 17, राणा प्रताप मार्ग, लखनऊ।
3. प्रभागीय वनाधिकारी, हाथरस वन प्रभाग, हाथरस।
4. डिवीजनल मैनेजर, ए-5, सेक्टर-3, नोयडा-20130, उ०प्र०।
5. पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, लखनऊ को वेबसाइट पर अपलोडिंग हेतु/आदेश पत्रावली।

(डॉ० प्रणय मिश्रा)

सहायक वन महानिरीक्षक (केन्द्रीय)