



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/यू0पी0/06/73/2022/एफ.सी./107

दिनांक : 16.08.2024

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

Online Proposal No. FP/UP/Road/147898/2021

विषय: जनपद शामली में भारत राष्ट्रीय राजमार्ग प्राधिकरण द्वारा Additional forest land diversion required for Eastern Yamuna Canal falling in Shamli District for "Four laning of Panipat (Start from junction with Existing Km of NH-44 at Panipat) to Shamli (End at its junction with existing 39+300 of SH-12) of NH-709AD in the State of Uttar Pradesh" Package-I (0-000 to 35-580) 0.111 हे० संरक्षित वनभूमि के गैरवानिकी प्रयोग बिना वृक्ष पातन की अनुमति के सम्बंध में।

संदर्भ: मुख्य वन संरक्षक/नोडल अधिकारी का पत्रांक 05/11-सी-FP/UP/Road/147898/2021, दिनांक 04.07.2024.

महोदय,

कृपया उपरोक्त विषयक सचिव (वन), उत्तर प्रदेश शासन के पत्रांक पी-134/81-2-2022-800(125)/2022, दिनांक 30.05.2022 का आशय ग्रहण करने का कष्ट करें, जिसके द्वारा विषयांकित प्रस्ताव पर वन (संरक्षण एवं संवर्धन) अधिनियम, 1980 के अन्तर्गत भारत सरकार की स्वीकृति मांगी थी।

प्रसंगगत प्रकरण में इस कार्यालय के समसंख्यक पत्र दिनांक 06.01.2023 द्वारा कतिपय शर्तों के साथ सैद्धांतिक स्वीकृति प्रदान की गई 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 शामली में भारत राष्ट्रीय राजमार्ग प्राधिकरण द्वारा Additional forest land diversion required for Eastern Yamuna Canal falling in Shamli District for "Four laning of Panipat (Start from junction with Existing Km of NH-44 at Panipat) to Shamli (End at its junction with existing 39+300 of SH-12) of NH-709AD in the State of Uttar Pradesh" Package-I (0-000 to 35-580) 0.111 हे० संरक्षित वनभूमि के गैरवानिकी प्रयोग बिना वृक्ष पातन की विधिवत् 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 0.32 ha degraded forest land in Akbarpur Sunheti Forest Block, Range Kairana, Shamli Forest Division, Shamli 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 complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
4. Plantation shall be raised on both sides of the road and median (if available) by the State Forest Department at the cost of User Agency according to IRC guidelines and order passed by NGT in OA no. 27/2015 in the matter of Babulal Jaju v/s State of Rajasthan and others dated 16.11.2015 as per submitted scheme.
5. Speed regulating signage will be erected along the road at regular intervals in the Protected Areas/ Forest Areas.
6. The user agency shall provide suitable under / over pass in Protected Area / Forest Area as per recommendations of CWLW / NBWL / FAC / REC.
7. The User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.
8. The layout plan of the proposal shall not be changed without prior approval of Central Government.
9. No labour camp shall be established on the forest land.

10. The User Agency shall provide alternate fuels preferably LPG to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas.
11. **DFO is authorized to file a case under 3A, 3B of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 on the official responsible for violation. Compliance of the same shall be submitted to this office before the State Government issues final notification of diversion of Forest land.**
12. 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.
13. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
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 forest land shall not be used for any purpose other than that specified in the project proposal.
16. 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.
17. 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.
18. Annual 3rd party monitoring and concurrent internal monitoring by State Forest Department shall be done and monitoring reports submitted to this office.
19. 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.
20. Project Completion Report and Stage-II compliance report shall be submitted within a period of 6 months of completion of project.
21. 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.
22. 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.
23. 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.

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, वन विभाग, 17, राणा प्रताप मार्ग, लखनऊ, उ०प्र०।
3. वन संरक्षक, सहारनपुर वृत्त, सहारनपुर।
4. प्रभागीय वनाधिकारी, शामिल वन प्रभाग, शामिल।
5. परियोजना निदेशक, भारतीय राष्ट्रीय राजमार्ग प्राधिकरण, परियोजना क्रियान्वयन इकाई, बागपत।
6. पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, लखनऊ को वेबसाइट पर अपलोडिंग हेतु/आदेश पत्रावली।

(डॉ० प्राची गंगवार)

उप वन महानिरीक्षक {केन्द्रीय}