



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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दिनांक : 09.03.2021
10

सेवा में,

मुख्य वन संरक्षक(वन संरक्षण) एवं नोडल अधिकारी,
17, राणा प्रताप मार्ग,
लखनऊ, उ०प्र०।

(ऑनलाइन प्रस्ताव संख्या—FP/UP/Road/26962/2017)

विषय : आगरा में फतेहाबाद रोड पर अवन्तीबाई चौराहा से कचौराघाट मार्ग(एस०एच०-62) के किमी० 10 किमी० से 11 किमी० तक का 6 लेन चौड़ीकरण हेतु 1.4 हे० संरक्षित वनभूमि के गैरवानिकी प्रयोग एवं उस पर अवस्थित 126 वृक्षों के पातन के संबंध में।

सन्दर्भ: मुख्य वन संरक्षक(वन संरक्षण) एवं नोडल अधिकारी, उत्तर प्रदेश का पत्रांक सं०-2176/11-सी-FP/UP/Road/26962/2017, लखनऊ, दिनांक-01.03.2021.

महोदय,

उपरोक्त विषय पर मुख्य वन संरक्षक(वन संरक्षण) एवं नोडल अधिकारी, उत्तर प्रदेश का पत्रांक सं०-1597/11-सी-FP/UP/Road/26962/2017, दिनांक-07.02.2019 का आशय ग्रहण करने का कष्ट करें। जिसके द्वारा विषयांकित प्रस्ताव पर वन (संरक्षण) अधिनियम, 1980 की धारा(2) के अन्तर्गत भारत सरकार की स्वीकृति मांगी थी।

प्रकरण में विचारोपरान्त मुझे आपको यह सूचित करना है कि केन्द्र सरकार आगरा में फतेहाबाद रोड पर अवन्तीबाई चौराहा से कचौराघाट मार्ग(एस०एच०-62) के किमी० 10 किमी० से 11 किमी० तक का 6 लेन चौड़ीकरण हेतु 1.4 हे० संरक्षित वनभूमि के गैरवानिकी प्रयोग एवं उस पर अवस्थित 126 वृक्षों के पातन की सैद्धांतिक 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 on 3.00 ha. degraded forest land in Fatehabad Range Khander Van Block, District-Agra 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 will be for plantation and 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 1.4 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. User agency shall restrict the felling of trees to minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the User Agency with the State Forest Department.
7. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
8. User agency shall raise strip plantation on both sides and central verge of the road as per the IRC norms.
9. Speed regulating signage will be erected along the road at regular intervals in the Protected Areas/ Forest Areas.
10. The user agency shall provide suitable under / over pass in Protected Area / Forest Area as per recommendations of CWLW / NBWL / FAC / REC.
11. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.
12. The layout plan of the proposal shall not be changed without prior approval of Central Government.
13. No labour camp shall be established on the forest land.
14. Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.
15. 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.
16. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
17. 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.
18. The forest land shall not be used for any purpose other than that specified in the project proposal.
19. 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.
20. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF&CC Guideline F.No. 11-42/2017-FC dt. 29/01/2018.
21. 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.
22. No Felling shall be done in TTZ Area without approval of Hon'ble Supreme Court.
23. The user agency shall comply the conditions stipulated by the Hon'ble Apex Court vide order dated 29-01-2021 in I.A. No. 97081 and 97085/2018 in Writ Petition(s) (Civil) No(s). 13381/1984:
“...(d) The Regional Director, Social Forestry, Agra will undertake compensatory afforestation by planting 1260 plants of indigenous species (ten times the number of trees to be felled) on 1.40 ha. of non-forest land in GATA No. 10 of Mauja Mutaval of Tehsil Fathehbad at the cost of the user agency, UP Public Works Department and the 1.40 ha. of the compensatory afforestation land shall be notified as protected forest. (e) The boundary of compensatory afforestation planting site shall be chain-link fenced at the cost of the Applicant on a 2 feet high footwall to protect the plants from being browsed by cattle and other animals and the land shall be handed over to the State Forest Department for raising compensatory plantation. (f) Provision of watering of plants during summer months specially in the first three years of planting and maintenance are included in the estimate to achieve better success rate...”
24. 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/>).

25. 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.

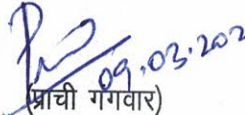
भवदीया

(प्राची गंगवार)

उप वन महानिरीक्षक {केन्द्रीय}

प्रतिलिपि (ईमेल द्वारा)

1. प्रमुख सचिव, पर्यावरण, वन, पर्यावरण एवं जलवायु परिवर्तन विभाग, बापू भवन, उत्तर प्रदेश शासन, लखनऊ।
2. प्रधान मुख्य वन संरक्षक(हॉफ), वन विभाग, 17, राणा प्रताप मार्ग, लखनऊ, उ०प्र०।
3. मुख्य वन संरक्षक, कैम्पा, 17, राणा प्रताप मार्ग, लखनऊ, उ०प्र०।
4. प्रभागीय निदेशक, सा०वा० प्रभाग, आगरा।
5. अधिशासी अभियंता, (निर्माण खण्ड-1) लो०नि०वि०, आगरा।
6. पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, एकीकृत क्षेत्रीय कार्यालय, लखनऊ को वेबसाइट पर अपलोडिंग हेतु/आदेश पत्रावली।


09.03.2022

(प्राची गंगवार)

उप वन महानिरीक्षक {केन्द्रीय}