

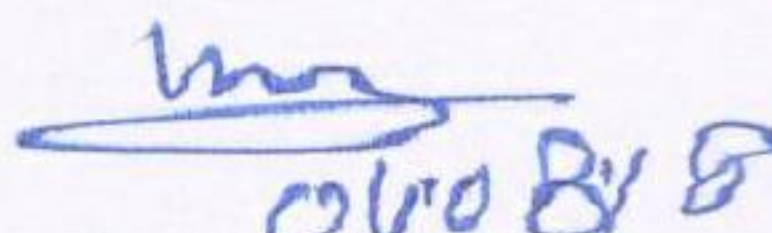
## प्रपत्र-23.4

परियोजना का नाम :- जनपद नैनीताल के विधान सभा क्षेत्र कालाढुंगी के विकास खण्ड कोटाबाग के अन्तर्गत दैचोरी देगोंव नया पाण्डेगोंव में आनन्द सिंह के घर से राजकीय पूर्व माध्यमिक विद्यालय, दैचोरी देगोंव मोटर मार्ग का निर्माण।

जिलाधिकारी द्वारा प्रदत्त प्रमाण-पत्र

जनपद नैनीताल के अन्तर्गत प्रस्तावित जनपद नैनीताल विधान सभा क्षेत्र कालाढुंगी के विकास खण्ड कोटाबाग के अन्तर्गत दैचोरी देगोंव नया पाण्डेगोंव में आनन्द सिंह के घर से राजकीय पूर्व माध्यमिक विद्यालय दैचोरी देगोंव मोटर मार्ग का निर्माण परियोजना के निर्माण हेतु 0.4050 है० वन भूमि लोक निर्माण विभाग, निर्माण खण्ड, लो०नि०वि० रामनगर (प्रयोक्ता एजेन्सी) को प्रत्यावर्तित किये जाने हेतु प्रस्ताव प्रस्तुत किया गया है। भारत सरकार, पर्यावरण एवं वन मंत्रालय, नई दिल्ली के पत्र संख्या 11-9/98-एफ०सी० दिनांक 05.02.2013 के द्वारा रेखाकार (Linear) प्रयोजनों यथा- सड़क, नहर, पारेषण लाईन, ओ०एफ०सी० केबिल व पाईप लाईन बिछाने आदि के प्रकरणों को वन अधिकार अधिनियम 2006 के प्राविधानों से मुक्त किया गया है। विषयगत परियोजना के निर्माण हेतु आवेदित वन व कृषि भूमि पर आदिकालीन जनजाति समूह (Primitive Tribal Groups) व आदिकालीन कृषि समुदाय (Per-Agricultural Tribal Groups) प्रभावित नहीं हो रहे हैं।

कृषि समाज कल्याण आयोग  
नैनीताल

  
जिलाधिकारी  
नैनीताल



**FORM- I**

(for linear projects)

Government of Uttarakhand  
Office of the District Collector Nainital

No.

Dated .....

**To WHOM SO EVER IT MAY CONCERN**

In compliance of the Ministry of Environment and Forests (MoEF), Government of India's letter No. 11-9 / 98- FC(pt.) dated 3<sup>rd</sup> August 2009 wherein the MoEF issued guidelines on submission of evidences of having initiated and completed the process of settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 ('FRA', for short) on the forest land proposed to be diverted for non-forest purposed read with MoEF's letter dated 5<sup>th</sup> February 2013 wherein MoEF issued certain relaxation in respect of linear projects, it is certified that 0.4050 hectares of forest land proposed to be diverted n favour of C.D. P.W.D. Ramnagar for Decuari Degaon Naya Pandeygaon in Aanand Singh House to Govt. High School at Dechari Degaon Nainital District falls within jurisdiction of Kaladhungi villages(s) in Decuari Degaon, Pandeygaon in Kaladhungi tehsils.

It is further certified that.

- (a) The complete process for identification and settlement of rights under the FRA has been carried out for the entire 0.4050 hectares of forest area proposed for road. A copy of recors of all consultations and meetings of the Forest Rights Committee(s), Gram Sabha(s), Sub-Division LevelCommittii(s) and the District Level Committee are enclosed as annexure 23 to 23.2 Annexure 4 Nos.
- (b) The diversion of forest land for facilities managed by the Government as required under section 3 (2) of the FRA have been completed and the Grama Sabhas have given their consent to it:
- (c) The proposal does not involve recognized rights of Primitive Tribal Groups and Preagricultural Communities.

Encls As above.

Signature



(Full name and official seal of the Distirct Collector)





## प्रपत्र-23.1

OFFICE OF THE DISTRICT COLLECTOR  
DISTRICT NAINITAL (U.K.)

Proceeding of the meeting of the district level committee constituted under schedule tribes & others Traditional forest Dwellers (recognition of rights) act (FRA) 2006.

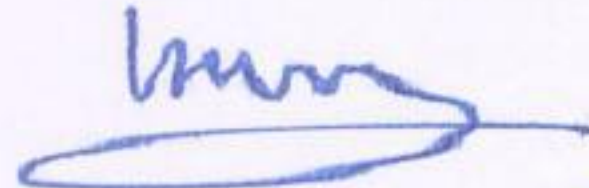
A meeting of the district level committee of National district , constituted under FRA. 2006 was held under the chairmanship of Mr./Miss./Mrs. Vinod Kumar Suman I.A.S. District Magistrate on dated... 06.08.18 ...at time 4.00 PM At Nainital in which application claiming rights in Nainital Tehsil area measuring 0.405 hect. For the Constrction of Road in Dechauri Degaon Naya Pandeygaon Aanand Singh House to Government High School Decauri Degaon at Consitunechny Kaladhugi in Block Kotabagh District Nainital. Work forest land under FRA. 2006 of the following applicant duly processed and recommended by the sub division level committee of Nainital sub division were discussed to consider the same for admission by the district level committee.

After scrutiny of the documents and detailed discussions, no objections / claims were found to have been made & hence District level committee recommend the above case diversion of land for the said purpose.

Place: Nainital

Dated: .....

विद्या समाज कल्याण अधिष्ठाता  
विश्वनाथ

  
06.08.18  
District Magistrate-Cum-Chairman  
District Level Committee  
Nainital



**FORM- II**

(for projects other than linear projects)  
Government of Uttarakhand  
Office of the District Collector Nainital

No.

Dated .....

**To WHOM SO EVER IT MAY CONCERN**

In compliance of the Ministry of Environment and Forests (MoEF), Government of India's letter No. 11-9 / 98- FC(pt.) dated 3<sup>rd</sup> August 2009 wherein the MoEF issued guidelines on submission of evidences of having initiated and completed the process of settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 ('FRA', for short) on the forest land proposed to be diverted for non-forest purposed read with MoEF's letter dated 5<sup>th</sup> February 2013 wherein MoEF issued certain relaxation in respect of linear projects, it is certified that 0.4050 hectares of forest land proposed to be diverted in favour of C.D. P.W.D. Ramnagar for Decuari Degaon Naya Pandeygaon in Aanand Singh House to Govt. High School at Dechari Degaon, Nainital within jurisdiction of Kaladhungi, Dechari, Degaon, Naya Pandeygaon villages(s) in Kaladhungi tehsil.


It is further certified that.

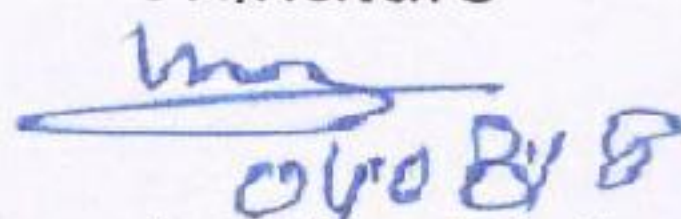
- (a) The complete process for identification and settlement of rights under the FRA has been carried out for the entire 0.4050 hectares of forest area proposed for diversion. A copy of recors of all consultations and meetings of the Forest Rights Committee(s), Gram Sabha(s), Sub-Division Level Committii(s) and the District Level Committee are enclosed as annexure ~~37~~ to ... Annexure ...
- (b) The Proposal for such diversion (with full details of the project and its implications, in vernacular / local language) have been placed before each concerned Gram Sabha of forest-dwellers, who are eligible under the FRA.
- (c) The each of concerned Gram Sabha(s), has certified that all formalities / processes under the FRA have been carried out, and that they have given their consent to the proposed diversion and the compensation and ameliorative measures, if any, having understood the purpose and details of proposed diversion. A copy of certificate issued by the gram sabha of *Naya Pandeygaon* villages(s) is enclosed as annexure ...~~27~~... to annexure....~~28~~.....
- (d) The discussion and decisions on such proposals had taken pace only when there was a quorum of minimum 50% of the members of Gram Sabha present.



- (e) The diversion of forest land for facilities managed by the Government as required under section 3 (2) of the FRA have been completed and the Grama Sabhas have given their consent to it:
- (f) The rights of Primitive Tribal Groups and Pre-Agreculutral Communities, where applicable have been specifically safeguarded as per section 3 (1) (e) of the FRA.

Encls As above.

  
जिला समाज कल्याण आधिकारी  
बीना

Signature  
  
(Full name and official seal of the Distirct Collector)



## Disposal / Management plan

While Preparing FCA case, if there is any activity in the project which involves digging of land, muck disposal / management plan has to be prepared.

This Should Include :

1. Calculation of muck to be generated. Swell factor has to be applied.
2. Quantity of muck to be utilized in the project activities.
3. Balance quantity of muck, which requires disposal\ management plan.
4. Carriage of muck from the muck generation site to the dumping site.
5. Ownership of land and consent of land owner, in case muck disposal is proposed on non- forest land photograph & carrying capacity of proposed dumping site (muck disposal site)
6. Development of dumping site- construction of retaining walls and other structure as per requirement of the site. The objective is to completely stop rolling down of the muck.
7. Rehabilitation of dumping site like leveling planting of grass shrubs and tree species.

Cost to be incurred on the above activities has to be given component wise. Detail of dumping site including length, width and height of structure to be erected must be mentioned.

Undertaking by the user agency has to be given to the effect that

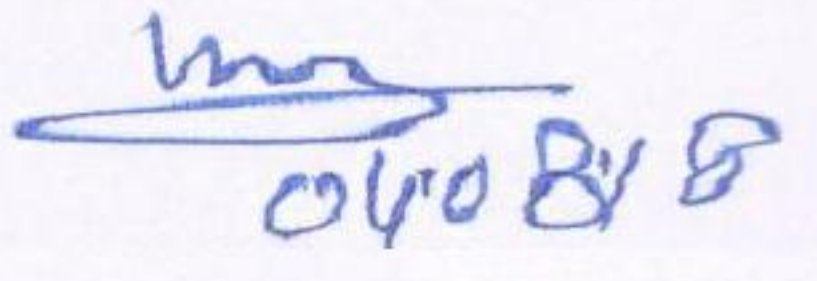
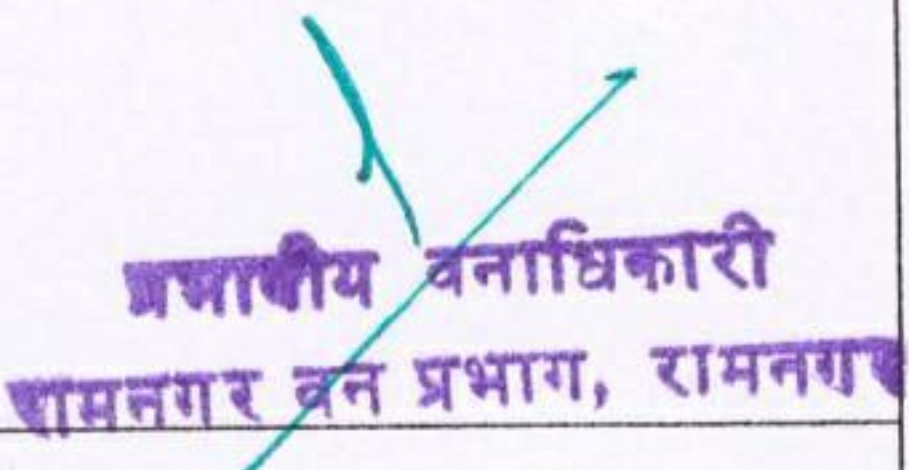

- 1- Muck management plan will be implemented by the user agency and in case of non implementation of the plan, they will be liable to penalty\action.
- 2- The proposed dumping site is located away from river/stream/ nala

Instructions:

Dumping site should not be located in Reserve Forest



जिला स्तरीय बैठक

क्र० सं०	उपस्थित सदस्यों के नाम	पद नाम	हस्ताक्षर
1	विनोद कुमार सुमन	जिलाधिकारी, नैनीताल (अध्यक्ष)	
2	सुभाष चन्दा	प्रभागीय वनाधिकारी, रामनगर वन प्रभाग, रामनगर (सदस्य)	 प्रभागीय वनाधिकारी रामनगर वन प्रभाग, रामनगर
3	रवीन्द्र कुमार साहू	जिला समाज कल्याण अधिकारी, (सदस्य)	 जिला समाज कल्याण अधिकारी नैनीताल