

Undertaking to adhere Standard Conditions stipulated by Forest Department

Name of Project: - Construction of 4-laning of Kotdwar bypass of NH-119 connecting Najibabad-Kotdwar to Kotdwar-Pauri road in the state of Uttar Pradesh and Uttarakhand under Bharatmala Pariyojana Lot-4/Pakage-2 from Ch 0+000 to 5+900 under forest division Najibabad.

This is to certify and undertake that all applicable standard conditions as prescribed by MoEF&CC for forest land diversion in relation to road project shall be acceptable to Proponent. The conditions to be imposed at the time of according Stage – I approval and to be complied with before Stage – II approval shall be agreed and acceptable.

The General and Standard Conditions prescribed by MoEF&CC and will be acceptable to proponent are as follows;

General Conditions

1. Cost of Compensatory Afforestation as per the CA scheme may be realized from the user agency;
2. Net Present Value (NPV) of the forest land being diverted for non-forestry purpose may be realized from the user agency, as per Ministry's directions issued vide letters No. 5-3/2007-FC dated 5th February, 2009 and Hon'ble Supreme Court of India's Order dated 30th October, 2002, 28th March, 2008, 24th April, 2008 and 9th May, 2008;
3. As per orders of the Government of India vide letter No. 5-2/2010- CAMPA dated 24.06.2011, the Net Present Value of the forest land and all other CA levies shall be deposited in State specific CAMPA account (s) maintained by the Ad-hoc CAMPA at New Delhi and this office may be informed along with a duly filled in prescribed proforma;
4. The user agency shall furnish an undertaking to pay additional amount of NPV, if so determined as per final decision of the Hon'ble Supreme Court of India; and
5. A certificate in respect of complete settlement of rights, in terms of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any, on the forest land proposed to be diverted along with documentary evidence stipulated by the Ministry in its letter No. 11-09/1988-FC (pt) dated 3rd August, 2009, 5th February, 2013 and 5th July, 2013 as applicable to this project, be submitted;

The use of forest land will not be allowed till final approval is accorded.

To be complied with after Stage – II approval is accorded (These Conditions shall also be Imposed at the time of according Stage –II Approval)

(A) General Condition

1. Legal status of the forest land will remain unchanged;
2. The forest land will not be used for any other purpose than that mentioned in the proposal;
3. The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department, or person without approval of the competent authority;
4. The layout plan of the proposal shall not be changed without the prior approval of the Central Government;

5. No damage will be done to the adjoining forest land;
6. No labour camp shall be established on the forest land;
7. Compensatory Afforestation will be done within one year from the date of issue of final approval over the extent of land as approved, out of the funds provided by the user agency;
8. The user agency shall carry out muck disposal at pre-designated sites in such a manner so as to avoid its rolling down and should be taken up as per the scheme approved by the Forest Department;
9. As recommended by the Geologist and Task Force, the required soil conservation measures should be taken up by the user agency for which fund should be provided as per the current rate of works;
10. The User Agency shall provide firewood preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest area;
11. The boundary of the forest land being diverted shall be demarcated on ground at the project cost, using four feet high RCC pillars, each pillar inscribed with the serial number, DGPS coordinates, forward and backward bearings and distance from pillar to pillar etc;
12. The User Agency shall ensure that because of this project, no damage is caused to the flora and the wildlife available in the area;
13. The User Agency will assist the State Government in conservation and preservation of flora and fauna of the area in accordance with the plan prepared by the Chief Wildlife Warden of the State;
14. The user agency in consultation with the State Government shall create and maintain alternate habitat/home for the avifauna: whose nesting trees are to be cleared in this project. Bird's nests artificially made out of eco-friendly material shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project;
15. Any other condition that this Regional Office may stipulate, from time to time, in the interest of conservation, protection and development of forest & wildlife;
16. The User Agency shall submit the annual self-compliance report in respect of the above conditions to the State Government and to the concerned Regional Office of the Ministry regularly; and
17. It will be the responsibility of the State Government/ User Agency to obtain all other prior approval/clearances under all other relevant Acts/Rules/Court's Rulings/Instructions, etc., including environmental clearance, as applicable to this proposal;
18. The Regional Office may revoke/suspend the clearance, if implementation of any of the above conditions is not satisfactory. State Government will ensure compliance of these conditions through forest department;

प्रभागीय प्रमुख/अधिकारी
बिजनौर वन प्रभाग, नजीबाबाद

