

कार्यालय प्रभागीय निदेशक, सामाजिक वानिकी प्रभाग, देवरिया।  
पत्रांक २१६० / २-६ दिनांक, देवरिया, मई १०-६/२०२४

ऑनलाईन प्रस्ताव संख्या-FP/UP/Approach/153494/2022

सेवा में,

✓ प्रदेशिक प्रबन्धक (रिटेल) भारत पेट्रोलियम कार्पोरेशन लि०,  
बैतालपुर डिपो, देवरिया।

विषय :- जनपद-देवरिया में भारत पेट्रोलियम कार्पोरेशन लि० द्वारा देवरिया-कसया मार्ग एन०एच०-७९के कि०मी० नं०-१५ से १६ के मध्य बायीं पट्टी पर गाटा सं०-१०३४ ग्राम-सिरवनिया, तहसील व जिला-देवरिया में प्रस्तावित पेट्रोल पम्प स्थल से मुख्य मार्ग तक आवागमन में प्रभावित ०.०७१५२८ हे० (Entrt Area = 0.024748 ha. + Exit Area = 0.024748 ha. + Separator island = 0.022032 ha. Total area is 0.071528 ha.) संरक्षित वनभूमि के गैर वानिकी प्रयोग एवं बांधक ०३ पृष्ठों के घातन की अनुमति के सम्बन्ध में।

संदर्भ :- मुख्य वन संरक्षक/नोडल अधिकारी का पत्रांक-१८३३/११-सी- FP/UP/Approach/153494/2022 दिनांक २३.०१.२०२४ एवं भारत सरकार पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, क्षेत्रीय कार्यालय, लखनऊ का पत्र सं०-८४१/यू०पी०/०६/१२३/२०२३/एफ.सी./५४० दिनांक १२.०३.२०२४

महोदय,

उपरोक्त संदर्भित पत्र द्वारा विषयगत पेट्रोल पम्प की सैद्धांतिक स्वीकृति प्राप्त हुआ है, जिसका अनुपालन आख्या बिन्दुवार आघोहस्ताक्षरी कार्यालय में उपलब्ध कराना सुनिश्चित करें, एन०पी०वी० एवं क्षतिपूर्ण वृक्षारोपण की धनराशि ई-पोर्टल के माध्यम से उत्पन्न चालान की धनराशि कैम्पा फण्ड में जमा कर चालान की प्रति सलमन करें।

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 0.16 ha. Degraded Forest Land in Gata No. 858, Village Kushahari, Tehsil & District Kushinagar 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. (१५० पौधों के रोपण एवं १० वर्षों तक अनुरक्षण की धनराशि रु०-१,१५,९२७.०० कैम्पा मद में जमा करना होगा)।
4. The State Government shall charge the Net Present Value (NPV) for the 0.071528 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, 5-3/2007-FC dated 05/02/2009 and 5-3/2011-FC (Vol-1) dated 06.01.2022 in this regards. (क्षेत्रफल ०.०७१५२८ हे० संरक्षित वन भूमि का एन०पी०वी० की धनराशि ईको क्लास-III के अनुसार १२२८५९०.०० प्रति हे० की दर से रु०-८७८७८.५८ या ८७८७९.०० की धनराशि कैम्पा मद में जमा करना होगा)।
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 03 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 area proposed for diversion and area proposed for plantation 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.

भवदीय

R. J. J. J.

(जगदीश आर)

प्रभागीय निदेशक,

सामाजिक वानिकी प्रभाग, देवरिया

पत्रांक

उक्तदिनांकित।

प्रतिलिपि:—निम्न को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

1. मुख्य वन संरक्षक/नोडल अधिकारी, उत्तर प्रदेश, लखनऊ।
2. मुख्य वन संरक्षक, गोरखपुर मण्डल, गोरखपुर।
3. क्षेत्रीय वन अधिकारी, देवरिया।

(जगदीश आर)

प्रभागीय निदेशक,

सामाजिक वानिकी प्रभाग, देवरिया