



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



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पत्र सं० 8बी/यू०पी०/०६/५८/२०१८/एफ०सी०/634

दिनांक : 07.01.2022

सेवा में,

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

(आनॅलाईन प्रस्ताव संख्या-FP/UP/Others/19022/2018)

विषय: अलीगढ़-अनूपशहर मार्ग (एन०एच०-९३) किमी० ९३ चैनैज ९२.९६० की बांयी पटरी पर ग्राम-नगौला के खसरा सं०-४६/३ में एस्सार ऑयल लि० द्वारा विकसित किए जा रहे रिटेल आउटलेट के सम्पर्क मार्ग निर्माण हेतु ०.२०१४०९ हे० संरक्षित वनभूमि का बिना वृक्ष पातन के गैर वानिकी प्रयोग की अनुमति के संबंध में।

सन्दर्भ: सचिव(वन), उत्तर प्रदेश का पत्रांक-२१५९/८१-२-२०२१-८००(२७)/२०१८, लखनऊ, दिनांक-०९.१२.२०२१।

महोदय,

उपरोक्त विषय पर विशेष सचिव, उत्तर प्रदेश शासन का पत्रांक पी-३०/१४-२-२०१८-८००(२७)/२०१८, दिनांक - २२.०५.२०१८ का आशय ग्रहण करने का कष्ट करें, जिसके द्वारा विषयांकित प्रस्ताव पर वन(संरक्षण) अधिनियम, १९८० की धारा(२) के अन्तर्गत भारत सरकार की स्वीकृति माँगी थी।

प्रकरण में विचारोपरान्त मुझे आपको यह सूचित करने का निर्देश हुआ है कि केन्द्र सरकार अलीगढ़-अनूपशहर मार्ग (एन०एच०-९३) किमी० ९३ चैनैज ९२.९६० की बांयी पटरी पर ग्राम-नगौला के खसरा सं०-४६/३ में एस्सार ऑयल लि० द्वारा विकसित किए जा रहे रिटेल आउटलेट के सम्पर्क मार्ग निर्माण हेतु ०.२०१४०९ हे० संरक्षित वनभूमि का बिना वृक्ष पातन की सैद्धान्तिक 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 for plantation of 201 trees in Chherat Forest Block, Range & District Aligarh 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 cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars if required on the CA land shall be deposited in advance with the Forest Department by the project authority. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.
4. The State Government shall charge the Net Present Value (NPV) for the 0.201409 ha. forest area to be diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 30/10/2002, 01/08/2003, 28/03/2008, 24/04/2008 and 09/05/2008 in IA No. 566 in WP (C) No. 202/1995 and as per the guidelines issued by the Ministry vide letters No. 5-1/1998-FC (Pt.II) dated 18/09/2003, as well as letter No. 5-2/2006-FC dated 03/10/2006 and 5-3/2007-FC dated 05/02/2009 in this regard.
5. Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect.
6. Penal NPV to be imposed & collected as per the FCA guidelines dated 29-01-2018 and deposited to CAMPA fund.
7. The State Government shall fix the responsibility of the official responsible for violation of Forest (Conservation) Act, 1980, so as to enable this office to file a case as per FC Act and Rules.

8. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
9. Greenery will be maintained by user agency around Periphery of petrol pump.
10. User agency shall use the land between entry and exit for plantation and conservation of trees, the same shall be demarcated by 2 feet wall.
11. Plantation shall also be done along the inside boundary of Fuel Station.
12. Certificate of DFO certifying that the proposed RO is not in close proximity of any existing RO in accordance with MORTH guidelines dated 24-07-2013 has to be provided.
13. 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.
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 KML file of the area to be diverted, the CA areas, the proposed SMC work, the proposed Catchment Area Treatment area and the WLMP area shall be uploaded on the e-Green watch portal with all requisite details before commencement of works.
16. 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.
17. All the funds received from the user agency under the project shall be transferred/ deposited to CAMPA fund only through e-portal (<https://parivesh.nic.in/>).
18. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).

After receipt of compliance report on fulfillment of all of the above conditions from the State Government, proposal will be considered for final approval under Section-2 of the Forest (Conservation) Act, 1980, by this office.

The order for transfer of forest land to user agency shall not be issued by the State Government till final approval order for diversion of forest land is issued by Government of India.

भवदीया,

(डा० प्राची गंगवार)

उप 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, 17, राणा प्रताप मार्ग, लखनऊ, उ०प्र०।
3. नोडल अधिकारी/मुख्य वन संरक्षक, कैम्पा, 17, राणा प्रताप मार्ग, लखनऊ, उ०प्र०।
4. प्रभागीय निदेशक, सामाजिक वानिकी प्रभाग, अलीगढ़।
5. प्रभागीय प्रबन्धक, एस्सार ऑयल लि०, आगरा ऑफिस, प्रथम तल, राजेन्द्र स्पेस, सेक्टर 16 बी, आवास विकास सिकन्दरा योजना, आगरा।
6. जिलाधिकारी, आगरा।
7. पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, एकीकृत क्षेत्रीय कार्यालय, लखनऊ को वेबसाइट पर अपलोडिंग हेतु/आदेश पत्रावली।

(डा० प्राची गंगवार)

उप वन महानिरीक्षक (केन्द्रीय)