

भारतीय राष्ट्रीय राजमार्ग प्राधिकरण

(सडक परिवहन एवं राजमार्ग मंत्रालय, भारत सरकार)

National Highways Authority of India



(Ministry of Road Transport & Highways, Govt. of India) परियोजना कार्यान्वयन ईकाई–वसन्त विहार। Project Implementation Unit-Vasant Vihar

मकान सं0 171, फेज– ।, वसन्त विहार, देहरादून – 248006 House no.171, Phase-I, Vasant Vihar, Dehradun - 248006

दूरभाष/Phone: 0135-2760001 ई—मेल/E-mail: piuvasantvihar@nhai.org वेब/Web:www.nhai.gov.in

NHAI/PIU/VV/2023/ Bhaniyawala-Rishikesh/Forest/ 7530

Dt.11.10.2024

सेवा में.

प्रभागीय वनाधिकारी देहरादून वन प्रभाग जनपद – देहरादून (उत्तराखण्ड)

विषयः उत्तराखण्ड राज्य के जनपद देहरादून में राष्ट्रीय राजमार्ग संख्या–07 (स्पर) के भानियावाला – जौलीग्रान्ट—ऋषिकेश किमी० 0.000 से किमी 19.780 तक के चार लेन चौड़ीकरण एवं सुदृढीकरण विषयक — ऑनलाईन वन भूमि हस्तान्तरण प्रस्ताव संख्या FP/UK/ROAD/146663/2021 के संबंध में क्षतिपूरक वृक्षारोपण हेतु भूमि उपलब्ध कराने के संबंध में।

संदर्भ: 1. आपका कार्यालय पत्रांक 7375/12-1 दिनांक 27.06.2024

2. इस कार्यालय का पत्रांक 6882 दिनांक 28.06.2024

3. प्रभागीय वनाधिकारी, मसूरी कार्यालय पत्रांक 433/12-1 दिनांक 03.08.2024

4. प्रभागीय वनाधिकारी, मसूरी कार्यालय पत्रांक 581/12–1 दिनांक 21.08.2024

5. इस कार्यालय का पत्रांक 7206 दिनांक 22.08.2024

 क्षेत्रीय कार्यालय, पर्यावरण, वन एवं जलवायु परिवर्त्तन मंत्रालय, देहरादून का कार्यालय पत्रांक ८८१/यू.सी. / 06 / 66 / 2023 / एफ.सी. दिनांक 27.09.2024

महोदय,

उपरोक्त विषयक सहायक महानिरीक्षक वन (केंद्रीय)क्षेत्रीय कार्यालय, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, देहरादून द्वारा उनके पत्र दिनांक 27.09.2024 के माध्यम से परिवेश पोर्टल पर वन भूमि हस्तान्तरण प्रस्ताव सं0 FP/UK/ROAD/146663/2021 के संबंध में लगायी गयी इ0डी0एस0 की बिन्दुवार परिपालन आख्या निम्नानुसार प्रेषित है:--

SI. No.	Observations of Regional Office	Compliance by User Agency
1.	The proposal diversion area falls in Elephant corridor and ESZ of Rajaji National Park (only 500 m away) in this regard the para 12.6 of Van (San rakshan evam Sam vardhan) Rules 2023 stated that:- Prior recommendation of Standing Committee of NBWL under the provisions of Wildlife (Protection) Act, 1972 shall be obtained, if required, for taking developmental activities in/over an area falling within eco-sensitive zones (10 km if ESZ is not notified and listed) around notified PAs in addition to prior approval of diversion of forest land for non-forest purposes if such area involved is forest land. So the user agency shall obtain approval from competent authority as per above said rules.	The boundary of Rajaji Tiger Reserve is at the centre of the Ganga River (on eastern side). The nearest point of the project road from the boundary of Rajaji Tiger River is the existing junction of NH-7 (Old NH-58) and Bhaniyawala-Rishikesh Road (Spur of NH-7) at Rishikesh. This is the design Chainage 20.600 of our project highway. From T-Junction to Natraj Chowk (about 2 km in length) is fully habitat. The last 820 m of existing road is 2-lane in which we are not doing any widening due to buildings on both sides abutting the ROW. Therefore, the nearest point of the project is 1317 m from Rajaji Tiger Reserve boundary where widening is proposed. The proposed project area is located at less than 10 kms distance from the boundary of Rajaji National Park. Accordingly, the consent from Chief Wildlife Warden, Dehradun had been obtained vide their letter No. 1079/12-1, Dehradun dated 25th September 2021 which it state that "The Project will not have any adverse impact on wildlife and any Environmental Clearance is not necessary". A copy of the letter has been uploaded on the portal in Part-Additional Information Details SI. No. 3. As per the Ministry of Environment and Forest Notification dated 22nd August 2013, if the total width (ROW) of the project is less than 40 m and the length is less than 100 km, then environment clearance is not required. The ROW of the said subject project is 23 m in forest area and 30 m in non-forest area and the total length of the project is 19.780 km. Hence, the environment clearance is not required in the subject project. Further, as per point no.03(ii) of MoEF&CC (Wildlife Division) letter dated 16.07.2020 and circular dated17.05.2022, which state that "Proposals involving activity/project located within 10 km of National Park/Wildlife Sanctuary wherein ESZ has not been finally notified and listed in the subject project is within 10 km of National Park/Wildlife Sanctuary wherein Clearance is not required activity does and requiring environment provided by CWLW, Dehradun. Therefore, if
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2.	The user agency shall submit proper wildlife mitigation plan with amount details which shall certified by competent authority.	estimate has been prepared by DFO, Dehradun and has been submitted to Competent Authority i.e. CWLW, Dehradun for kind approval by CF, Dehradun
3.	The Site Inspection Report (SIR) of DFO is required in attached format.	Site Inspection Report (SIR) in the new format is to be prepared by the DFO Dehradun. The format of inspection report as obtained from Regional Office is attached herewith.

अतः राष्ट्रीय हित की परियोजना को दृष्टिगत रखते हुए आपसे अनुरोध है कि उक्त संदर्भित इ0डी०एस0 की अनुपालन आख्या परिवेश पोर्टल में अपलोड करते हुए संदर्भित वन भूमि हस्तान्तरण प्रस्ताव को स्वीकृति हेतु अग्रसारित करने का कष्ट करें।

संलग्नकः उपरोक्तानुसार।

भवदीय

(पंकज कुमार मौर्य) महाप्रबन्धक (तक0) सह परियोजना निदेशक प0का0ई0—वसन्त विहार (देहरादून)

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प्रतिलिपिः

- 1. जिलाधिकारी, देहरादून को सूचनार्थ प्रेषित।
- 2. अपर प्रमुख वन संरक्षेक एवं नोडल अधिकारी, वन संरक्षण, उत्तराखण्ड, देहरादून को सूचनार्थ प्रेषित।
- 3. वन संरक्षक, शिवालिक वृत्त, उत्तराखण्ड, देहरादून को सूचनार्थ प्रेषित।
- टीम लीडर, मै0 योंग्मा इन्जी0 कं0 प्रा0 लि0 को इस आशय से प्रेषित कि संबंधित वन विभाग से समन्वय स्थापित कर आवश्यक कार्यवाही कराना सुनिश्चित करें।

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परियोजना का नामः— उत्तराखण्ड राज्य के जनपद—देहरादून में राज्य राजमार्ग--24 भानियावाला (देहरादून) से ऋषिकेश खण्ड के कि0मी0 0.000 से कि0मी0 20.620 तक के भाग के चौड़ीकरण एवं सुदृढिकरण के सम्वन्ध में।

भाग के चाड़ाकरण एवं सुदृढिकरण के सम्बन्ध म। मुख्य वन संरक्षक, अनुश्रवण, मूल्यांकन, आई0टी0 एवं आधुनिकीकरण के पत्रांक 3201-21./1/2020 दिनांक 16 अगस्त 2021 द्वारा उत्तराखण्ड राज्य के जनपद-देहरादून में राज्य राजमाग–24 भानियावाला (देहरादून) से ऋषिकेश खण्ड के कि0मी0 0.000 से कि0मी0 20.620 तक के भाग के चोडीकरण एवं सुदृढिकरण के निर्माण हेतु याचित वन भूमि की राजाजी टाइगर रिजर्व की सीमा

से छवाई दूरी 497 mसन्निकट आंकलित की गुयी है। प्रस्तावित परियोजना / कार्यरथल राष्ट्रीय पार्क / वन्यजीव विहार के अन्तर्गत रिथत नहीं है। इस परियोजना के निर्माण से वन्यजीवों पर कोई विपरीत प्रभाव पड़ने की सम्भावना नहीं है। भारत सरकार का पत्रांक 6-60/2020 WL दिनांक 16 जुलाई 2020 के अनुसार उक्त प्रकरण में किसी प्रकार की पर्यावरणीय स्वीकृत की आवश्यकता नहीं है।

अतः उक्त परियोजना निर्माण हेतु जनहित में सहमति व्यक्त की जाती है।

-(जंठएसर्ठ सुहाग) मुख्यवन्य जीव प्रतिपालक. उत्तराखण्ड।

कायोलय मुख्य वन्यजीव प्रतिपालक, उत्तराखण्ड 85-शाजपुर शेठ, देछरादून (वतासराग्द) फोन ग0-0155-2742834 फॅनत-2745691 ई-सेल-पत्रांक 1079 /12-1 देहरादून दिनांक 25 सितम्बर 2021

प्रतिलिपि निग्नलिखित को आवश्यकं कार्यवाही हेत् प्रेपित -

- 1. प्रभागीय वनाधिकारी, देहरादून वन प्रभाग, देहरादून।
- 2. टीम लीडर, मै0 योंग्मा इन्जीनियरिंग को0 लि0।

(जे०एसे० सुहाग) मुख्यवन्य जीव प्रतिपालक. उत्तराखण्ड।

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or

Full Title of the Project: Up-gradation & 4-laning of Bhaniyawala - Rishikesh Road (Spur) of NH-7 from km 0.000 to km 19.780 in the State of Uttarakhand.

Proposal No.: FP/UK/ROAD/146663/2021

Date of Proposal: 01/09/2021

वचन बद्धता प्रमाण पत्र

Wildlife Management Work and Soil & Moisture Conservation Work हेतु भारत सरकार / राज्य सरकार द्वारा जो भी शर्त अधिरोपित / निर्धारित की जायेगी उनका पूर्ण रूप से अनुपालन किया जायेगा। इसमें प्रयोक्ता अभिकरण की पूर्णतया सहमति है।



पंकज कुमार मौर्य महाप्रबंधक (तकनीकी) भारतीय राष्ट्रीय राजमार्ग प्राधिकरण पी.आई.यू., वसन्त विहार, देहरादून (उत्तराखण्ड़)

> परियोजना निदेशक/Project Director भारतीय राष्ट्रीय राजमार्ग प्राधिकरण National Highways Authority of India (सङ्क परिवहन राजमार्ग मंत्रालय, भारत सरकार) Ministry of Road Transport & Highways पी०आई०२३०-वराक्त विहार, प्रेहरादून



भारत सरकार / GOVERNMENT OF INDIA पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय / Ministry of Environment, Forest & Climate Change क्षेत्रीय कार्यालय, देहरादून / Regional Office, Dehradun



दिनांकः As per E-sign

25 सुभाष रोड, देहरादून-248001/25 SUBHASH ROAD, DEHRADUN-248001 दूरमाष/PHONE-0135-2650809, ई-मेल/ E-mail-moef.ddn@gov.in

पत्र सं०- 8 बी/यू.सी.पी./06/66/2023/एफ.सी. सेवा में.

> प्रमुख वन संरक्षक एवं नोडल अधिकारी वन संरक्षण, इन्दिरानगर फारेस्ट कालोनी उत्तराखण्ड, देहरादून।

विषयः- उत्तराखण्ड राज्य के जनपद-देहरादून में राष्ट्रीय राजमार्ग-07 के भानियावाला (देहरादून) से ऋषिकेश रोड (स्पर) के डिजाईन किमी0 0.000 से किमी0 20.600 तक के मौजूदा सड़क को चार लेन चैड़ीकरण एवं सुदृढ़ीकरण हेतु 19.8345 है0 वन भूमि का गैर वानिकी कार्यो हेतु भारतीय राष्ट्रीय राजमार्ग प्राधिकरण को प्रत्यावर्तन।(Online Proposal No. FP/UK/ROAD/146663/2021).

सन्दर्भः- कार्यालय- प्रमुख वन संरक्षक एवं नोडल अधिकारी,वन संरक्षण,उत्तराखण्ड का पत्रांक – 903/12-1 दिनांक 05.09.2024।

महोदय,

उपरोक्त विषय पर संदर्भित पत्र का आशय ग्रहण करते हुए मुझे आपको यह सूचित करने का निर्देश हुआ है कि इस कार्यालय के पत्र दिनांक 05.03.2024 का जवाब राज्य सरकार के संदर्भित पत्र द्वारा प्रस्तुत किया गया है जिसमे कुछ त्रुटियाँ पाई गई है। अतः आपसे अनुरोध है कि निम्नांकित बिन्द्ओं पर अभिलेख / दस्तावेज इस कार्यालय में प्रेषित करने का कष्ट करें:-

1. The Proposal diversion area falls in Elephant corridor and ESZ of Rajaji National Park. (only 500m away) In this regard the para-12.6 of Van (Sanrakshan evam Samvardhan) Rules 2023 stated that:-

Prior recommendation of Standing Committee of NBWL under the provisions of Wildlife (Protection) Act, 1972 shall be obtained, if required, for taking developmental activities in/over an area falling within eco-sensitive zones (10 km if ESZ is not notified and listed) around notified PAs in addition to prior approval of diversion of forest land for non-forest purposes if such area involved is forest land.

So the user agency shall obtain approval from competent authority as per above said rules.

2. The user agency shall submit proper wildlife mitigation plan with amount details, which shall certified by competent authority.



3. The Site Inspection Report (SIR) of DFO is required in attached format.

उपरोक्त के क्रम में जवाब प्राप्ति के उपरांत ही प्रस्ताव पर अग्रिम कार्यवाही की जा सकेगी।

Signed by Neelima Shah Date: 27-09-2024 17:00:23

भवदीया

् (नीलिमा शाह भा०व०से०) सहायक महानिरीक्षक वन(केंद्रीय)

प्रतिलिपि सूचनार्थः अपर मुख्य सचिव (वन), उत्तराखण्ड शासन, सुभाष रोड, देहारादून, सूचनार्थ एवं आवश्यक कार्यवाही हेतु।



[To be published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section(ii)]

MINISTRY OF ENVIRONMENT AND FORESTS NOTIFICATION

New Delhi, the 22nd August, 2013

S.O. 2559 (E).- Whereas by notification of the Government of India in the Ministry of Environment and Forests vide number S.O.1533(E), dated the 14th September, 2006 issued under sub-section (1) and clause (v) of sub-section (2) of section (3) of the Environment (Protection) Act, 1986 read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government directed that on and from the date of its publication, the required construction of new projects or activities or the expansion or modernization of existing projects or activities listed in the Schedule to the said notification entailing the capacity addition with change in process or technology and or product mix shall be undertaken in any part of India only after prior environmental clearance from the Central Government or as the case may be, by the State level Environment Impact Assessment Authority, duly constituted by the Central Government under sub-section (3) of section 3 of the said Act, in accordance with the procedure specified therein;

And whereas the Government of India in the Ministry of Environment and Forests had constituted a High Level Committee under the Chairmanship of Member (Environment and Forests and Science and Technology), Planning Commission, vide OM No.21-270/2008-IA.III dated the 11th December, 2012 to review the provisions of Environmental Impact Assessment Notification, 2006 relating to granting Environmental Clearances for Roads, Buildings and Special Economic Zone projects and provisions under the OM dated the 7th February, 2012 issued by the Ministry of Environment and Forests regarding guidelines for High Rise Buildings;

And whereas one of the terms of reference (ToR) of the Committee was to review the requirement of Environmental Clearance for highway expansion projects upto the right of way of 60 meters and length of 200 kms under Environmental Impact Assessment notification;

And whereas the Committee has submitted its report to the Ministry and on this ToR, the Committee has recommended exempting highway expansion projects from the requirement of scoping and that Environmental Impact Assessment or Environment Management Plan for highway expansion projects may be prepared on the basis of model ToRs to be posted on Ministry's website and in respect of requirement of environmental clearance, the Committee has recommended that expansion of National Highway projects up to 100 kms involving additional right of way or land acquisition upto 40 mts on existing alignments and 60 mts on re-alignments or by-passes may be exempted from the preview of the notification; And whereas the report of the Committee has been examined in the Ministry of Environment and Forests. Earlier, vide notification S.O.3067(E), dated the 1st December 2009 all State Highway expansion projects, except those in hilly terrain (above 1000 m AMSL) and ecologically sensitive areas, have already been exempted from the purview of the Environmental Impact Assessment notification, 2006.

And whereas, keeping inter-alia in view the foregoing, the Ministry of Environment and Forests has decided to accept the aforesaid recommendations of the High Level Committee constituted vide OM No.21-270/2008-IA.III, dated the 11th December 2012;

Now, therefore in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with sub-rule (4) of rule (5) of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following further amendment to the notification of the Government of India, in the Ministry of Environment and Forests number S.O. 1533(E), dated the 14th September, 2006 after having dispensed with the requirement of notice under clause (a) of sub-rule (3) of the said rule 5 in public interest, namely:-

- 2. In the said notification, -
 - (a) in paragraph 7, in sub-paragraph II, for item (i), the following item shall be substituted, namely:-

"Scoping" refers to the process by which the Expert Appraisal '(i) Committee in the case of Category A 'projects activities, and State level Expert Appraisal Committee in the case of Category 'B1'projects or activities, including applications for expansion or modernization or change in product mix of existing projects or activities, determine detailed and comprehensive Terms of Reference (TOR) addressing all relevant environmental concerns for the preparation of an Environment Impact Assessment (EIA) Report in respect of the project or activity for which prior environmental clearance is sought and the Expert Appraisal Committee or State level Expert Appraisal Committee concerned shall determine the terms of reference on the basis of the information furnished in the prescribed application Form 1 or Form 1A including terms of reference proposed by the applicant, a site visit by a subgroup of Expert Appraisal Committee or State level Expert Appraisal Committee concerned only if considered necessary by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, terms of Reference suggested by the applicant if furnished and other information that may be available with the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned:

Provided that the following shall not require Scoping-

 all projects and activities listed as Category 'B' in item 8 of the Schedule (Construction or Township or Commercial Complexes or Housing); (ii) all Highway expansion projects covered under entry (ii) of column(3) and column (4) under sub-item (f) of item 7 of the Schedule:

Provided further that-

- A. the projects and activities referred to in clause (i) shall be apprised on the basis of Form I or Form IA and the conceptual plan;
- B. The projects referred to in clause (ii) shall prepare EIA and EMP report on the basis of model TOR specified by Ministry of Environment and Forests;
- (b) in the Schedule, against sub-item (f) of item 7, in column (3), for the entry (ii), the following entry shall be substituted, namely:-
 - "(ii) Expansion of National Highways greater than 100 km involving additional right of way or land acquisition greater than 40m on existing alignments and 60m on re-alignments or by-passes."

[F.No. 21-270/2008-IA.III]

Ajay Tyagi Joint Secretary to the Government of India

Note: The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) vide notification number S.O. 1533(E), dated the 14th September, 2006 and subsequently amended as follows:-

S.O. 1737 (E), dated the 11th October, 2007;
 S.O. 3067 (E), dated the 1st December, 2009;
 S.O. 695 (E), dated the 4th April, 2011;
 S.O. 2896 (E), dated the 13th December, 2012; and
 S.O.674(E), dated the 13th March, 2013

FC-11/119/2020-FC Government of India Ministry of Environment, Forest and Climate Change (Forest Conservation Division)

Indira Prayavaran Bhawan, Aliganj, Jorbagh Road, New Delhi-110003

Dated: 17th May, 2022

OFFICE MEMORANDUM

Subject: Clarification on Requirement of Various Environmental and Forest Clearances for Project/Activity in Eco-Sensitive Zone and Other Such Areas outside Protected Area – regarding.

Ministry has been receiving communications from States/Union Territories. Project Proponents, associated organizations and other stakeholders seeking clarifications regarding requirement of various statutory clearances viz. Environmental Clearance (EC), Forest Clearance (FC) and consideration by the National Boar for Wild Life/Standing Committee of the National Board for Wild Life (NBWL/SCNBWL) for Project/Activity falling in Eco Sensitive Zones (ESZ)/ Eco Sensitive Area (ESA) and other such ecologically significant areas around Protected Areas (PAs) as defined in Wild Life (Protection) Act, 1972.

2. In this reference, it is imperative to take note of some of the important related court judgements, which are as enumerated below:

- i. The Hon'ble Supreme vide Court Order dated 4.12.2006 in Writ Petition No. 460 of 2004 in the matter of Goa Foundation Vs. Union of India, *inter-alia* directed that "(MoEF) would also refer to the Standing Committee of the National Board for Wild Life, under Section 5(b) & 5(c) (ii) of the Wild Life (Protection) Act, 1972, the cases where Environmental Clearances have already been granted where activities are within 10km zone of the boundaries of the Sanctuaries and National Parks".
- Many of developmental activities are prohibited /regulated in ESZs *inter-alia* including mining operations to be carried out in accordance with the Order of the Hon'ble Supreme court dated 4.08.2006 in the T.N. Godavarman Thirumulpad vs UOI matter in WP(C) No. 202 of 1995 and Order dated 21.04.2014 in the matter of Goa Foundation Vs. UOI in WP(C) No. 435 of 2012.

3. Taking cognizance of conservation need of ecologically rich area outside notified PAs and aforesaid Court Orders, Ministry has issued clarifications in reference to the subject matter in the past vide OM No. 22-43/2018-IA.III dated 08.08.2019 followed by OM No. 6-60/2020WL Part (I) dated 16.07.2020.

4. The matter has been further examined in detail in the Ministry with reference to various recent communications received seeking further clarifications w.r.t. applicability of EC, FC and WC in ESZ/ESA and other ecologically significant areas outside PAs.

5. Accordingly, in supersession of Ministry's previous OM No. 22-43/2018-IA.III dated 08.08.2019 and OM No. 6-60/2020WL Part (I) dated 16.07.2020, the following procedure is



prescribed w.r.t. applicability of EC. FC and WC in ESZ/ESA and other ecologically significant areas outside PA:

Clearance Category	Project/Activity in Notified ESZ Around PA or in notified ESA	Project/Activity outside PA wherein ESZ is not notified or ESZ Notification is at draft stage	outside PA in area which is part of Tiger
Environmental Clearance (EC)	ESZ/ESA Notification.	covered under the Schedule of EIA Notification, 2006; prior EC as per the prescribed procedure is mandatory, anywhere outside the PA.	covered under the Schedule of EIA Notification, 2006: prior EC as per the prescribed procedure is
Forest Clearance (FC)	concerned ESZ/ESA Notification. Accordingly, activities prohibited under the ESZ Notification cannot be undertaken. Whereas, for regulated	required anywhere outside the PA, only if forest land is involved and proposed activity is for non-forestry use, as per provisions of Forest (Conservation) Act, 1980 and Rules and guidelines made there under, irrespective of the notified limits/default limits of ESZ/ESA.	be required anywhere outside the PA, only if forest land is involved and proposed activity is for non-forestry use, as per provisions of Forest (Conservation) Act, 1980 and Rules and guidelines made there under, irrespective of
the National Board	Projects/activities proposed to be located within notified ESZ/ESA shall be regulated and	EIA Notification, 2006	NBWL/SCNBWL is mandatory if the



4

Committee of the go	overned by	theo	of National	Park or	proposed to be located
National Board for co	oncerned	ESZS	Sanctuary sh	all require	in an area which forms
Wild Life N	lotification. Accordi	ngly, c	consideration	by the	part of a Tiger Reserve
(NBWL/SCNBWL) ac	ctivities prohibited u	Inder	NBWL/SCNE	3WL.	or area linking one PA
th	ne ESZ Notification	shall			or Tiger Reserve with
nc	ot be undert	aken.			another PA or Tiger
W	vhereas, regulated	and			Reserve as per section
ot	ther activities prop	posed			38O(1)(g) of the Wild
W	ithin notified	ESZ			Life (Protection Act.
ar	round National Par	·k or			1972.
	anctuary shall re	1			
1 1	onsideration by	1			
	BWL/SCNBWL, if				
	ctivity is covered u				
	ne Schedule of	EIA			
N	lotification, 2006.				

6. In all such cases, the project proponent may submit the application simultaneously for grant of Terms of Reference under EIA Notification as well as for FC and consideration by the NBWL/SCNBWL.

7. In addition, mining operations shall be carried out in accordance with the Order of the Hon'ble Supreme court dated 4.08.2006 in the T.N. Godavarman Thirumulpad vs UOI matter in WP(C) No. 202 of 1995 and Order dated 21.04.2014 in the matter of Goa Foundation Vs. UOI in WP(C) No. 435 of 2012.

This issues with the approval of Competent Authority.

(Suneet Bhardwa

Assistant Inspector General of Forest (FC)

To:

- 1. The Chief Secretary, All States/UTs
- 2. Chairman, CPCB
- 3. The Addl Chief Secretary/Principal Secretary/Secretary, Environment & Forest Department, All States/UTs.

Copy to:

- i. Principal Chief Conservator of Forests, All State Governments/ UT Administrations
- ii. Chief Wild Life Wardens. All State Governments/ UT Administrations
- iii. All Integrated Regional Offices, Ministry of Environment, Forest and Climate Change (MoEF&CC), Government of India
- iv. All ADGFs/Addl. Secretaries/IGFs/ JSs/ Advisors in MoEF&CC. Gol. New Delhi.
- v. Member Secretary, National Tiger Conservation Authority, New Delhi
- vi. Sr. Director (Technical), NIC, MoEF&CC with a request to place a copy of the letter on website of this Ministry.
- vii. PPS to Secretary (EF&C C)/DGF&SS, MoEF&CC, New Delhi.

F. No. 6-60/2020WL Part (1) Government of India Ministry of Environment, Forest and Climate Change (Wildlife Division)

1st Floor, Agni Wing, Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, New Delhi — 1 10003 Dated:#July, 2020

To The Chief Secretary All States/ UTs

Subject: Procedure for consideration of developmental projects located within 10 km of National Park/Wildlife Sanctuary by Standing Committee of the National Board for Wild Life seeking environmental clearance under the provisions of the Environmental Impact Assessment (EIA) Notification, 2006 - regarding.

The Ministry has received letters from States/UTs seeking clarifications regarding applicability of consideration by Standing Committee of the National Board for Wild Life for developmental projects/activities which do not require environmental clearance and are located outside the National Parks and Wildlife Sanctuaries.

2. This Ministry vide O.M. F. No. 22-43/ 2018-IA. III dated 08.08.2019 lays out detailed procedure to be adopted for consideration of developmental projects located within 10 km of National Park/Wildlife Sanctuary seeking environmental clearance under the provisions of the EIA Notification, 2006.

3. After careful consideration of the matter, it is clarified that prior clearance from the Standing Committee of the National Board of Wild Life will be required outside Protected Area in the following cases:

- Proposals involving project/ activity located within the notified ESZ (not being draft notification) and listed in the Schedule of the EIA Notification 2006 and requiring environment clearance, prior clearance from Standing Committee of the National Board for Wild Life will be required.
- ii Proposals involving activity/project located within 10 km of National Park/Wildlife Sanctuary wherein ESZ has not been finally notified and listed in the Schedule of the EIA Notification 2006 and requiring environment clearance, prior clearance from Standing Committee of the National Board for Wild Life will be required.
 - III. Proposals involving activity/project, falling outside the protected areas linking one protected area or tiger reserve with another protected area or tiger reserve, prior clearance from the Standing Committee of the National Board for Wild

Life as per the section 38 O(1)(g) of the Wild Life (Protection) Act, 1972 will be required.

- 4. Para 4(ii) and para 4(iv) of the OM dated 08.08.2019 supra shall however continue to apply.
- 5. State Governments are requested not to insist upon wildlife clearance for such developmental projects outside Protected Areas that are not covered under para 3 above.
- 6. This issues with the approval of the Competent Authority.

Yours faithfully. (Rakesh Kumar Jagenia)

Deputy Inspector General of Forests (Wildlife) E-mail – digwl-mefcc@gov.in

Copy to

(1) Addl. Chief Secretary/ Principal Secretary / Secretary, Forest and Wildlife Department (All States/ UTs)

(2) Principal Chief Conservator of Forests & HoFF (All States/UTs)/ Chief Wild Life Wardens (All States/UTs)

(3) Dy. Director General (Central), Regional Office, MoEFCC (All)

(4) Sr. PPS to Secretary MoEFCC/Sr. PPS to DGF&SS/Sr.PPS to ADG (FC)/ Sr PPS to ADG(WL)/ Sr. PPS to MS (NTCA) / Sr PPS to AS (RA)/ Sr. PPS to IGF (FC)/ Sr. PPS to IGF(WL)/Sr. PPS to IGF (FC)/ Sr. PPS to Adv (SCG)/ Sr. PPS to DIG (WL)/ Guard File



Phone & Fax 0135-2658294, कार्यालय-वन संरक्षक शिवालिक वृत्त, उत्तराखण्ड, देहरादून।

03/10/2024

पत्रांक:- 987-

दिनांक -08 अक्टूबर, 2024 |

सेवा में,

प्रमुख वन संरक्षक (वन्यजीव) / मुख्य वन्यजीव प्रतिपालक, उत्तराखण्ड देहरादून।

/ 12-1

विषय :--

उत्तराखण्ड राज्य के जनपद देहरादून में राष्ट्रीय राजमार्ग संख्या-7 के भानियावाला-जौलीग्रान्ट ऋषिकेश कि॰मी॰ 0.000 से कि॰मी॰ 19.780 तक के चार लेन चौडीकरण एवं सुदृढ़ीकरण विषयक आनलाईन वन भूमि हस्तान्तरण प्रस्ताव संख्या–FP/UK/ROAD/146663/2021 के सम्वन्ध मे। प्रभागीय वनाधिकारी देहरादून वन प्रभाग, देहरादून का पत्रांक–1625/12–1 दिनांक सन्दर्भ :--

महोदय,

उपरोक्त विषयक संदर्भित पन्न के क्रम में प्रभागीय वनाधिकारी देहरादून द्वारा भारत सरकार पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय के पत्रांक- 1/37463/2023 - FC-11/43/2021-FC दिनांक-16/01/2023 में दिये गये निर्देशों के अनुसार Wildlife Management and Soil & Moisture Conservation Works से सम्यन्धित प्रस्ताव की प्रति इस कार्यालय को प्रस्तुत की है। उक्त परियोजना की कुल लागत रू० 521.77 करोड हैं जिसमें से आरक्षित वन क्षेत्र में प्रस्तावित कार्यो की लागत 241.89 करोड़ हैं। प्रस्ताव के अनुसार परियोजना में वन्यजीव सुरक्षा एवं प्रबन्धन हेतु 2% रू० 483.83 लाख एवं Moisture Conservation हेतु 0.5% रू० 120.98 लाख की धनराशि का प्रावधान किया गया है।

अतः उक्त प्रस्ताव की प्रति इस अनुरोध के साथ प्रेपित की जा रही है कि वन्यजीव सुरक्षा एवं प्रवन्धन हेतु प्रस्तावित 483.83 लाख की धनराशि के प्रस्ताव का अनुगोदन करने के सम्बन्ध में विचार करना चाहें। संलग्न–उपरोक्तानुसार

भवदीय. (राजीव धीमान)

तन संरक्षक शिवालिक वृत्त, उत्तराखण्ड, देहरादून जिट

पत्रांकः १९४७२ / १२-१ ,तद्दिनांकित।

प्रतिलिपि 1. प्रमुख वन संरक्षक/नोडल अधिकारी, वन संरक्षण, इन्दिरानगर फॉरेस्ट कालोनी, उत्तराखण्ड देहरादून को सादर सूचनार्थ प्रेपित।

2. प्रभागीय वनाधिकारी देहरादून वन प्रभाग, देहरादून को उनके उपरोक्त विषयक संदूर्भित पत्र के क्रम में सचनार्थ एवं अग्रेत्तर कार्यवाही हेतु प्रेपित ।

(राजीव धीमान)

वन संरक्षक, शिवालिक वृत्त, उत्न्नराखण्ड, देहरादून। 🗸

Scanned with CamScanne

Check List for Site Inspection by the DFO/CF/CCF/APCCF

SI. No.	Particular	Comments of Inspecting Officer
1	Extent is hectares	19.8345 hectares
2	Location (Lat-long) of the forest land proposed for diversion	 Start Project (latitude 30°10'58.79"N and longitude 78° 8'29.91"E) End Project (latitude 30° 6'45.38"Nand longitude 78°17'36.13"E) Forest Locations are as under- 1. Start (latitude 30°11'19.48"N and longitude 78°11'31.22"E) ends (latitude 30°11'21.30"N and longitude 78°11'36.72"E) 2. Start (latitude 30°11'21.47"N and longitude 78°11'39.71"E) ends (latitude 30°11'21.75"Nand longitude 78°11'44.18"E) 3. Start (latitude 30°11'22.32"N and longitude 78°11'52.37"E) ends (latitude 30°11'16.52"Nand longitude 78°12'11.31"E) 4. Start (latitude 30°10'23.89"Nand longitude 78°14'11.32"E) ends (latitude 30° 7'6.93"Nand longitude 78°16'39.10"E) 5. Start (latitude 30° 7'1.28"Nand longitude 78°16'55.29"E) ends (latitude 30° 6'58.37"Nand longitude 78°16'58.79"E) 6. Start (latitude 30°10'15.03"N and longitude 78°14'17.42"E) ends (latitude 30°10'20.95"Nand longitude 78°14'18.28"E)
3	Legal Status of the forest land (PF/RF/other types of forest land)	Reserve Forest
4	Demarcation of the area with temporary cairns etc.	Yes
5	Any signs of encroachment.	No
6	Any activity already taken up within the forest land or adjoining non-forest land as part of the proposed project by the User Agency. Details of action taken against the User Agency in case of violation of the FC Act and guidelines there under.	No
7	Status of vegetation, Site quality, species composition etc.	Trees (Details uploaded in Part II)
8	Importance of area from wildlife point of view. Status of wildlife (density and abundance of important species, bird life reptiles, butterflies and other scheduled animals, any endangered wildlife). Any latest census of wildlife in this area.	Nil
9	Endemism of flora/fauna or any other unique ecosystem in the area.	Nil

Sl. No.	Particular	Comments of Inspecting Officer	
10	Current land use is this area managed as per prescriptions in the Working Plan and if not why?	Yes	
11	Importance of the area from historical or religious point of view.	No	
12	Any dependent persons/families on this land.	No	
13	Any displacement of persons proposed.	No	
14	Is there any Rehabilitation and Resettlement Plan for the persons to be affected? Is there any dissenting voice among the person proposed to be displaced?	No	
15	Compensatory afforestation proposed is on forest or non-forest land. Location of this area, suitability of the area for CA. If in the degraded forest land then what is the current Working Plan prescription for the area? Distance of the non- forest land for CA from the nearest forest area. Number of patches in case the area should be more than to kms.	Compensatory afforestation is proposed on Non-forest Land. Details of location are as under-क्रमसं0वृक्षारोपण क्षेत्ररेंजकानामक्षेत्रफल है0 में1मकडेतीरायपुररेंज10.00002छमरोलीमंसूरीरेंज15.00003द्वारारायपुररेंज10.00004द्वारारायपुररेंज5.0000Suitability certificate uploaded in Part-II.The proposed CA land is located adjacent to Raipur Range & Mussorie Range of forest.4nos of patches.	
16	Proposed area should not be part of any protected area. Also distance from the boundary of the nearest protected area should be more than 10 Kms. area.	The proposed project area is located at less than 10 kms distance from the boundary of Rajaji National Park. Accordingly, the consent from Chief Wildlife Warden, Dehradun has been obtained vide their letter No. 1079/12-1, Dehradun dated 25th September 2021 which it state that "The Project will not have any adverse impact on wildlife and any Environmental Clearance is not necessary". A copy of the letter has been uploaded on the portal in Part-I Additional Information Details SI. No. 3.	
17	Dependence of tribals in the area. Whether the rights of the tribals have been recognized in this area.	No	
18	Utility of the project, including the people living in close vicinity of the project.	The project is important as it will decongest traffic through city of Dehradun.	
19	In case of renewal whether all the conditions stipulated in the earlier sanction order have been complied with.	New Project	
20	Alternatives examined by the User Agency in case of non-site specific projects.	User Agency examined three options.	
21	A certificate by the User Agency that the forest	Certificate uploaded in Part I	

	Sl. No.	Particular	Comments of Inspecting Officer	
		land requested for diversion for non-forestry purpose is bare minimum.	Forest area is bare minimum.	
-	22	Any scope of saving tree growth while ensuring that the purpose for which the forest land is being diverted is also not adversely affected.	·No *	
	23	Any other issue of significance.	Nil	
	24	Specific recommendations of the DFO with reasons for the approval of the project.	-	

Signature-

Name: (Neeraj Kumar) Divisional Forest Officer, Dehradun Division, Dehradun

Seal-



CONSOLIDATED GUIDELINES AND CLARIFICATIONS

issued under

VAN (SANRAKSHAN EVAM SAMVARDHAN) ADHINIYAM, 1980

and

VAN (SANRAKSHAN EVAM SAMVARDHAN) RULES, 2023



Government of India Ministry of Environment, Forest and Climate Change

CHAPTER - 12

DIVERSION PROPOSALS PROPOSED IN AND AROUND THE PROTECTED AREAS

- 12.1 Protected areas National Parks, Wildlife Sanctuaries or Tiger Reserves, etc. are notified and managed under the provisions of the Wildlife (Protection) Act, 1972 and may comprise of RFs and other areas of ecological, faunal, floral, geomorphological, or zoological association or importance.
- 12.2 In pursuance of order dated 13.11.2000 in Writ Petition (C) No. 337 of 1995 of the Supreme Court, there shall be no de-reservation / de-notification of forests, National Parks and Sanctuaries without approval of the Supreme Court. Further, in pursuance of the orders of the Hon'ble Supreme Court all mining operations in National Parks and Sanctuaries shall continue to remain suspended, and no mining activity is permissible within 1 km of the boundary of a PA.
- 12.3 Any proposal for taking up non-forest activity in Protected Areas is required to be cleared by the Standing Committee of National Board for Wildlife (NBWL) under the provisions of Wildlife (Protection) Act, 1972, apart from prior approval of Central Government under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. The proforma for such proposals seeking clearance for Standing Committee of NBWL for non-forestry activities within Protected Areas are enclosed in Annexure-I. Such proposals for non-forest use of PA areas may be processed concurrently for prior approval of diversion of forest land under the Adiniyam and seeking prior recommendation of the standing Committee on NBWL. However, clearance in one aspect will not confer any right upon the UA and complete clearance is obtained when all requisite clearances have been obtained by the UA (User Agency).
- 12.4 In case the entire forest land involved in the proposal, is located within one or more PAs, the Central Government shall refer such proposals, complete in all respects, along with site inspection reports, wherever necessary, to the Advisory Committee (AC) or Regional Empowered Committee, as the case may be, only after use of such forest land for non-forestry purpose has been recommended by the Standing Committee of NBWL.
- 12.5 In case the forest land involved in the proposal, is located both within or outside the Protected Areas, processing of such proposals and grant of approval under the Adhiniyam for the forest land falling outside the PA will not be linked to the prior recommendation of the Standing Committee of the NBWL. Central Government may consider grant of 'in-principle' approval, in respect of forest land falling outside the PAs, as per the Van (Sanrakshan Evam Samvardhan) Rules, 2023 and guidelines issued thereunder while the procedure mentioned under para 12.4 above, shall be followed in respect of forest land falling inside the PA.
- **12.6** Prior recommendation of Standing Committee of NBWL under the provisions of Wildlife (Protection) Act, 1972 shall be obtained, if required, for taking developmental activities in/over an area falling within eco sensitive zones (10 km if ESZ is not notified and listed) around notified PAs in addition to prior approval of diversion of forest land for non-forest purposes if such area involved is forest land.

भारतीय राष्ट्रीय राजमार्ग प्राधिकरण

(सडक परिवहन एवं राजमार्ग मंत्रालय, भारत सरकार)

National Highways Authority of India (Ministry of Road Transport & Highways, Govt. of India)



परियोजना कार्यान्वयन ईकाई-वसन्त विहार। Project Implementation Unit-Vasant Vihar भकान संत 171, फ्रेजन), वसन्त विहार, देइरादून – 248006 House no.171, Phase-I, Vasant Vihar, Dehradun - 248006

दुरभाष/Phone: 0135-2760001 ई- मेल/E-mail: piuvasantvihar@nhai.org बेब/Web:www.nhai.gov.in

NHAI/PIU/VV/2023/ Bhaniyawala-Rishikesh/Forest/ 7206

Dt.22.08.2024

सेवा में.

सल्गमेव अयहो

प्रभागीय वनाधिकारी देहरादून वन प्रभाग जनपद - देहरादून (उत्तराखण्ड)

विषयः उत्तराखण्ड राज्य के जनपद देहरादून में राष्ट्रीय राजमार्ग संख्या ०७ (रपर) के भानियावाला जौलीग्रान्ट—ऋषिकेश किमी० 0.000 से किमी 19.780 तक के चार लेन चौडीकरण एवं सुदृढीकरण विषयक – ऑनलाईन वन भूमि हस्तान्तरण प्रस्ताव संख्या FP/UK/ROAD/146663/2021 के संबंध में क्षतिपूरक वक्षारोपण हेत् भूमि उपलब्ध कराने के संबंध में।

संदर्भः

1 आपका कार्यालय पत्रांक 7375/12-1 दिनांक 27 06 2024 2 इस कार्यालय का पताक 6882 दिनाक 28.06.2024

3 प्रभागीय वनाधिकारी, मसूरी कार्यालय पत्नाक 433 / 12−1 दिनाक 03.08.2024

४ प्रभागीय बनाधिकारी, मसूरी कार्यालय पत्राक 581 / 12-1 दिनांक 21.08.2024

महोदय

उपरोक्त विषयक अपने कार्यालय पत्रांक 7375 दिनांक 27.06.2024 का संदर्भ ग्रहण करने का कष्ट करें. जिसके माध्यम से भानियावाला- ऋषिकेश परियोजना हेतु परिवेश पोर्टल पर अपलोड किये गये वन भूमि हस्तान्तरण प्रस्ताव के संबंध में क्षतिपूरक वृक्षारोपण हेतु प्रस्तावित भूमि की डी०एस०एस० मानचित्र, के०एम०एल० फाईल, क्षतिपुरक वनीकरण का स्थल प्राक्कलन सहित एवं उपयोगिता प्रमाण पत्र सम्बन्धित प्रभागीय वनाधिकारी से हस्ताक्षर सहित तैयार कर उपलब्ध कराने हेत् अन्रोध किया गया है।

उपरोक्त के क्रम में अवगत कराना है कि प्रभागीय बनाधिकारी, मसूरी द्वारा उनके कार्यालय पत्रांक 433 2. दिनांक 03.08.2024 एवं 581 दिनांक 21.08.2024 के माध्यम से क्षतिपूरक वनीकरण हेतु प्रस्तावित 40.00 हे0 भूगि एव उसके 10 वर्षों के रख-रखाव की योजना, टोपोशीट मैप, जियोरेफरेन्स मैप, उपयुक्तता प्रमाण पत्र, डी०एस०एस० रिपोर्ट एवं चयनित क्षेत्रों की के०एम०एल० फाईल हरताक्षर सहित इस कार्यालय को अग्रिम कार्यवाही हेतु प्रेषित की गयी।

उपरोक्त के अतिरिक्त संज्ञान में लाना है कि उक्त ग्रामों में से द्वारा ग्राम में वृक्षारोपण हेतु चयनित 15.0000 हे0 भूमि का दिनांक 08.08.2024 को वन विभाग की टीम के साथ संयुक्त स्थलीय निरीक्षण किया गया. जिसके दौरान उक्त वर्णित क्षेत्र में बरसात के कारण कटीली लैन्ट्राना झाड़ियां एवं अन्य घास उमी पायी गयी. जिस कारण डी0एस0एस0 रिपोर्ट में संदर्भित क्षेत्र Moderate Dense आ रहा है। जिसके संदर्भ में प्रभागीय वनाधिकारी, मसूरी द्वारा उपयुक्तता प्रमाण पत्र के माध्यम से प्रमाणित किया गया है कि उक्त क्षेत्र में कंटीली लैन्टाना झाडियों आदि के उन्मूलन के पश्चात क्षतिपूरक वनीकरण हेतु प्रस्तावित क्षेत्र उपयुक्त है।

अतः उपरोक्त के क्रम में प्रभागीय वनाधिकारी, मसूरी द्वारा प्रेषित प्रतिपूरक वनीकरण एवं उसके 10 वर्षों के रख–रखाव की योजना, टोपोशीट मैप, जियारेफरेन्स मैप, उपयुक्तता प्रमाण पत्र, डी०एस०एस० रिपोर्ट एवं चयनित क्षेत्रों की के०एम०एल० फाईल हरताक्षर सहित इस पत्र के साथ संलग्न कर अग्रिम कार्यवाही हेतु प्रेषित हैं साथ ही संदर्भित अभिलेख परिवेश पोर्टल पर अपलोड कराये जा चूके हैं।

संलग्नकः उपरोक्तानुसार।

(पंकज कुमार मौर्य) महाप्रबन्धक (तक0) सह परियोजना निदेशक प0का0ई0-वसन्त विहार (देहरादून)

भवदीय

प्रतिलिपिः

- 1. जिलाधिकारी, देहरादून को सूचनार्थ प्रेषित।
- 2. अपर प्रमुख वन संरक्षक एवं नोडल अधिकारी, वन संरक्षण, उत्तराखण्ड, देहरादून को सूचनार्थ प्रेषित।
- 3. वन संरक्षक, शिवालिक वृत्त, उत्तराखण्ड, देहरादून को सूचनार्थ प्रेषित।
- 4. टीम लीडर, मैं० योंग्मा इन्जीं० कं० प्रां० लिं० को इस आशय से प्रेषित कि संबंधित वन विभाग से समन्वय स्थापित कर आवश्यक कार्यवाही कराना सुनिशिवत करें।