



भारत सरकार

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय

एकीकृत क्षेत्रीय कार्यालय, लखनऊ

Ministry of Environment, Forest & Climate Change
Integrated Regional Office, Lucknow

केन्द्रीय भवन, पंचम तल, सेक्टर-एच, अलीगंज, लखनऊ-226024

Kendriya Bhawan, 5th Floor, Sector-H, Aliganj, Lucknow-226024, Telefax-2326696

Email: roc.lko-mef@gov.in, goimoeffrolko@gmail.com



पत्र सं० 8बी/यू०पी०/०६/१०२/२०१९/एफ०सी०/1152

दिनांक : 13.01.2020

सेवा में,

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

Online Proposal No. FP/UP/Road/39999/2019

विषय: गाजियाबाद विकास प्राधिकरण द्वारा गंगा कैनल मील 106.775 से 107 तक क्षेत्रफल 0.144 हे० एवं बाधक 14 वृक्षों के पातन एवं जनपद हापुड़ के अन्तर्गत अपर गंगा कैनल मील 107 से 107.984 तक सालिड वेस्ट मैनेजमेन्ट, हेतु लिंक मार्ग के निर्माण हेतु 0.6716 हे० एवं बाधक 91 वृक्षों के पातन कुल 0.8156 हे० संरक्षित वनभूमि के हस्तान्तरण एवं कुल बाधक 105 वृक्षों के पातन की अनुमति के संबंध में।

सन्दर्भ: मुख्य वन संरक्षक(वन संरक्षण) एवं नोडल अधिकारी, उत्तर प्रदेश का पत्रांक सं०-1498/11-सी-FP/UP/Road/39999/2019, दिनांक-24.12.2020.

महोदय,

उपरोक्त विषय पर मुख्य वन संरक्षक(वन संरक्षण) एवं नोडल अधिकारी, उत्तर प्रदेश का पत्रांक सं०-1070/11-सी-FP/UP/Road/39999/2019, दिनांक-29.11.2019 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 माँगी थी।

प्रकरण में विचारोपरान्त मुझे आपको यह सूचित करना है कि केन्द्र सरकार गाजियाबाद विकास प्राधिकरण द्वारा गंगा कैनल मील 106.775 से 107 तक क्षेत्रफल 0.144 हे० एवं बाधक 14 वृक्षों के पातन एवं जनपद हापुड़ के अन्तर्गत अपर गंगा कैनल मील 107 से 107.984 तक सालिड वेस्ट मैनेजमेन्ट, हेतु लिंक मार्ग के निर्माण हेतु 0.6716 हे० एवं बाधक 91 वृक्षों के पातन कुल 0.8156 हे० संरक्षित वनभूमि के हस्तान्तरण एवं कुल बाधक 105 वृक्षों के पातन की सैद्धांतिक स्वीकृति निम्नलिखित शर्तों पर प्रदान करती है :-

1. Legal status of the forest land shall remain unchanged.
2. Forest land will be handed over only after required non-forest land for the project is handed over to the user agency.
3. Compensatory afforestation shall be taken up by the Forest Department over 0.8156 ha. Non forest land Compartment no. 1, patch no. 2 of village Rasulpur Yakutpur Tehsil Sadar, District Ghaziabad 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.
4. The non-forest land has to be transferred and mutated in favour of the State Forest Department.
5. 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.
6. The State Government shall charge the Net Present Value(NPV) for the 0.8156 ha. forest area to be diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of

[Signature]

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.

7. 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.
8. 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.
9. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.
10. The layout plan of the proposal shall not be changed without prior approval of Central Government.
11. No labour camp shall be established on the forest land.
12. 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.
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 complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
15. Speed regulating signage will be erected along the road at regular intervals in the Protected Areas/ Forest Areas.
16. The user agency shall provide suitable under / over pass in Protected Area / Forest Area as per recommendations of CWLW / NBWL / FAC / REC.
17. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
18. 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.
19. The forest land shall not be used for any purpose other than that specified in the project proposal.
20. 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.
21. DFO should submit a certificate, certifying that no work has been executed in violation of Forest (Conservation) Act, 1980 in the said proposal.
22. 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.
23. 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.
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 सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:

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, उ0प्र0।
3. प्रभागीय निदेशक/ वनाधिकारी, हापुड़ एवं गाजियाबाद।
4. अधिशासी अभियंता, जोन-5, गाजियाबाद विकास प्राधिकरण।
5. पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, क्षेत्रीय कार्यालय, लखनऊ को वेबसाइट पर अपलोडिंग हेतु/ आदेश पत्रावली।


(प्राची गंगवार)
उप वन महानिरीक्षक {केन्द्रीय}