



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



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पत्र सं० : 8बी/यू०पी०/०६/१२०/२०२३/एफ.सी./326

दिनांक : 25.08.2023

सेवा में,

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

ऑनलाईन प्रस्ताव संख्या— FP/UP/Approach/146931/2021

विषय: जनपद गोण्डा में भारत पेट्रोलियम कार्पो० लि० द्वारा उत्तरौला-फैजाबाद-प्रयागराज मार्ग एस०एच०-०९ के किमी० नं०-५३ (चैनेज नं०-५२.२४९) के मध्य दांयी पटरी पर गाटा संख्या-१२९९ ग्राम बहादुरा तहसील तरबगंज जिला गोण्डा में प्रस्तावित रिटेल आउटलेट से मुख्य मार्ग तक सम्पर्क मार्ग के निर्माण में प्रभावित ०.२२३१४६ हे० (Entry Area = 0.0611646 ha. + Exit Area = 0.0833894 ha. + Separator island = 0.078592 ha., Total area is 0.223146 ha.) संरक्षित वनभूमि के गैर यानिकी प्रयोग एवं बाधक ३८ वृक्षों के पातन की अनुमति के सम्बन्ध में।

संदर्भ: मुख्य वन संरक्षक/नोडल अधिकारी, उत्तर प्रदेश का पत्रांक २५८/११-सी-FP/UP/Approach/146931/2021, दिनांक २८.०७.२०२३.

महोदय,

कृपया उपरोक्त विषयक सचिव (वन), उत्तर प्रदेश शासन के पत्रांक पी-१२८/८१-२-२०२३-८००(१११)/२०२३, दिनांक ०८.०५.२०२३ 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 मांगी है।

प्रकरण में विचारोपरान्त मुझे आपको यह सूचित करने का निर्देश हुआ है कि केन्द्र सरकार जनपद गोण्डा में भारत पेट्रोलियम कार्पो० लि० द्वारा उत्तरौला-फैजाबाद-प्रयागराज मार्ग एस०एच०-०९ के किमी० नं०-५३ (चैनेज नं०-५२.२४९) के मध्य दांयी पटरी पर गाटा संख्या-१२९९ ग्राम बहादुरा तहसील तरबगंज जिला गोण्डा में प्रस्तावित रिटेल आउटलेट से मुख्य मार्ग तक सम्पर्क मार्ग के निर्माण में प्रभावित ०.२२३१४६ हे० (Entry Area = 0.0611646 ha. + Exit Area = 0.0833894 ha. + Separator island = 0.078592 ha., Total area is 0.223146 ha.) संरक्षित वनभूमि के गैर यानिकी प्रयोग एवं बाधक ३८ 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 in an area of 0.45 ha. Degraded Forest Land in Compartment No-4, Tikeri Range, Gonda Forest Division 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 0.223146 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.

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.

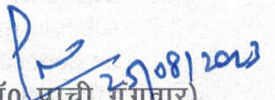
5. Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect.

6. User agency shall restrict the felling of trees to 38 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 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.
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. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
10. No violation of FCA certificate from concerned DFO shall be provided.
11. Greenery will be maintained by user agency around Periphery of Fuel Station.
12. 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.
13. Plantation shall also be done along the inside boundary of Fuel Station.
14. 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.
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. 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.
17. 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.
18. 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.
19. 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/>).
20. 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.

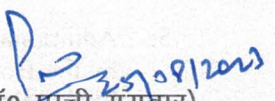
The order for transfer of forest land to user agency shall not be issued by the State Government till final approval order for diversion of forest land is issued by Government of India.

भवदीया,


(डॉ० प्राची गोगोय)
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, देवीपाटन वृत्त गोण्डा।
4. प्रभागीय वनाधिकारी, गोण्डा वन प्रभाग, गोण्डा।
5. प्रादेशिक प्रबन्धक (खुदरा) भारत पेट्रोलियम कार्पो० लि० जानकी नगर, गोण्डा।
6. पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय को वेबसाइट पर अपलोडिंग हेतु/आदेश पत्रावली।


(डॉ० प्राची गोगोय)