

कार्यालय प्रभागीय निदेशक, सामाजिक वानिकी प्रभाग, मुरादाबाद।

(एल-25, रामगंगा विहार-प्रथम फेज, निकट सोनकपुर स्टेडियम, कॉट रोड, मुरादाबाद-दूरभाष संख्या-0591-2450066)

पत्रांक 2036/14-1 दिनांक, मुरादाबाद, 15 जनवरी, 2024.

सेवा में,

श्री गया प्रसाद, वरिष्ठ क्षेत्रीय विकय प्रबन्धक,
मुरादाबाद विकय क्षेत्र, एच0पी0सी0एल0, 495/1, द्वितीय तल,
आर0पी0जी0 टावर, यूनिवर्सिटी रोड,
मंगलपाण्डेनगर, मेरठ-2500046

प्रस्ताव संख्या-FP/UP/Approach/153459/2022

विषय:-

जनपद मुरादाबाद में हिन्दुस्तान पेट्रोलियम कार्पोरेशन लि0, मेरठ द्वारा दिल्ली-बरेली-लखनऊ मार्ग (पुराना एन0एच0-24) शहरी भाग के कि0मी0 162-163 के मध्य बॉयी पट्टरी पर ग्राम मुस्तफाबाद, तह0-सदर की खसरा/गाटा संख्या-112 मि0, 113 मि0 व 114 मि0 पर प्रस्तावित रिटेल ऑउटलेट/पेट्रोल पम्प के सम्पर्क मार्ग निर्माण में प्रभावित 0.065918 हे0 (Entry area = 0.026584 ha. + Exit area = 0.026484 ha. + Separator island = 0.01275 ha., Total area is 0.065918 ha.) संरक्षित वन भूमि के गैर वानिकी प्रयोग एवं उस पर अवस्थित 06 वृक्षों व 02 पौधों (कुल 08 वृक्षों/पौधों) के पातन की अनुमति के सम्बन्ध में।

संदर्भ:-

भारत सरकार, पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय की पत्र सं0-8बी/यू0पी0/06/136/2023/एफ0सी0/465 दिनांक 29-12-2023.

कृपया उपर्युक्त विषयक भारत सरकार, पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय के उक्त संदर्भित पत्र (छायाप्रति संलग्न) का अवलोकन करने का कष्ट करें। इस संबन्ध में अवगत कराना है कि प्रश्नगत प्रकरण में भारत सरकार, पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय लखनऊ के उक्त संदर्भित पत्र दिनांक 29-12-2023 द्वारा कतिपय शर्तों के अधीन सैद्धान्तिक स्वीकृति निर्गत की गई है। सैद्धान्तिक स्वीकृति में उल्लिखित समस्त शर्तों का अनुपालन आपसे वांछनीय है। कृपया निर्धारित शर्त सं0-1 से 23 तक के संबन्ध में मुख्य वन संरक्षक/नोडल अधिकारी उ0प्र0 लखनऊ के पत्रांक-2501/11-सी दिनांक 24-05-2016 (छायाप्रति संलग्न) द्वारा प्रेषित निर्धारित प्रपत्र में पूर्ण बिन्दुवार अनुपालन आख्या एवं मुख्य वन संरक्षक एवं मुख्य कार्यकारी अधिकारी, उ0प्र0 कैम्पा, लखनऊ की पत्र सं0-384/2-37-2 (ई-पेमेन्ट पोर्टल) दि0 14-09-2015 (छायाप्रति संलग्न) में दिये गये निर्देशानुसार वांछित सूचना/अभिलेख/प्रमाण पत्र ऑनलाइन परिवेश पोर्टल पर अपलोड कर इस कार्यालय को उपलब्ध कराने का कष्ट करें ताकि इस संबन्ध में अग्रिम कार्यवाही की जा सके:-

1. Legal status of the forest land shall remain unchanged.
2. Compensatory Afforestation shall be taken up by the Forest Department in an area of 0.132 ha. degraded forest land in Basantpur Ramrai Forest Block, Tehsil & District- Moradabad 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. के कम में 0.132 हे0 अवनत वन भूमि पर वृक्षारोपण एवं 10 वर्षों तक रखरखाव हेतु वांछित धनराशि **रु0-119000/-** ई-पेमेन्ट पोर्टल के माध्यम से कैम्पा, नई दिल्ली में जमा कर पावती रसीद की प्रति इस कार्यालय को उपलब्ध करायी जायेगी।
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 0.1244 ha. forest area to be diverted under this proposal from the user agency as per the orders of 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 guide lines 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. Revised amount of NPV as applicable as per orders dated 06-01-2022 and 19-01-2022 shall be deposited by user agency in this regard. के कम में शुद्ध वर्तमान मूल्य (एन0पी0वी0) के अनुसार वांछित धनराशि **रु0-63135/-** ई-पेमेन्ट पोर्टल के माध्यम से कैम्पा, नई दिल्ली में जमा कर पावती रसीद की प्रति इस कार्यालय को उपलब्ध करायी जायेगी।
5. Additional amount of the NPV of the diverted forest land if nay, 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 8 trees /minimum numbers 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. Separator island has to to be maintained as green belt, in consultation with DFO. Green belt plan of Separator island shall be provided by DFO, ensuring appropriate site specific species. Green belt plan shall also include species to be planted on the periphery of retail outlets and service road, if applicable. Green plan in respect of separator island/entry & exit/service road as applicable and duly approved by DFO be submitted along with compliance report.
8. Entire Periphery of the establishment should be lined up with tree plantation at a close spacing of 1.0 to 1.5 meter Keeping an offset of 1.5 meter from the boundary, with light crown trees which will maintain greenery without compromising with the land requirement of the establishment.
9. Auer agency and Authorized signatory oil company issuing sanction letter shall be liable for land use including tree plantation for Entry/Exit and separator island strictly as per the approved layout plan and any violation/non adherence shall attract penal action/prosecution in competent court of jurisdiction as per FCA(1980), Rules and guidelines.
10. Green plan approved by DFO in respect of separator island/entry/exit/service road as applicable be submitted and geo tagged six monthly reports be maintained at retail outlet and be submitted six monthly.
11. The complete compliance of the FRA 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
12. No violation of FCA Certificate from concerned DFO Shall be provided.
13. Greenery will be maintained by user agency around periphery of petrol pump.
14. 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.
15. Plantation shall also be done along the inside boundary of fuel station.
16. Certificate of DFO certifying that the proposed RO is not close proximity of any existing RO in accordance with MORTH guide lines date 24-07-2013 has to be provided.
17. 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.
18. The period of diversion under this proposal shall 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 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 egreen watch portal with all requisite details, before commencement of works.
20. The violation of any of the condition stipulated under this approval will be liable to the cognizance and appropriate action under MoEFCC Rules and guidelines as applicable, specially MoEFCC guidelines dated 15/05/2023: processing of proposals involving violation of Forest Conservation Act (1980)-Authorising State Government/Union Territory Administrations to take cognizance of the offence committed under the Forest Conservation Act (1980), authorizing officers of the rank of Divisional Forest Officer(DFO)/Deputy Conservator of Forest(DCF) and above of the State Government or Union Territory Administration concerned, having jurisdiction over the forest land in respect of which any offence under the Forest Conservation Act (1980) is committed or violation of the provision of the said Act has been made, to file complaints against such person/authority/organization, prima-facie found guilty of offence under the act or the violation of the rules made thereunder, in the court having jurisdiction in the matter.
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. 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>).
23. The compliance report shall be uploaded on E-portal (<https://parivesh.nic.in>).

छपान:- बाधक वृक्षों छपान हेतु धनराशि (प्रमुख वन संरक्षक उ०प्र० लखनऊ के पत्रांक-प-105/16-57 (लाट) दिनांक 23-09-2014 के बिन्दु सं०- 2 में हुए संशोधन के अनुसार रु०-10/- प्रति वृक्ष के आधार पर) 08 वृक्षों/पौधों की वृक्ष दर 10/- रु० प्रति वृक्ष) रु०-80/- का बैंक ड्राफ्ट जो कि प्रभागीय निदेशक, सामाजिक वानिकी प्रभाग, मुरादाबाद के नाम देय हो प्रस्तुत करें।

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 the Government of India.

उपरोक्त सभी शर्तों के परिपूर्ण एवं बिन्दुवार अनुपालन आख्या / वचनबद्धता प्रमाण पत्र जो लागू हो, प्राप्त होने के उपरान्त ही वन संरक्षण अधिनियम, 1980 के तहत विधिवत् स्वीकृति जारी की जायेगी।

संलग्नक-यथोपरि।

(सूरज)
प्रभागीय निदेशक,
सामाजिक वानिकी प्रभाग,
मुरादाबाद।

पत्रांक 2036 (1)/ दिनांकित।

प्रतिलिपि निम्नलिखित को विषयक क्रम में सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-

1- मुख्य वन संरक्षक/नोडल अधिकारी, उ०प्र० लखनऊ।

2- वन-संरक्षक एवं क्षेत्रीय निदेशक, मुरादाबाद वृत्त, मुसदाबाद।

3- लेखा प्रभारी, सा०वा० प्रभाग, मुरादाबाद।

4- क्षेत्रीय वनाधिकारी, मुरादाबाद।

(सूरज)
प्रभागीय निदेशक,
सामाजिक वानिकी प्रभाग,
मुरादाबाद।



भारत सरकार
Government of India
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
Ministry of Environment, Forest & Climate Change
केन्द्रीय कार्यालय, लखनऊ
Regional Office, Lucknow



केन्द्रीय भवन, ग्यारवां तल, सेक्टर एच, अलीगंज, लखनऊ-226024
Kendriya Bhawan, 11th Floor, Sector H, Aliganj, Lucknow-226024, Phone No : 0522-2326696
Email : ros.lko-mef@nic.in, goimofslko@gmail.com

पत्र सं० : 8बी/यू०पी०/०६/१३६/२०२३/एफ.सी. 465

दिनांक: 29.12.2023

सेवा में,

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

ऑनलाईन प्रस्ताव संख्या-FP/UP/Approach/153459/2022

विषय: जनपद मुरादाबाद में हिन्दुस्तान पेट्रोलियम कार्पो० लि०, मेरठ द्वारा दिल्ली-बरेली-लखनऊ मार्ग (पुराना एन०एच०-२४) शहरी भाग के किमी० १६२-१६३ के मध्य बायीं पट्टी पर ग्राम मुतफाबाद तहसील सदर की खसरा/गाटा संख्या-११२ मि०, ११३ मि०, व ११४ मि० पर प्रस्तावित रिटेल आउटलेट/पेट्रोल पम्प के सम्पर्क मार्ग में प्रभावित ०.०६५९१८ हे० (Entry Area = ०.०२६५८४ ha. + Exit Area = ०.०२६५८४ ha. + Separator island = ०.०१२७५ ha., Total area is ०.०६५९१८ ha.) संरक्षित वनभूमि के गैरवानिकी प्रयोग एवं उस पर अवस्थित ०६ वृक्षों व ०२ पौधों (कुल ०८ वृक्षों/पौधों) के पातन की अनुमति के सम्बन्ध में।

संदर्भ: मुख्य वन संरक्षक/नोडल अधिकारी का पत्रांक १२३६/११-सी-FP/UP/Approach/153459/2022, दिनांक ०९.११.२०२३।

महोदय,

कृपया उपरोक्त विषयक सचिव (वन), उत्तर प्रदेश शासन के पत्रांक पी-११९/८१-२-२०२३-८००(१२२)/२०२३, दिनांक १९.०५.२०२३ का आशय ग्रहण करने का कष्ट करें, जिसके द्वारा विषयांकित प्रकरण में वन (संरक्षण) अधिनियम, १९८० की धारा (२) के अन्तर्गत भारत सरकार की स्वीकृति मांगी है।

प्रकरण में विचारोपरान्त मुझे आपको यह सूचित करने का निर्देश हुआ है कि केन्द्र सरकार जनपद मुरादाबाद में हिन्दुस्तान पेट्रोलियम कार्पो० लि०, मेरठ द्वारा दिल्ली-बरेली-लखनऊ मार्ग (पुराना एन०एच०-२४) शहरी भाग के किमी० १६२-१६३ के मध्य बायीं पट्टी पर ग्राम मुतफाबाद तहसील सदर की खसरा/गाटा संख्या-११२ मि०, ११३ मि०, व ११४ मि० पर प्रस्तावित रिटेल आउटलेट/पेट्रोल पम्प के सम्पर्क मार्ग में प्रभावित ०.०६५९१८ हे० (Entry Area = ०.०२६५८४ ha. + Exit Area = ०.०२६५८४ ha. + Separator island = ०.०१२७५ ha., Total area is ०.०६५९१८ ha.) संरक्षित वनभूमि के गैरवानिकी प्रयोग एवं उस पर अवस्थित ०६ वृक्षों व ०२ पौधों (कुल ०८ वृक्षों/पौधों) के 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 in an area of ०.१३२ ha. Degraded Forest Land in Basantpur Ramrai Forest Block, Tehsil & District Moradabad 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 १० 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 ०.०६५९१८ 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 ३०/१०/२००२, ०१/०८/२००३, २८/०३/२००८, २४/०४/२००८ and ०९/०५/२००८ in IA No. ५६६ in WP (C) No. २०२/१९९५ and as per the guidelines issued by the Ministry vide letters No. ५-१/१९९८-FC (Pt.II) dated १८/०९/२००३, as well as letter No. ५-२/२००६-FC dated ०३/१०/२००६ and ५-३/२००७-FC dated ०५/०२/२००९.

Revised amount of NPV as applicable as per orders dated ०६-०१-२०२२ and १९-०१-२०२२ shall be deposited by User Agency 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 ०८ trees/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. Separator island has to be maintained as Green Belt, in consultation with DFO. Green belt plan on separator island shall be approved by DFO, ensuring appropriate site specific species. Green belt plan shall also include species to be planted on the periphery of retail outlets and service road, if applicable. Green plan in respect of Separator island/entry & exit /service road as applicable and duly approved by DFO be submitted along with compliance report.
8. Entire periphery of the establishment should be lined up with tree plantation at a close spacing of 1.0 to 1.5 meter keeping an offset of 1.5 meter from the boundary, with light crown trees which will maintain greenery without compromising with the land requirement of the establishment.
9. User Agency and authorized signatory oil company issuing sanction letter shall be liable for land use including tree plantation for entry/exit and Separator island strictly as per the approved layout plan and any violation /non adherence shall attract penal action/prosecution in competent court of jurisdiction as per FCA(1980), Rules and guidelines.
10. Green Plan duly approved by DFO in respect of Separator island/entry/exit/service road as applicable be submitted and Geo tagged six monthly reports be maintained at retail outlet and be submitted six monthly.
11. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
12. No violation of FCA certificate from concerned DFO shall be provided.
13. Greenery will be maintained by user agency around Periphery of Fuel Station.
14. 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.
15. Plantation shall also be done along the inside boundary of Fuel Station.
16. 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.
17. 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.
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 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.
20. The violation of any of the conditions stipulated under this approval will be liable to the cognizance and appropriate action under MoEFCC rules and Guidelines as applicable, specifically MoEFCC Guidelines dated 15/05/2023, authorizing officers of the rank of Divisional Forest Officer (DFO)/Deputy Conservator of Forests (DCF) and above of the State Government or Union territory Administration concerned, having jurisdiction over the forest land in respect of which any offence under the Forest (Conservation) Act, 1980 is committed or violation of the provisions of the said Act has been made, to file complaints against such person/authority/organization, prima-facie found guilty of offence under the Act or the violation of the rules made thereunder, in the court having jurisdiction in the matter.
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. 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/>).
23. 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.

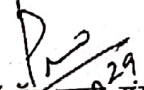
The order for transfer of forest land to user agency shall not be issued by the State Government till final approval order for diversion of forest land is issued by Government of India.

भवदीया,

(डॉ० प्राची गंगवार)
उप वन महानिरीक्षक (केन्द्रीय)

प्रतिलिपि (ईमेल 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. वन संरक्षक, मुरादाबाद वृत्त, मुरादाबाद।
4. प्रभागीय निदेशक, सा०वा० प्रभाग, मुरादाबाद।
5. मुख्य क्षेत्रीय प्रबन्धक एवं विधिवत गठित न्यायवादी, हिन्दुस्तान पेट्रोलियम कार्पो० लि०, मेरठ रिटेल क्षेत्रीय कार्यालय।
6. पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय को वेबसाइट पर अपलोडिंग हेतु/आदेश पत्रावली।


(डॉ० प्राची गंगवार)
उप वन महानिरीक्षक {केन्द्रीय}