

कार्यालय मुख्य वन संरक्षक, मीरजापुर क्षेत्र, मीरजापुर
पत्रांक- 1282 /मी0क्षे0/33, मीरजापुर, दिनांक सितम्बर, 19- 2025

सेवा में,

अपर प्रधान मुख्य वन संरक्षक/नोडल अधिकारी,
उ0प्र0, लखनऊ।

विषय:-

जनपद-सोनभद्र में कनहर सिंचाई परियोजना के मुख्य नहरों एवं प्रणालियों हेतु रेनुकूट वन प्रभाग की 103.675हे0 आरक्षित वन भूमि के गैर वानिकी प्रयोग एवं बाधक 18282 वृक्षों का पातन तथा ओबरा वन प्रभाग की 23.4887हे0 आरक्षित वन भूमि के गैर वानिकी प्रयोग एवं बाधक 2928 वृक्षों का पातन अर्थात् कुल 127.1637हे0 आरक्षित वन भूमि के गैर वानिकी प्रयोग एवं कुल 21210 वृक्षों के पातन की अनुमति के संबंध में।

संदर्भ:-

1- भारत सरकार, पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय, क्षेत्रीय कार्यालय (मध्य) केन्द्रीय भवन, पंचम तल, सेक्टर-एच, अलीगंज लखनऊ का पत्र संख्या- 8बी/यू0पी0/02/31/2018/एफ.सी./32, दिनांक-03.07.2025

2- मुख्य वन संरक्षक/नोडल अधिकारी, उ0प्र0, लखनऊ का पत्रांक- 69/11-सी-FP/UP/Irrig/20269/2016, दिनांक 03.07.2025

महोदय,

उपरोक्त विषयक संदर्भित पत्र का अवलोकन करने की कृपा करें। प्रश्नगत प्रकरण में भारत सरकार के पत्र दिनांक-28.05.2020 द्वारा जारी सैद्धांतिक स्वीकृति की शर्त संख्या- 13 व 15 के क्रम में तीन बिन्दुओं पर सूचना उपलब्ध कराने की अपेक्षा की गई थी।

उक्त के अनुपालन में प्रभागीय वनाधिकारी, रेनुकूट वन प्रभाग ने अपने कार्यालय पत्रांक- 759/रेनुकूट/15-117, दिनांक 01.09.2025 (छाया प्रति संलग्न) द्वारा वांछित सूचना/आख्या इस कार्यालय को उपलब्ध कराया गया है।

अतः प्रकरण में प्रभागीय वनाधिकारी, रेनुकूट द्वारा उपलब्ध कराई गयी सूचना/आख्या एतदसह तीन प्रतियों में संलग्नकर सूचनार्थ एवं आवश्यक अग्रेतर कार्यवाही हेतु आपकी सेवा में प्रेषित है।

संलग्नक- अपरोक्तानुसार।

भवदीय

(मनीष मिस्तल)

मुख्य वन संरक्षक

मीरजापुर क्षेत्र, मीरजापुर।

संख्या- 1282 /अ/समदिनांक।

प्रतिलिपि- प्रभागीय वनाधिकारी, रेनुकूट वन प्रभाग, रेनुकूट-सोनभद्र को उनके पत्र के क्रम में सूचनार्थ एवं आवश्यक अग्रेतर कार्यवाही हेतु प्रेषित।

(मनीष मिस्तल)

मुख्य वन संरक्षक

मीरजापुर क्षेत्र, मीरजापुर।



बातचीत नं. २२३९
दिनांक ०२/०९/२०२५

अभ्यान्वित सहायक D/Man
क०७०क०नि०ख०-३ पिपरी-सोनभद्र

कार्यालय प्रभागीय वनाधिकारी, रेनुकूट वन प्रभाग, रेनुकूट सोनभद्र - (उ०प्र०)



☎ 05446-252020

PIN Code: 231217

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पत्रांक- / रेनुकूट / 15-117 रेनुकूट, दिनांक, अम्भस्त, ०१ - ०९ - , 2025
सेवा में,

मुख्य वन संरक्षक
मीरजापुर क्षेत्र
मीरजापुर ।

विषय:- जनपद-सोनभद्र में कनहर सिचाई परियोजना के मुख्य नहरों एवं प्रणालियों हेतु रेनुकूट वन प्रभाग की 103.675 हे० आरक्षित वन भूमि के गैर वानिकी प्रयोग एवं बाधक 18282 वृक्षों का पातन तथा ओबरा वन प्रभाग की 23.4887 हे० आरक्षित वन भूमि के गैर वानिकी प्रयोग एवं बाधक 2928 वृक्षों का पातन अर्थात् कुल 127.1637 हे० आरक्षित वन भूमि के गैर वानिकी प्रयोग एवं कुल बाधक 21210 वृक्षों के पातन की अनुमति के संबंध में ।

संदर्भ:-
1-भारत सरकार , पर्यावरण , वन एवं जलवायु परिवर्तन मंत्रालय , क्षेत्रीय कार्यालय (मध्य) केन्द्रीय भवन, पंचम तल, सेक्टर-एच, अलीगंज लखनऊ का पत्र संख्या- 8बी/यू.पी./०२/३१/२०१८/एफ.सी. /६४६ दिनांक-२८.०५.२०२०
2- मुख्य वन संरक्षक/नोडल अधिकारी, उत्तर प्रदेश लखनऊ का पत्रांक- 2078/११-सी- FP/UP/Irrig/20269/2016 लखनऊ दिनांक- 02.06.2020
3-भारत सरकार , पर्यावरण , वन एवं जलवायु परिवर्तन मंत्रालय , क्षेत्रीय कार्यालय (मध्य) केन्द्रीय भवन, पंचम तल, सेक्टर-एच, अलीगंज लखनऊ का पत्र संख्या- 8बी/यू.पी./०२/३१/२०१८/एफ.सी. /७३० दिनांक-१०.०७.२०२०
4-मुख्य वन संरक्षक/नोडल अधिकारी, उत्तर प्रदेश लखनऊ का पत्रांक- 112/११-सी- FP/UP/Irrig/20269/2016 लखनऊ दिनांक- 15.०७.२०२०
6-भारत सरकार , पर्यावरण , वन एवं जलवायु परिवर्तन मंत्रालय , क्षेत्रीय कार्यालय, केन्द्रीय भवन, ग्यारवां तल, सेक्टर-एच, अलीगंज लखनऊ का पत्र संख्या-८बी/यू.पी./०२/३१/२०१८/एफ.सी./३२ दिनांक-०३.०७.२०२५
7-मुख्य वन संरक्षक/नोडल अधिकारी, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, उ०प्र०, लखनऊ का पत्रांक-६९/११-सी- FP/UP/Irrig/20269/2016 लखनऊ दिनांक- ०३.०७.२०२५
8-इस कार्यालय का पत्रांक- ५०३/रेनुकूट/१५-११७ दिनांक- १२.०८.२०२५
9-आपका पत्रांक-७२३/मी०क्षे०/३३ दिनांक- २०.०८.२०२५

महोदय,

विषयगत प्रकरण में संदर्भित पत्रों का अवलोकन करने की कृपा करे । प्रश्नगत प्रकरण में भारत सरकार के संदर्भित पत्र दिनांक- 28.05.2020 द्वारा 15 (पन्द्रह) शर्तों के अधीन जनपद-सोनभद्र में कनहर सिचाई परियोजना के मुख्य नहरों एवं प्रणालियों हेतु रेनुकूट वन प्रभाग की 103.675 हे० आरक्षित वन भूमि का गैर वानिकी प्रयोग एवं बाधक 18282 वृक्षों के पातन तथा ओबरा वन प्रभाग की 23.4887 हे० आरक्षित वन भूमि के गैर वानिकी प्रयोग एवं बाधक 2928 वृक्षों का पातन अर्थात् कुल 127.1637 हे० आरक्षित वन भूमि के गैर वानिकी प्रयोग एवं कुल बाधक 21210 वृक्षों के पातन की सैद्धान्तिक स्वीकृति प्रदान की गयी तथा पुनः भारत सरकार के संदर्भित पत्र दिनांक- 10.07.2020 द्वारा सैद्धान्तिक स्वीकृति आदेश में अधिरोरित शर्त संख्या- 12 में आंशिक संशोधन आदेश जारी किया गया ।

भारत सरकार द्वारा जारी सैद्धान्तिक स्वीकृति आदेश दिनांक-28.05.2020 एवं संशोधित आदेश दिनांक-10.07.2020 में अधिरोपित समस्त शर्तों की बिन्दुवार अनुपालन आख्या अधिशासी अभियन्ता, कनहर निर्माण खण्ड-तृतीय पिपरी-सोनभद्र के पत्र संख्या- 943/क०नि०ख०-३पि०/वन भूमि दिनांक-28.04.2025 द्वारा प्रभाग में दिनांक-30.04.2025 को उपलब्ध कराया गया । उपलब्ध करये गये आख्या के आधार पर प्रभाग की अनुपालन आख्या पत्र

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संख्या-4311/रेनुकूट/15-117 दिनांक-17.05.2025 द्वारा मुख्य वन संरक्षक मीरजापुर क्षेत्र, मीरजापुर की सेवा में प्रेषित की गयी। प्रभाग की आख्या को मुख्य वन संरक्षक मीरजापुर क्षेत्र मीरजापुर ने भी अपने कार्यालय के पत्र संख्या-4765/मी0क्षे0/33 दिनांक-27.05.2025 द्वारा अपर प्रधान मुख्य वन संरक्षक/नोडल अधिकारी उ0प्र0 लखनऊ को आवश्यक कार्यवाही हेतु प्रेषित की गयी। उक्त के उपरान्त मुख्य वन संरक्षक/नोडल अधिकारी पर्यावरण वन एवं जलवायु परिवर्तन विभाग उ0प्र0 लखनऊ ने अपने कार्यालय के पत्र संख्या-3538/11-सी- FP/UP/Irrig/20269/2016 लखनऊ दिनांक- 02.06.2025 द्वारा आख्या उप वन महानिदेशक (केन्द्रीय) भारत सरकार पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय क्षेत्रीय कार्यालय(मध्य क्षेत्र), केन्द्रीय भवन अलीगंज लखनऊ को प्रेषित करते हुए विधिवत स्वीकृति निर्गत करने हेतु अनुरोध किया गया।

उक्त के उपरान्त भारत सरकार ,पर्यावरण ,वन एवं जलवायु परिवर्तन मंत्रालय , क्षेत्रीय कार्यालय, केन्द्रीय भवन, ग्यारवां तल,सेक्टर-एच, अलीगंज लखनऊ के सन्दर्भित पत्र दिनांक-03.07.2025 द्वारा तीन बिन्दुओं से सम्बन्धित सूचना/अनुपालन आख्या उपलब्ध कराने हेतु निर्देशित किया गया। उक्त निर्देशो की अनुपालन आख्या उपलब्ध कराने हेतु प्रभाग के पत्र संख्या-109/रेनुकूट/15-117 दिनांक-10.07.2025 एवं पत्र संख्या-419/रेनुकूट/15-117 दिनांक-05.08.2025 द्वारा प्रयोक्ता अभिकरण से अनुरोध किया गया। प्रयोक्ता अभिकरण के अधिशासी अभियन्ता कनहर निर्माण खण्ड प्रथम पिपरी, सोनभद्र ने अपने पत्र संख्या-446/क0नि0ख0प्र0/वन भूमि दिनांक-08.08.2025 द्वारा अनुपालन आख्या प्रभाग में उपलब्ध कराया गया। प्रयोक्ता अभिकरण द्वारा उपलब्ध कराये गये आख्या एवं प्रभाग में उपलब्ध अभिलेखों के आधार पर भारत सरकार द्वारा मॉगी गयी वांछित सूचना/अनुपालन आख्या इस कार्यालय के संदर्भित पत्र दिनांक- 12.08.2025 द्वारा अग्रेत्तर कार्यवाही हेतु मुख्य वन संरक्षक, मीरजापुर क्षेत्र, मीरजापुर की सेवा में प्रेषित किया गया। मुख्य वन संरक्षक, मीरजापुर क्षेत्र, मीरजापुर ने अपने कार्यालय के संदर्भित पत्र दिनांक- 20.08.2025 द्वारा दो बिन्दुओं पर स्थिति स्पष्ट करते हुए बिन्दुवार अनुपालन आख्या टेबुलर फार्म में तैयार कराते हुए प्रस्तुत करने हेतु निर्देशित किया गया। उक्त निर्देशो के अनुपालन में प्रभाग के पत्र संख्या- 6744/रेनुकूट/15-117 दिनांक-23.08.2025 द्वारा अनुपालन आख्या उपलब्ध कराने हेतु प्रयोक्ता अभिकरण से अनुरोध किया गया। प्रयोक्ता अभिकरण के अधिशासी अभियन्ता, कनहर निर्माण खण्ड तृतीय पिपरी-सोनभद्र ने अपने कार्यालय के पत्र संख्या- 1325/क0नि0ख0-4 पि0/वन भूमि/ दिनांक - 27.08.2025 द्वारा आख्या प्रभाग में उपलब्ध कराया गया है। प्रभाग में उपलब्ध कराये गये आख्या के आधार पर प्रभाग की बिन्दुवार संशोधित आख्या निम्नानुसार संस्तुति सहित अग्रन्तर कार्यवाही हेतु प्रेषित है:-

क्र० सं०	भारत सरकार ,पर्यावरण ,वन एवं जलवायु परिवर्तन मंत्रालय , क्षेत्रीय कार्यालय, केन्द्रीय भवन, ग्यारवां तल,सेक्टर-एच, अलीगंज लखनऊ का पत्र संख्या-8बी/यू.पी. /02/31/2018/एफ.सी./32 दिनांक-03.07.2025 में अंकित बिन्दु का विवरण	अनुपालन आख्या
1	2	3
1	The Stage-I approval in the instant proposal was accorded on 28.05.2020 and the compliance details submitted by the user agency as per part-II of the proposal is on 31.05.2025. Hence, as per Para 3.3(b) of Chapter-3 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. The new rate will be applicable on all case that were granted Stage-I / In-principal approval prior to 06.01.2022 and where even after lapses of 5 years, the Stage-II/Final approval is not granted due to non-submission of complete compliance of the condition stipulated in Stage-I/In-principal approval. Accordingly, revised rate of NPV shall be deposited by the user agency.	इस बिन्दु के अनुपालन में परीक्षणोपरान्त निम्न प्रकार अवगत कराना है:- 1- प्रश्नगत प्रकरण में भारत सरकार, पर्यावरण ,वन एवं जलवायु परिवर्तन मंत्रालय, क्षेत्रीय कार्यालय (मध्य) केन्द्रीय भवन, पंचम तल, सेक्टर-एच, अलीगंज लखनऊ के पत्र संख्या- 8बी/यू.पी. /02/31/2018/एफ.सी./646 दिनांक-28.05.2020 द्वारा कतिपय शर्तों के अधीन सैद्धान्तिक स्वीकृति जारी की गयी। 2-उक्त सैद्धान्तिक स्वीकृति आदेश दिनांक-28.05.2020 में अधिरोपित शर्त संख्या-12 के सम्बन्ध में भारत सरकार , पर्यावरण , वन एवं जलवायु परिवर्तन मंत्रालय , क्षेत्रीय कार्यालय (मध्य) केन्द्रीय भवन, पंचम तल, सेक्टर-एच, अलीगंज लखनऊ के पत्र संख्या- 8बी/यू.पी./02/31/2018/एफ.सी. /730 दिनांक-10.07.2020 द्वारा शुद्धि पत्र जारी किया गया।

3-भारत सरकार द्वारा जारी सैद्धान्तिक स्वीकृती आदेश दिनांक-28.05.2020 व संशोधित आदेश दिनांक-10.07.2020 में अधिरोपित शर्तों के अनुपालन में प्रयोक्ता अभिकरण द्वारा एन0पी0वी0 की धनराशि, क्षतिपूरक वनीकरण की धनराशि एवं सघनीकरण वृक्षारोपण की धनराशि प्रयोक्ता अभिकरण द्वारा दिनांक-09.01.2021 को परिवेश पोर्टल से उत्पन्न ई-चालान के माध्यम से उ0प्र0 कैम्पा में जमा किया गया।

4- भारत सरकार द्वारा जारी सैद्धान्तिक स्वीकृती आदेश दिनांक-28.05.2020 में अधिरोपित शर्त संख्या-2 के अनुपालन में परियोजना में प्रभावित 127.1637 हे0 आरक्षित वनभूमि के सापेक्ष 160.7608 हे0 गैर वन भूमि (सिंचाई एवं जल संसाधन विभाग उ0प्र0 की भूमि) वन विभाग को उपलब्ध कराये जाने हेतु विशेष सचिव उ0प्र0 शासन सिंचाई एवं जल संसाधन विभाग अनुभाग-3 उ0प्र0 लखनऊ के पत्र संख्या-33/1522/22-27-सी0-3-142एल/20 लखनऊ दिनांक-09.11.2022 द्वारा प्रमुख अभियन्ता एवं विभागाध्यक्ष, सिंचाई एवं जल संसाधन विभाग उ0प्र0 लखनऊ को प्रेषित किया गया।

5- प्रश्नगत प्रकरण में विशेष सचिव उ0प्र0 शासन सिंचाई एवं जल संसाधन विभाग अनुभाग-3 उ0प्र0 लखनऊ के पत्र संख्या-33/1522/22-27-सी0-3-142 एल/20 लखनऊ दिनांक-09.11.2022 द्वारा जारी आदेश के अनुपालन में ग्राम-कुदरी की 28.1442 हे0, कोरची की 62.8016 हे0 एवं भिसुर की 69.8110 हे0 कुल 160.7608 हे0 सिंचाई विभाग के नाम दर्ज गैर वन भूमि को वन विभाग रेनुकूट वन प्रभाग के नाम राजस्व अभिलेखों में दर्ज किये जाने हेतु प्रयोक्ता अभिकरण द्वारा उप जिलाधिकारी/तहसीलदार दुद्धी, जिला-सोनभद्र से अनुरोध किया गया। उक्त अनुरोध के क्रम में उप जिलाधिकारी दुद्धी-सोनभद्र के निर्देशानुसार ग्राम-कुदरी, कोरची एवं भिसुर में कुल 160.7608 हे0 गैर वन भूमि से आच्छादित 945 गाटाओं को नये तकनीक के आधार पर वन विभाग के नाम राजस्व अभिलेखों में अमलदरामद करते हुए अलग-अलग खतौनी तैयार किया गया, जिसके तैयार किये जाने में तकनीकी कारणों से समय लगा है। उक्त अमलदरामद/खतौनी तैयार करने की कार्यवाही अन्तिम रूप से दिनांक- 14.11.2024 तक पूर्ण किया गया।

6-उपरोक्तानुसार अमलदरामद की कार्यवाही पूर्ण होने के उपरान्त प्रयोक्ता अभिकरण द्वारा 160.7608

हे0 गैर वन भूमि से आच्छादित 945 गाटाओं को मानचित्र पर चिन्हित करते हुए प्रश्नगत प्रकरण में पूर्ण रूप से बिन्दुवार अनुपालन आख्या प्रयोक्ता अभिकरण के पत्र संख्या-943/क0नि0ख0-3पि0/वन भूमि दिनांक-28.04.2025 द्वारा प्रभाग में उपलब्ध कराया गया। उपलब्ध करये गये आख्या के आधार पर प्रभाग की अनुपालन आख्या पत्र संख्या-4311/रेनुकूट/15-117 दिनांक-17.05.2025 द्वारा मुख्य वन संरक्षक मीरजापुर क्षेत्र, मीरजापुर की सेवा में प्रेषित की गयी। प्रभाग की आख्या को मुख्य वन संरक्षक मीरजापुर क्षेत्र मीरजापुर ने भी अपने कार्यालय के पत्र संख्या-4765/मी0क्षे0/33 दिनांक-27.05.2025 द्वारा अपर प्रधान मुख्य वन संरक्षक/नोडल अधिकारी उ0प्र0 लखनऊ को आवश्यक कार्यवाही हेतु प्रेषित की गयी। उक्त के उपरान्त मुख्य वन संरक्षक/नोडल अधिकारी पर्यावरण वन एवं जलवायु परिवर्तन विभाग उ0प्र0 लखनऊ ने अपने कार्यालय के पत्र संख्या-3538/11-सी-FP/UP/Irrig/20269/2016 लखनऊ दिनांक- 02.06.2025 द्वारा आख्या उप वन महानिदेशक (केन्द्रीय) भारत सरकार पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय क्षेत्रीय कार्यालय(मध्य क्षेत्र), केन्द्रीय भवन अलीगंज लखनऊ को प्रेषित करते हुए विधिवत स्वीकृति निर्गत करने हेतु अनुरोध किया गया।

7-इस प्रकार प्रश्नगत प्रकरण में भारत सरकार द्वारा जारी सैद्धान्तिक स्वीकृति आदेश दिनांक-28.05.2020 व संशोधित आदेश दिनांक-10.07.2020 के उपरान्त दिनांक-28.04.2025 द्वारा प्रभाग में 5 वर्ष पूर्व ही उपलब्ध कराया गया जिसे प्रभाग द्वारा उच्च स्तर के माध्यम से दिनांक-02.06.2025 द्वारा भारत सरकार की सेवा में प्रेषित की गयी है।

इस प्रकार प्रश्नगत प्रकरण में उपरोक्तानुसार स-समय अनुपालन आख्या उच्च स्तर पर प्रेषित किया गया है। अनुपालन आख्या प्रेषित करने में किसी भी स्तर से जानबुझ कर कोई विलम्ब नहीं किया गया है।

अतः प्रश्नगत प्रकरण में वन (संरक्षण) एवं संवर्धन नियम 2022 के चैप्टर-3 के क्लॉज-3.3 बी के अनुसार एन0पी0वी की नई दर की देयता नहीं बनती है, का उल्लेख प्रयोक्ता अभिकरण द्वारा अपने पत्र दिनांक- 08.08.2025 (छाया प्रति संलग्न) में किया गया तथा पुनः अपने पत्र दिनांक-27.08.2025 (छाया प्रति

		संलग्न) में अनुपालन आख्या समय-सीमा के अन्तर्गत उपलब्ध कराने का उल्लेख किया गया । प्रश्नगत प्रकरण में उपरोक्तानुसार उल्लिखित विवरण अभिलेखीय है जिस पर सहमती/संस्तुति सहित रिपोर्ट प्रेषित है।
2	As per condition no. 13 of In-principal approval, The State Government and the User Agency should ensure strict compliance of the various recommendations made in the report of the committee on different components of the Terms of Reference.	इस बिन्दु के अनुपालन में अवगत कराना है कि माननीय एन0जी0टी0 द्वारा पारित आदेश दिनांक- 24.03.2015/07.05.2015 का अनुपालन गठित समिति द्वारा करते हुए सभी बिन्दुओं की अनुपालन संबंधी रिपोर्ट माननीय एन0जी0टी0 के समक्ष प्रस्तुत किया गया है जिसकी छाया प्रति संलग्न है।
3	As per condition no. 15 of In-principal approval, CAT Plan has to be approved by the Ministry which should be taken up by the State Government and copy of approved CAT Plan shall be submitted to this office.	इस बिन्दु के अनुपालन में अवगत कराना है कि सचिव उ0प्र0 शासन लखनऊ के पत्रांक-307/81-2-2002-800(118)/2017 दिनांक-03.03.2022 द्वारा कैट प्लान की प्रति अनुमोदन हेतु भारत सरकार की सेवा में प्रेषित की गयी। भारत सरकार ने अपने पत्रांक-08बी/यू0पी0/02/31/2016/एफ0सी0/758 दिनांक- 10.03.2022 द्वारा यह सूचित किया गया कि सैद्धान्तिक स्वीकृति की पूर्ण अनुपालन आख्या उपलब्ध कराने के उपरान्त कैट प्लान के संबंध में आगे की कार्यवाही की जायेगी। उक्त पत्र दिनांक- 10.03.2022 की छाया प्रति संलग्न है।

अतः आपसे अनुरोध है कि उक्त अनुपालन आख्या के आधार पर प्रश्नगत प्रकरण में भारत सरकार/उ0प्र0 सरकार के स्तर से विधिवत स्वीकृति जारी किये जाने के संबंध में अग्रेत्तर कार्यवाही करने की कृपा करें।

संलग्नक:-उपरोक्तानुसार।

भवदीय

(कमल कुमार)

प्रभागीय वनाधिकारी

रेनुकूट वन प्रभाग, रेनुकूट

संख्या- 759 अ/सम दिनांकित।

प्रतिलिपि:-अधिशाली अभियन्ता, कनहर निर्माण खण्ड-प्रथम पिपरी-सोनभद्र को उनके पत्र संख्या- 1325/क0नि0ख0-3 पि0/वन भूमि दिनांक- 27.08.2025 के क्रम में सूचनार्थ एवं इस आशय से प्रेषित कि प्रश्नगत प्रकरण में भारत सरकार के स्तर से विधिवत स्वीकृति जारी कराये जाने हेतु अग्रेत्तर कार्यवाही करने का कष्ट करे।

(कमल कुमार)

प्रभागीय वनाधिकारी

रेनुकूट वन प्रभाग, रेनुकूट

बावरी 2135
दिनांक 13/8/2025
अम्बान्त महायक D/Man
कनहर निर्माण खण्ड-3 पिपरी-सोनभद्र

कार्यालय अधिषासी अभियन्ता, कनहर निर्माण खण्ड-प्रथम
पिपरी-सोनभद्र

पिन कोड-231221

E-Mail- eekcd1pipriup@gmail.com

पत्रांक: 446/क0नि0ख0प्र0/वनभूमि/
सेवा में,

दिनांक: 08/08/2025

प्रभागीय वनाधिकारी, रेनुकूट वनप्रभाग, रेनुकूट-सोनभद्र।

विषय: जनपद-सोनभद्र में कनहर सिंचाई परियोजना के मुख्य नहरों एवं प्रणालियों हेतु रेनुकूट वन प्रभाग की 103.675 हे0 आरक्षित वन भूमि के गैर वानिकी प्रयोग एवं बाधक 18282 वृक्षों का पातन तथा ओबरा वन प्रभाग की 23.4887 हे0 आरक्षित वन भूमि के गैर वानिकी प्रयोग एवं बाधक 2928 वृक्षों का पातन अर्थात् कुल 127.1637 हे0 आरक्षित वन भूमि के गैर वानिकी प्रयोग एवं कुल बाधक 21210 वृक्षों के पातन की अनुमति के सम्बंध में।

- संदर्भ:
1. भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, क्षेत्रीय कार्यालय (मध्य) केन्द्रीय भवन, पंचम तल, सेक्टर-एच, अलीगंज लखनऊ का पत्र संख्या-8बी/यू0पी0/ 02/31/2018/एफ.सी./646 दिनांक-28.05.2020।
 2. भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, क्षेत्रीय कार्यालय (मध्य) केन्द्रीय भवन, पंचम तल, सेक्टर-एच, अलीगंज लखनऊ का पत्र संख्या-8बी/यू0पी0/ 02/31/2018/एफ.सी./730 दिनांक-10.07.2020।
 3. भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, क्षेत्रीय कार्यालय (मध्य) केन्द्रीय भवन, पंचम तल, सेक्टर-एच, अलीगंज लखनऊ का पत्र संख्या-8बी/यू0पी0/ 02/31/2018/एफ.सी./32 दिनांक-03.07.2025।
 4. मुख्य वन संरक्षक/नोडल अधिकारी, उत्तर प्रदेश लखनऊ का पत्रांक-69/ 11-सी-FP/ UP/ Irrig /20269/2016 लखनऊ दिनांक-03.07.2025।
 5. आपके कार्यालय के पत्रांक-419/रेनुकूट/15-117/रेनुकूट दिनांक 05.08.2025।

महोदय,

विषयगत प्रकरण में संदर्भित पत्रों का अवलोकन करने का कष्ट करे, प्रश्नगत प्रकरण में भारत सरकार के संदर्भित पत्र दिनांक 03.07.2025 द्वारा तीन बिन्दुओं से सम्बन्धित सूचना/अभिलेखों की मांग की गयी है जिसके क्रम में आप द्वारा संदर्भित पत्र दिनांक 10.07.2015 द्वारा आख्या मांगी गई, जिसकी आख्या अधोहस्ताक्षरी द्वारा संदर्भित पत्र दिनांक 19.07.2025 द्वारा दी गयी परन्तु पुनः आपने संदर्भित पत्र दिनांक 05.08.2025 द्वारा दो बिन्दुओं पर कमियों/अभिलेखों का अभाव के कारण आख्या मांगी गयी। आपके संदर्भित पत्र दिनांक 05.08.2025 एवं भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, क्षेत्रीय कार्यालय (मध्य) केन्द्रीय भवन, पंचम तल, सेक्टर-एच, अलीगंज लखनऊ का पत्र संख्या-8बी/यू0पी0/02/31/2018/एफ.सी./32 दिनांक-03.07.2025 द्वारा तीनों बिन्दुओं की सूचना/अभिलेख का सम्पूर्ण विवरण निम्नवत है-

क्र०सं०	भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, क्षेत्रीय कार्यालय (मध्य) केन्द्रीय भवन, पंचम तल, सेक्टर-एच, अलीगंज लखनऊ का पत्र संख्या-8बी/यू०पी०/०२/३१/२०१८/एफ.सी./३२ दिनांक-०३.०७.२०२५।	आपके कार्यालय के पत्रांक-४१९ /रेनुकूट /१५-११७/रेनुकूट दिनांक ०५.०८.२०२५।	आख्या
1.	The Stage-I approval in the instant proposal was accorded on 28.05.2020 and the compliance details submitted by the user agency as per part-II of the proposal is on 31.05.2025. Hence, as per Para 3.3(b) of Chapter-3 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, the new rates will be applicable on all the cases that were granted Stage-I/In-principal approval prior to 06.01.2022 and where even after lapse of 5 years, the Stage-II/Final approval is not granted due to non-submission of complete compliance of the conditions stipulated in Stage-I/In-principal approval. Accordingly, revised rates of NPV shall be deposited by the user agency.	भारत सरकार के संदर्भित पत्र दिनांक- 03.07.2025 के बिन्दु संख्या-१ के अनुपालन में आपके द्वारा प्रश्नगत प्रकरण में सैद्धान्तिक स्वीकृति आदेश जारी होने की तिथि दिनांक- 28.05.2025 एवं संशोधित तिथि दिनांक- 10.07.2020 से अनुपालन आख्या प्रभाग में उपलब्ध कराये जाने की तिथि दिनांक- 30.04.2025 तक हुए विलम्ब/विभिन्न स्तरों से कार्यवाही किये जाने की तिथिवार विवरण उपलब्ध न कराकर केवल यह कहा गया है कि प्रश्नगत प्रकरण में ०५ वर्ष पूर्ण ही अनुपालन किया गया है। इस कारण वर्तमान मूल्य (एन०पी०वी) की संशोधित धनराशि देय नहीं है। यह स्वीकार्य योग्य नहीं है। कृपया प्रश्नगत प्रकरण में सैद्धान्तिक स्वीकृति आदेश जारी होने	भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, क्षेत्रीय कार्यालय (मध्य) केन्द्रीय भवन, पंचम तल, सेक्टर-एच, अलीगंज लखनऊ द्वारा कनहर सिंचाई परियोजना की नहर प्रणालियों के लिए आवश्यक 127.1637 हे० वन भूमि गैर वानिकी प्रयोग हेतु संदर्भित पत्र दिनांक 28.05.2020 द्वारा 15 शर्तों के साथ सैद्धान्तिक स्वीकृति दी गयी। शर्त संख्या 12 में त्रुटि होने के कारण पुनः संदर्भित पत्र दिनांक 10.07.2020 द्वारा शुद्धि पत्र जारी किया गया। इसके बाद से विभाग द्वारा स्टेज-१ की सैद्धान्तिक स्वीकृति की अनुपालना प्रारम्भ किया गया जिसके क्रम में पेड़ों के छपान/गणना के लिए दिसम्बर 2020 में भुगतान किया गया तथा नोडल अधिकारी लखनऊ द्वारा जनरेटेड चालान पर एन०पी०वी० (NPV), संवर्धन (Enrichment), एवं क्षतिपूरक वनीकरण के लिए कैम्पा शीर्षक में कुल रू० 39,98,95,609.00 दिनांक 12.01.2021 को UTR के माध्यम से जमा किया गया।

		की तिथि से अनुपालन आख्या उपलब्ध कराये जाने की तिथि तक बिन्दुवार आख्या उपलब्ध कराने का कष्ट करें।	भारत सरकार पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय द्वारा सैद्धान्तिक स्वीकृति में दी गयी, शर्तों का अनुपालना अधिशासी अभियन्ता, कनहर निर्माण खण्ड-तृतीय, के कार्यालय पत्रांक-642/क0नि0ख0-3,पि0/वनभूमि/ दिनांक 28.03.2022 द्वारा प्रस्तुति की गई जिसमें भूमि हस्तानान्तरण के अलावा सभी शर्तों का अनुपालन किया गया। कनहर सिंचाई परियोजना के अन्तर्गत नहर प्रणालियों के लिए आवश्यक 127.1637 हे0 वन भूमि के बदले 160.7608 हे0 गैर वन भूमि के हस्तानान्तरण हेतु उत्तर प्रदेश के शासनादेशसंख्या-33/1522/22-27-सिं0-3-142-एल/20 दिनांक 09.11.2022 द्वारा प्राप्त हुआ। शासनादेश प्राप्त होने के उपरान्त 160.7608 हे0 सिंचाई विभाग की भूमि आपके नाम हस्तानान्तरित कराकर खतौनी सहित सम्पूर्ण अनुपालना दिनांक 19.08.2023 को आपको प्रेषित किया गया। परन्तु आप द्वारा ग्राम भीसुर की खतौनी के कालम नं0-16 में भूमि विवरण उपलब्ध न होने के कारण प्रस्ताव को अग्रसारित नहीं किया गया। दिनांक 04.09.2023 को खतौनी कालम-16 में न दिखनेवाली विवरण के लिए उपजिलाधिकारी दुद्धी द्वारा आपको सम्बोधित पत्र संख्या-1036/कनहर/वनभूमि/ दिनांक 04.09.2023 द्वारा अवगत कराया गया कि कुछ तकनीकी रुकावटों के कारण उद्धरण खतौनी के कालम नं0-16 पर क्षेत्रफल प्रदर्शित नहीं हो रहा है। लेकिन भीसुर
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			की हस्तान्तरित की जाने वाली भूमि/गाटों का खारिज दाखिल किया जा चुका है।(छायाप्रति संलग्न) तहसील दुहरी की तकनीकी रूकावट दूर होने के उपरान्त अंतिम रूप से खतौनी 14.11.2024 को प्राप्त हुआ। तदुपरान्त 25.02.2025 को अनुपालना प्रस्ताव पुनः प्रेषित किया गया जिसमें कब्जा प्रमाण पत्र एवं सजरा मैप में कुछ संशोधन करने हेतु आप द्वारा निर्देशित किया गया। पुनः पूर्ण रूप से संशोधित अनुपालना प्रस्ताव अधिशासी अभियन्ता, कनहर निर्माण खण्ड-तृतीय, पिपरी के पत्रांक-943/दिनांक 28.04.2025 को आपकी सेवा में अग्रिम आवश्यक कार्यवाही हेतु प्रेषित किया गया था, जो सैद्धान्तिक स्वीकृति दिनांक 28.05.2020 से 5 वर्ष की अवधि के अन्दर प्रेषित किया गया है। वन संरक्षण एवं संवर्धन नियम 2022 के चैप्टर 03 के क्लास 3.3 बी के अनुसार एन0पी0वी0 की नई दर की देयता नहीं बनती है क्योंकि 05 वर्ष के अन्दर अनुपालना पूर्णरूप से कर दिया गया है।
2.	As per condition no.13 of In-principle approval, The State Government and the User Agency should ensure strict compliance of the various recommendations made in the report of the committee on different components of the Terms of reference.	भारत सरकार के संदर्भित पत्र दिनांक- 03.07.2025 के अनुपालन में आपके द्वारा पूर्व में प्रेषित बचनबद्धता प्रमाण पत्र की छायाप्रति उपलब्ध कराया गया है जो स्वीकार्य योग्य नहीं है। कृपया बचनबद्धता प्रमाण पत्र की अद्यतन मूल प्रति उपलब्ध कराने का कष्ट करें।	इस बिन्दु के अनुपालन में बचनबद्धता की प्रमाणित प्रति इस कार्यालय के उपरोक्त संदर्भित पत्र दिनांक 28.04.2025 द्वारा उपलब्ध करा दिया गया है। पुनः मूल प्रति आवश्यक कार्यवाही हेतु प्रेषित है।

3.	As per condition no. 15 of In-principle approval, CAT plan has to be approved by the Ministry which should be taken up by the State Government and copy of approved CAT plan needs to be uploaded on PARIVESH Portal.	CAT प्लान तैयार कर उचित माध्यम से भारत सरकार पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय क्षेत्रीय कार्यालय (मध्य), लखनऊ को पत्रांक-531/क0नि0 ख0-3, पि0/वन भूमि, दिनांक 22.01.2022 द्वारा स्वीकृति के लिए प्रेषित किया गया है, जिसके क्रम में भारत सरकार द्वारा निर्देशित किया गया है कि सैद्धान्तिक स्वीकृति में दिये गये 15 शर्तों में से 14 शर्तों के अनुपालन के पश्चात CAT प्लान स्वीकृत किया जायेगा।
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(वीर बहादुर सिंह)
अधिशाली अभियन्ता

पत्रांक: 446/क0नि0ख0प्र0/वनभूमि/तदिनांक

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

1. मुख्य अभियन्ता, कनहर सिंचाई परियोजना, विन्ध्याचल, मिर्जापुर।
2. अधीक्षण अभियन्ता, कनहर निर्माण मण्डल, पिपरी-सोनभद्र।
3. अधिशाली अभियन्ता, कनहर निर्माण खण्ड-तृतीय, पिपरी-सोनभद्र।

(वीर बहादुर सिंह)
अधिशाली अभियन्ता

प्रेषक,

डॉ० अरविन्द कुमार चौरसिया,
विशेष सचिव,
उ०प्र० शासन।

सेवा में,

प्रमुख अभियन्ता एवं विभागाध्यक्ष,
सिंचाई एवं जल संसाधन विभाग,
उ०प्र०, लखनऊ।

सिंचाई एवं जल संसाधन अनुभाग-3

लखनऊ: दिनांक 09 नवम्बर, 2022

विषय- कनहर सिंचाई परियोजना के अन्तर्गत नहर प्रणालियों के लिए आवश्यक 127.1637 हे० वन भूमि के बदले 160.7608 हे० गैर वन भूमि के हस्तान्तरण के सम्बन्ध में।

महोदय,

उपर्युक्त विषयक कनहर सिंचाई परियोजना के अन्तर्गत नहर प्रणालियों के लिए आवश्यक 127.1637 हे० वन भूमि के बदले 160.7608 हे० गैर वन भूमि को हस्तान्तरित किए जाने हेतु शासनादेश संख्या-2050/05-27-सिं-3-08एल/05, दिनांक 03.10.2005 द्वारा गठित मुख्य सचिव स्तरीय समिति की बैठक दिनांक 08.02.2022 के कार्यवृत्त से सम्बन्धित अपने पत्र संख्या-103/अनि/अनिमं-6/यू-2/मुख्य सचिव बैठक, दिनांक 11.02.2022 का कृपया सन्दर्भ ग्रहण करने का कष्ट करें।

2- इस सम्बन्ध में मुझे यह कहने का निदेश हुआ है कि मुख्य सचिव स्तरीय समिति की दिनांक 08.02.2022 को सम्पन्न बैठक में कनहर सिंचाई परियोजना के अन्तर्गत नहर प्रणालियों हेतु रेनूकूट वन प्रभाग में 103.675 हे० एवं ओबरा वन प्रभाग में 23.4887 हे०, कुल 127.1637 हे० वन भूमि का गैर वानिकी उपयोग तथा सिंचाई एवं जल संसाधन विभाग, उ०प्र० की कुल 160.7608 हे० गैर वन भूमि (कृषक भूमि) के सम्बन्ध में विचार किया गया। इस भूमि के हस्तांतरण से परियोजना की 22 नहरों के 97 भागों को पूर्ण किया जायेगा।

3- अतः दिनांक 08.02.2022 को सम्पन्न बैठक में मुख्य सचिव स्तरीय समिति द्वारा की गयी संस्तुति पर सम्यक विचारोपरान्त श्री राज्यपाल कनहर सिंचाई परियोजना के अन्तर्गत नहर प्रणालियों के लिए आवश्यक 127.1637 हे० वन भूमि अधिशासी अभियन्ता, कनहर निर्माण खण्ड-तृतीय, पिपरी सोनभद्र के नाम तथा उक्त के बदले सिंचाई एवं जल संसाधन विभाग, उ०प्र० के स्वामित्व की जनपद-सोनभद्र की दुद्धी तहसील में स्थित ग्राम भीसुर (69.811 हे०), ग्राम कोरची (62.8016 हे०) एवं ग्राम कुदरी (28.1482 हे०) अर्थात् कुल 160.7608 हे० गैर वन भूमि (कृषक भूमि) प्रभागीय वनाधिकारी, रेनूकूट वन प्रभाग, रेनूकूट सोनभद्र के नाम निम्न शर्तों के अधीन एतद्वारा हस्तान्तरित किए जाने की सहर्ष स्वीकृति प्रदान करते हैं:-

- (1) प्रस्तावित भूमि से सम्बन्धित राजस्व अभिलेखों की भली-भाँति पुष्टि करने के उपरान्त ही भूमि हस्तान्तरण की कार्यवाही सुनिश्चित की जाए।
- (2) वित्त विभाग के शासनादेश संख्या-ए-2-75/दस-77-14(4)/74, दिनांक 03.02.1977 में राज्य के एक सेवा विभाग (Service Department) द्वारा दूसरे सेवा विभाग को भूमि हस्तान्तरण के सम्बन्ध में की गयी व्यवस्था के क्रम में कार्यवाही सुनिश्चित की जाए।
- (3) प्रश्रुत क्षेत्र में अवस्थित वन भूमि के गैर वानिकी प्रयोग हेतु वन (संरक्षण) अधिनियम, 1980 के अन्तर्गत भारत सरकार से पूर्वानुमति की आवश्यकता होगी।
- (4) यदि यह भूमि वन्य जीव विहार/राष्ट्रीय पार्क में अवस्थित पायी जाती है तो राष्ट्रीय वन्य जीव बोर्ड, नई दिल्ली के साथ-साथ मा० सर्वोच्च न्यायालय की अनुमति प्राप्त करनी होगी।
- (5) इसके अतिरिक्त यदि प्रश्रुत क्षेत्र वन्य जीव विहार/राष्ट्रीय पार्क की सीमा से 10 किमी० एवं इको सेन्सिटिव जोन के अन्तर्गत अवस्थित है, तब राष्ट्रीय वन्य जीव बोर्ड, नई दिल्ली से भी अनुमति की आवश्यकता होगी।
- (6) गैर वन भूमि/कृषि भूमि पर अवस्थित वृक्षों के पातन हेतु वृक्ष (संरक्षण) अधिनियम, 1976 के अन्तर्गत प्रभागीय वनाधिकारी से पातन की अनुमति प्राप्त करनी होगी।

- (7) प्रश्रुगत क्षेत्र में परियोजना की स्थापना के पूर्व सम्बन्धित संस्था के द्वारा पर्यावरण (संरक्षण) अधिनियम, 1986 के प्राविधानों के अनुरूप यथाआवश्यकता पर्यावरणीय क्लीयरेंस लिया जाना होगा एवं पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार द्वारा निर्गत पर्यावरण संघात अधिसूचना 2006 यथासंशोधित के प्राविधानों के अनुसार सक्षम स्तर से नियमानुसार पर्यावरणीय अनापत्ति प्राप्त किया जाना अनिवार्य होगा।
 - (8) प्रश्रुगत क्षेत्र के अन्तर्गत प्रदूषण स्रोतों से संबंधित इकाइयों की स्थापना के पूर्व जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम 1974 एवं वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1981 के सुसंगत प्राविधानों के अनुसार नियमानुसार स्थापनार्थ सहमति प्राप्त किया जाना अनिवार्य होगा।
 - (9) प्रश्रुगत क्षेत्र के अन्तर्गत प्रदूषण स्रोतों से संबंधित इकाइयों के संचालन के पूर्व जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम 1974 एवं वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम 1981 के सुसंगत प्राविधानों के अनुसार नियमानुसार संचालनार्थ सहमति प्राप्त किया जाना अनिवार्य होगा।
 - (10) प्रश्रुगत क्षेत्र के अन्तर्गत प्रदूषण नियंत्रण व्यवस्थाओं के सुचारू संचालन का ऑनलाइन अनुश्रवण उ0प्र0 प्रदूषण नियंत्रण बोर्ड मुख्यालय पर स्थापित कंट्रोल रूम के माध्यम से किए जाने के दृष्टिगत उक्त इकाइयों में उचित स्थलों पर पी0टी0जेड0 रोटेटिंग कैमरा ओपेन एक्सेस व्यवस्था के अनुसार स्थापित कराया जाए।
 - (11) प्रश्रुगत क्षेत्र के अन्तर्गत जनित होने वाले अपशिष्टों का पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार द्वारा निर्गत सुसंगत अपशिष्ट प्रबन्धन नियमों के प्राविधानों के अनुसार पृथक्कीकरण, एकत्रण एवं प्रबन्धन सुनिश्चित किया जायेगा।
 - (12) प्रश्रुगत क्षेत्र के अन्तर्गत समुचित पर्यावरण प्रबन्धन सुनिश्चित किया जायेगा।
 - (13) पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार द्वारा वन एवं वन्यजीवों के संरक्षण, सुरक्षा एवं विकास के लिए समय-समय पर जो अन्य शर्तें/प्राविधान निर्धारित किया गया हो, उनका भी अनुपालन सुनिश्चित किया जायेगा।
- 4- कृपया उपर्युक्त आदेशों के अनुसार कार्यवाही सुनिश्चित की जाए। उक्त आदेशों के अनुपालन का पूर्ण दायित्व प्रमुख अभियन्ता एवं विभागाध्यक्ष, सिंचाई एवं जल संसाधन विभाग, उ0प्र0, लखनऊ का होगा।

भवदीय,

डॉ0 अरविन्द कुमार चौरसिया
विशेष सचिव

पृष्ठांकन संख्या एवं दिनांक यथोक्त।

1. अपर मुख्य सचिव, मा0 मुख्यमंत्री जी, उ0प्र0 शासन।
2. अपर मुख्य सचिव, राजस्व विभाग, उ0प्र0 शासन।
3. अपर मुख्य सचिव, पर्यावरण वन एवं जलवायु परिवर्तन विभाग, उ0प्र0 शासन।
4. स्टाफ ऑफिसर, मुख्य सचिव, उ0प्र0 शासन।
5. जिलाधिकारी, सोनभद्र, उ0प्र0।
6. मुख्य अभियन्ता (अग्रिम नियो0), सिंचाई एवं जल संसाधन विभाग, उ0प्र0, लखनऊ।
7. मुख्य अभियन्ता, कनहर सिंचाई परियोजना (विंध्यांचल), मिर्जापुर।
8. अधीक्षण अभियन्ता, कनहर निर्माण मण्डल-पिपरी सोनभद्र।
9. अधिशासी अभियन्ता, कनहर निर्माण खण्ड-तृतीय, पिपरी, सोनभद्र।
10. वित्त नियंत्रक, सिंचाई एवं जल संसाधन विभाग, उ0प्र0, लखनऊ।
11. गार्ड फाईल।

आज्ञा से,

उमेश चन्द्र
संयुक्त सचिव

उद्धरण खतौनी

उद्धरण क्रमांक : 214308202411526

ग्राम क्रमांक : 214308 ग्राम का नाम (परगना) : भिसुर(डुडी) तहसील : डुडी जनपद : सोनभद्र फसली वर्ष : 1430-1435 (01 जुलाई, 2022 से 30 जून, 2028) भाग : 1 (1) खाना संख्या : 00130

श्रेणी : 64 / जो अन्य कारणों से अक्षरित हो ।

खातेदार का विवरण

खसरा/गाटा संख्या	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
	नाम/पिता-पति-संरक्षक-प्रबंधक का नाम / जाति कोड / आधार नं० (अन्तिम चार अंक) अथवा पैन नं० (6-9 स्थान के अंक) / पता / जन्मतिथि (अवयस्क हेतु)	न्यायालय का नाम / कम्प्यूटीकृत वाद संख्या अथवा आदेश संख्या / आदेश का दिनांक / जाँच का आधार	वर्ष	गाटा (एनई कोड)	गाटे का कुल क्षेत्रफल (हि.)	हिस्से में	क्षेत्रफल में (हे.)	खातेदार द्वारा देय भू-राजस्व
2953	1) प्रभागीय वनाधिकारी वन प्रमाण-रेकर्ड	1) अम / 1/24-06-2023 / विनियम		2953(2143082953000064)	0.3800	1) 1/1	1) 0.3800	0.00
त गाटे-एक	कुल क्षेत्रफल-भूमि दायमलव लीन आठ भूमि रूपों (हिस्सेय)	कुल अंश का क्षेत्रफल-भूमि दायमलव लीन आठ भूमि रूप (हिस्सेय)					0.3800	

नामान्तरण / परिवर्तन का विवरण

खारिज किया गया

दर्ज किया गया

(10)	(11)	(12)	(13)	(14)	(15)	(16)
न्यायालय का नाम / कम्प्यूटीकृत वाद संख्या अथवा आदेश संख्या / आदेश का दिनांक / नामान्तरण का आधार / डिजिटल हस्ताक्षर नाम / डिजिटल हस्ताक्षर दिनांक	नाम / पिता-पति-संरक्षक-प्रबंधक का नाम / जाति कोड / आधार नं० (अन्तिम चार अंक) अथवा पैन नं० (6-9 स्थान के अंक) / पता / जन्मतिथि (अवयस्क हेतु)	गाटे का खसरा नम्बर / टूटीक कोड	क्षेत्रफल (हे.)	नाम / पिता-पति-संरक्षक-प्रबंधक का नाम / जाति कोड / आधार नं० (अन्तिम चार अंक) अथवा पैन नं० (6-9 स्थान के अंक) / पता / जन्मतिथि (अवयस्क हेतु)	गाटे का खसरा नम्बर / टूटीक कोड	क्षेत्रफल (हे.)
उत्पत्ति : 24-06-2023 दिनांक 24.06.2023	1) कन्वर सिवाई विभाग / जोष क्षेत्रफल : 0.0000	2953(2143082953000064)	1) 0.0000	1) प्रभागीय वनाधिकारी वन प्रमाण-रेकर्ड	2953(2143082953000064)	1) 0.0000

17) भूमि के नन्दन में दिवारादिन राजस्व वाद दावों की कम्प्यूटीकृत संख्या :

18) बंधक/बंधक-मुक्त होने की तिथि

18.1) बंधक होने की तिथि (संस्था अथवा बैंक का नाम/कोड/बंधक का दिनांक/परगना/आवेदन संख्या/खातेदार(पिता-पति-संरक्षक)) :

18.2) बंधक-मुक्त होने की तिथि (संस्था अथवा बैंक का नाम/कोड/बंधक-मुक्त का दिनांक/परगना/आवेदन संख्या/खातेदार(पिता-पति-संरक्षक)) :

19) अभ्युक्ति :

20) अट्टेशों का विवरण

21) Digitally Signed by: NIZAMUDDIN (NIZAMUDDIN NIZAMUDDIN)

22) Digitally Signed by: NIZAMUDDIN (NIZAMUDDIN NIZAMUDDIN)

23) Digitally Signed by: NIZAMUDDIN (NIZAMUDDIN NIZAMUDDIN)

24) Digitally Signed by: NIZAMUDDIN (NIZAMUDDIN NIZAMUDDIN)

25) Digitally Signed by: NIZAMUDDIN (NIZAMUDDIN NIZAMUDDIN)

26) Digitally Signed by: NIZAMUDDIN (NIZAMUDDIN NIZAMUDDIN)

27) Digitally Signed by: NIZAMUDDIN (NIZAMUDDIN NIZAMUDDIN)

28) Digitally Signed by: NIZAMUDDIN (NIZAMUDDIN NIZAMUDDIN)

29) Digitally Signed by: NIZAMUDDIN (NIZAMUDDIN NIZAMUDDIN)

30) Digitally Signed by: NIZAMUDDIN (NIZAMUDDIN NIZAMUDDIN)

31) Digitally Signed by: NIZAMUDDIN (NIZAMUDDIN NIZAMUDDIN)

32) Digitally Signed by: NIZAMUDDIN (NIZAMUDDIN NIZAMUDDIN)

33) Digitally Signed by: NIZAMUDDIN (NIZAMUDDIN NIZAMUDDIN)



कार्यालय अधिशासी अभियन्ता, कनहर निर्माण खण्ड-तृतीय
पिपरी-सोनभद्र

पिन कोड-231221

E-Mail-eekcd3.pipri@gmail.com



पत्रांक: 1325/क0नि0ख0-3,पि0/वनभूमि/

दिनांक: 27/08/2025

सेवा में,

प्रभागीय वनाधिकारी, रेनुकूट वनप्रभाग, रेनुकूट-सोनभद्र।

विषय: जनपद-सोनभद्र में कनहर सिंचाई परियोजना के मुख्य नहरों एवं प्रणालियों हेतु रेनुकूट वन प्रभाग की 103.675 हे० आरक्षित वन भूमि के गैर वानिकी प्रयोग एवं बाधक 18282 वृक्षों का पातन तथा ओबरा वन प्रभाग की 23.4887 हे० आरक्षित वन भूमि के गैर वानिकी प्रयोग एवं बाधक 2928 वृक्षों का पातन अर्थात् कुल 127.1637 हे० आरक्षित वन भूमि के गैर वानिकी प्रयोग एवं कुल बाधक 21210 वृक्षों के पातन की अनुमति के सम्बंध में।

- संदर्भ:**
1. भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, क्षेत्रीय कार्यालय (मध्य) केन्द्रीय भवन, पंचम तल, सेक्टर-एच, अलीगंज लखनऊ का पत्र संख्या-8बी/यू0पी0/02/31/2018/एफ.सी./646 दिनांक-28.05.2020।
 2. भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, क्षेत्रीय कार्यालय (मध्य) केन्द्रीय भवन, पंचम तल, सेक्टर-एच, अलीगंज लखनऊ का पत्र संख्या-8बी/यू0पी0/02/31/2018/एफ.सी./730 दिनांक-10.07.2020।
 3. भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, क्षेत्रीय कार्यालय (मध्य) केन्द्रीय भवन, पंचम तल, सेक्टर-एच, अलीगंज लखनऊ का पत्र संख्या-8बी/यू0पी0/02/31/2018/एफ.सी./32 दिनांक-03.07.2025।
 4. मुख्य वन संरक्षक/नोडल अधिकारी, उत्तर प्रदेश लखनऊ का पत्रांक-69/11-सी-FP/UP/Irrig/20269/2016 लखनऊ दिनांक-03.07.2025।
 5. आपके कार्यालय के पत्रांक-419/रेनुकूट/15-117/रेनुकूट दिनांक 05.08.2025।
 6. अधिशासी अभियन्ता, कनहर निर्माण खण्ड-प्रथम के पत्रांक-446/क0नि0ख0प्र0/वनभूमि/दिनांक 08.08.2025
 7. आपके कार्यालय के पत्रांक-644/रेनुकूट/15-117/रेनुकूट दिनांक 23.08.2025।

महोदय,

विषयगत प्रकरण में संदर्भित पत्रों का अवलोकन करने का कष्ट करे, प्रश्नगत प्रकरण में भारत सरकार के संदर्भित पत्र दिनांक 03.07.2025 द्वारा तीन बिन्दुओं से सम्बन्धित सूचना/अभिलेखों की मांग की गयी है जिसके क्रम में आप द्वारा संदर्भित पत्र दिनांक 23.08.2025 द्वारा दो बिन्दुओं पर मुख्य वन संरक्षक मीरजापुर क्षेत्र मीरजापुर के पत्रांक-793/मी0क्षे0/33, मीरजापुर/दिनांक 20.08.2025 द्वारा आख्या मांगी गई है, जिसकी विभागीय आख्या/अभिलेख का सम्पूर्ण विवरण निम्नवत है-

क्र०सं०	बिन्दु	विभागीय अनुपालन आख्या
1.	बिन्दु संख्या-1 के क्रम में प्रश्नगत प्रकरण में अनुपालन आख्या अत्यधिक बिलम्ब से लगभग 05 वर्ष बाद प्रस्तुत की गयी जिस पर भी भारत सरकार द्वारा आपत्ति लगायी गयी है। जिससे स्पष्ट है कि अनुपालन आख्या पूर्ण नहीं थी। ऐसी स्थिति में बढ़ी हुई NVP दरों की देयता के संबंध में पुनः परीक्षण करते हुए अपनी रिपोर्ट प्रस्तुत करें।	1. प्रश्नगत प्रकरण में भारत सरकार, पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय, क्षेत्रीय कार्यालय (मध्य) केन्द्रीय भवन, पंचम तल, सेक्टर-एच. अलीगंज लखनऊ के पत्र संख्या-8बी/यूपी/02/31/2018/एफ.सी./646 दिनांक-28.05.2020 द्वारा 15 शर्तों के अधीन सैद्धान्तिक स्वीकृति जारी की गयी। उक्त सैद्धान्तिक स्वीकृति आदेश दिनांक-28.05.2020 में अधिरोपित शर्त संख्या-12 के सम्बन्ध में भारत सरकार, पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय, क्षेत्रीय कार्यालय (मध्य) केन्द्रीय भवन, पंचम तल, सेक्टर-एच, अलीगंज लखनऊ के पत्र संख्या-8बी/यूपी./02/31/2018/एफ.सी./730 दिनांक-10.07.2020 द्वारा शुद्धि पत्र जारी किया गया। 2. भारत सरकार द्वारा जारी सैद्धान्तिक स्वीकृति आदेश दिनांक-28.05.2020 व संशोधित आदेश दिनांक-10.07.2020 में अधिरोपित शर्तों के अनुपालन में इस कार्यालय द्वारा एन०पी०वी०, क्षतिपूरक वनीकरण एवं सधनीकरण (enrichment) वृक्षारोपण की सम्पूर्ण धनराशि दिनांक-09.01.2021 को परिवेश पोर्टल से उत्पन्न ई-चालान के माध्यम से उ०प्र० कैम्पा शीर्षक में जमा किया गया (छायाप्रति संलग्न)। 3. भारत सरकार द्वारा जारी सैद्धान्तिक स्वीकृति आदेश दिनांक-28.05.2020 में अधिरोपित शर्त संख्या-2 के अनुपालन में परियोजना से प्रभावित 127.1637 हे० आरक्षित वन भूमि के सापेक्ष 160.7608 हे० गैर वन भूमि वन विभाग को उपलब्ध कराये जाने हेतु विशेष सचिव उ०प्र० शासन सिंचाई एवं जल संसाधन विभाग अनुभाग-3 उ०प्र० लखनऊ के पत्र संख्या-33/1522/22-27-सी०-3-142एल/20 लखनऊ दिनांक 09.11.2022 (छायाप्रति संलग्न) द्वारा निर्देशित किया गया। 4. प्रश्नगत प्रकरण में विशेष सचिव उ०प्र० शासन सिंचाई एवं जल संसाधन विभाग अनुभाग-3 उ०प्र० लखनऊ के पत्र संख्या-33/1522/22-27-सी०-3-142एल/20 लखनऊ दिनांक-09.11.2022 द्वारा जारी आदेश के अनुपालन में ग्राम-कुदरी की 28.1482 हे०, कोरची की 62.8016 हे० एवं भीसुर की 69.8110 हे० कुल 160.7608 हे० सिंचाई विभाग के नाम दर्ज गैर वन भूमि को प्रमाणीय वनाधिकारी रेनुकूट, वन प्रभाग के नाम राजस्व अभिलेखों

क्र०सं०	बिन्दु	विभागीय अनुपालन आख्या
		में दर्ज किये जाने हेतु सिंचाई विभाग द्वारा उप जिलाधिकारी/ तहसीलदार दुद्धी जिला-सोनभद्र से अनुरोध किया गया। उक्त अनुरोध के क्रम में उप जिलाधिकारी दुद्धी-सोनभद्र के निर्देशानुसार ग्राम-कुदरी, कोरची एवं भीसुर में कुल 160.7608 हे० गैर वन भूमि से आच्छादित 945 गाटाओं को नये तकनीक के आधार पर वन विभाग के नाम राजस्व अभिलेखों में अमलदरामद करते हुए अलग-अलग खतौनी तैयार किया गया, जिसके तैयार किये जाने में तकनीकी कारणों से समय लगा है। जिसके सम्बन्ध में उपजिलाधिकारी दुद्धी सोनभद्र ने अपने पत्र संख्या-1036/ कनहर/वन भूमि/दिनांक 04.09.2023 द्वारा आपको अवगत कराया गया। अमलदरामद/खतौनी तैयार करने की कार्यवाही अन्तिम रूप से दिनांक 14.11.2004 तक पूर्ण किया गया। पुष्टि हेतु एक गाटा के खतौनी की छायाप्रति संलग्न है। 5. उपरोक्तानुसार अमलदरामद की कार्यवाही पूर्ण होने के उपरान्त सिंचाई विभाग द्वारा 160.7608 हे० गैर वन भूमि से आच्छादित 945 गाटाओं को मानचित्र पर चिन्हित करते हुए प्रश्नगत प्रकरण में पूर्ण रूप से बिन्दुवार अनुपालन आख्या इस कार्यालय के पत्र संख्या-943/क०नि०ख०-3,पि०/वन भूमि दिनांक-28.04.2025 द्वारा आपको उपलब्ध कराया गया। विभागीय आख्या में तथ्यों को उचित पाते हुए एवं उनसे सहमत होने पर आप द्वारा अनुपालन आख्या पत्र संख्या-4311/रेनुकूट/15-117 दिनांक 17.05.2025 द्वारा मुख्य वन संरक्षक मीरजापुर क्षेत्र मीरजापुर की सेवा में प्रेषित की गयी। आपकी आख्या के आधार पर मुख्य वन संरक्षक मीरजापुर क्षेत्र मीरजापुर ने भी अपने कार्यालय के पत्र संख्या-4765/मी०क्ष०/33 दिनांक 27.05.2025 द्वारा अपर प्रधान मुख्य वन संरक्षक/नोडल अधिकारी उ०प्र० लखनऊ को आवश्यक कार्यवाही हेतु प्रेषित की गयी। उक्त के उपरान्त मुख्य वन संरक्षक/नोडल अधिकारी पर्यावरण वन एवं जलवायु परिवर्तन विभाग उ०प्र० लखनऊ ने अपने कार्यालय के पत्र संख्या-3538/11-सी FP/UP/Irrig/20269/2016 लखनऊ दिनांक 02.06.2025 द्वारा आख्या उप वन महानिदेशक (केन्द्रीय) भारत सरकार पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय क्षेत्रीय कार्यालय (मध्य क्षेत्र), केन्द्रीय भवन अलीगंज लखनऊ को प्रेषित

क्र०सं०	बिन्दु	विभागीय अनुपालन आख्या
		करते हुए विधिवत स्वीकृति निर्गत करने हेतु अनुरोध किया गया। 6. इस प्रकार प्रश्नगत प्रकरण में भारत सरकार द्वारा जारी सैद्धान्तिक स्वीकृति आदेश दिनांक-28.05.2020 व संशोधित आदेश दिनांक 28.05.2020 व संशोधित आदेश दिनांक-10.07.2020 के उपरान्त दिनांक 28.04.2025 द्वारा प्रभाग में 5 वर्ष पूर्व ही उपलब्ध कराया गया जिसे प्रभाग द्वारा उच्च स्तर के माध्यम से दिनांक-02.06.2025 द्वारा भारत सरकार की सेवा में प्रेषित की गयी है। इस प्रकार प्रश्नगत प्रकरण में विभाग द्वारा अनुपालन आख्या निर्धारित समय सीमा में आवश्यक कार्यवाही करते हुए उपलब्ध कराया गया। विभाग स्तर से विलम्ब नहीं हुआ है।
2.	बिन्दु संख्या-2 में पूर्व प्रेषित अनुपालन आख्या में भी वचनबद्धता प्रमाण पत्र अपेक्षित नहीं है। तदक्रम में समिति की संस्तुतियों पर बिंदुवार अनुपालन की अद्यतन स्थिति टेबुलर फार्म में प्रस्तुत करें एवं यह भी परीक्षण करलें कि कोई वित्तीय मांग इसके क्रम में लंबित न हो।	समिति के सभी बिन्दुओं का अनुपालन शत-प्रतिशत किया गया है जिसकी वांछित आख्या संलग्न है।

संलग्नक-उपरोक्तानुसार।


27.08.2025
(विनोद कुमार)
अधिशाली अभियन्ता

पत्रांक: 1325/क०नि०ख०-3,पि०/वनभूमि/तदिनांक

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

1. मुख्य अभियन्ता, कनहर सिंचाई परियोजना, विन्ध्याचल, मिर्जापुर।
2. अधीक्षण अभियन्ता, कनहर निर्माण मण्डल, पिपरी-सोनभद्र।
3. अधीक्षण अभियन्ता, कनहर निर्माण मण्डल-2, मीरजापुर।
4. अधिशाली अभियन्ता, कनहर निर्माण खण्ड-प्रथम, पिपरी-सोनभद्र।




27.08.2025
(विनोद कुमार)
अधिशाली अभियन्ता

NGT-147

**Observation & Compliance of committee constituted as order of Hon'ble
National Green Tribunal (NGT)**

1. The committee constituted by Hon'ble NGT observed as following on different para-	Committee constituted.
2. The Committee shall specifically report whether the conditions imposed in the consent order dated 14 th April, 1980 and 27 th February, 1982 of the Forest Department have been strictly complied with or not, in all respects.	<u>Committee's observation-</u> <u>Environment clearance (Order date 14-04-1980)</u> <u>Condition-1</u> Satisfactory and such arrangement needs to be continued with. <u>Condition-2</u> Such arrangements seem to be satisfactory but need documentation for future purposes. <u>Condition-3</u> In addition to existing measures, Project proponent should ensure all time compliance with this condition and should carry out soil/water quality check in coordination with line departments on a regular basis. Further, health checkup and awareness camps in coordination with line departments should be organized. <u>Condition-4</u> The R&R colony is constructed in almost barren land. No tree was felled during construction work and at same time social forestry plantation had been done by project authority in consecutive year's till now. <u>Condition-5</u> Socio economics profile of affected population was carried out at time of preparation of project report. The committee had recommended for new socio-economic study. Project proponent has done this study from Bhau Rao Devras Govt. Degree College, Duddhi. Hon'ble NGT in its order dated 30-08-2018 has directed take up further study on socio economic profile from reputed institution for which necessary is being action taken. (i) Condition-1 -The committee observed its satisfactory & found complied with. (ii) Condition-2- the committee observed satisfactory and project proponent used forest land for the purpose for which transfer of land transferred. (iii) Conditions-3--Project proponent complies with the condition.



	(iv) Condition-4- Project proponent consent for disposal of remaining trees as per prevailing laws. (v) Conditions-5- Project proponent is complying with the condition. (vi) Condition-6- Project proponent paid Rs. 2907111.60 for planting ten times of the trees on 2422.593 areas to forest department. (vii) Condition-7- Project proponent paid Rs. 1211296.50 to concerned DFO and deposit was made in main subtitle of receipt A/c. titled in the in core expenditure headed by concerned DFO. (viii) Condition-8- No action needed.
3. The Committee while examining the compliance of the conditions, as notice above, shall specifically report whether the condition has been complied with in its entirety or not. What is the status thereof and what steps are required to be taken in that regard?	The status of compliance of conditions has been discussed by committee member and steps which are required to be taken in this regard have been elaborated in various para's.
4. Whether there is complete and comprehensive Resettlement and rehabilitation Policy in place in relation to the project.	In rehabilitation and resettlement policy initially government vide their Go No.-3050/79-23 Sch-3-17M/17 Sinchai Anubhag-3, Lucknow dt. 19-11-1979 issued directives which deals with land compensation and Ex gratia for the oustee. almost all the land of all 11 village of mutated in favour of project authority (ID) b/w 1977 to 1982 by SLAO, MZP after agitation of oustee govt. of UP made R&R package for Kanhar Irrigation Project vide letter no.-2265/14-27 Sc.-1-112 (W)/4 Sinchai and Jal Sansadhan Anubhag-4, Dt. 30-10-2014. The amount decided i.e. Rs. 7,11,000/- based on right to fair compensation and transparency in land acquisition rehabilitation & resettlement act 2013. A total of 4143 families of oustees benefitted under this package till now. A plot of size (50'x30x) has been distributed to 3578 families. Project proponent has been provided wide road with drain. electricity, school, hospital, post office, park, place for funeral activities. A total of 51 families have started living in rehabilitation colony. <u>Chhattisgarh-</u> Survey of affected families has been completed in all six village viz. Trishulli, Jhara, Khusfar, Semarva, Kameshwar Nagar and Dhauli which are likely to be affected. A total of 42 families have been

	identified. A govt. of Chhattisgarh demanded Rs. 7034.30 lacs to its R&R package and land aquisition which is paid by project proponent (UP). In current chhattisgarh state acquired land through Balrampur collector's. <u>Jharkhand</u>- Survey of affected families has been completed in all four village viz. Fefsa, Bhuifor, Samourf Shuru and Paraspani Kala which are likely to be affected. A total of 115 families have been identified. A Govt. of Jharkhand demanded Rs. 7037.00 lakh to R&R package and land aquisition which is paid by project proponent (UP). In current Jharkhand state acquired land through its district collector.
5. Modification in execution of the project, if any, required to ensure protection of environment and ecology in the execution of the project in question.	Continuous operation of flow/release of environmental flow will be maintained by releasing appropriate water through two nos. of river sluice already constructed as a part of spillway.- The Committee Suggestion on installation of discharge measurement devices at key location in canal system and evolution of a rotation irrigation system to achieve equitable distribution of water amongst various reaches shall be compliance by us. Though these measures would be required at the time of actual irrigation so Compliance after project completion.
6. The Committee is required to make its general recommendations, measures and the condition that should be imposed upon the project proponent. to ensure that further progress of the project does not have any adverse impacts on ecology, environment, rivers, hydrology, and biodiversity and on all the surrounding forests, village and tribes.	1- The fisheries management- (i) The State fisheries department has not sent any demand for fisheries management. The amount for development of fisheries management is not included in kanhar irrigation project. It is stated that even though it will impose additional burden on the kanhar project, the same if considered appropriate may be so directed by the Hon'ble Court. 2- (i) In Construction of different component of project for quantities of Excavation a muck management plan has been formulated to manage the disposal of muck by us, and restore that area from further degradation of the environment. During construction of spillway, the excavated material i.e. sand, soil and rock are being utilized. A proper muck disposal plan has been given to the contractor to dispose the excavated material. Useful excavated rock is re-used as coarse aggregate.

The remaining muck Disposed site selected by considering the quantity of muck, landscape , cost Effectiveness, absence of ground and surface water, relief and scope for afforestation work. All Dumping location are well supported at base and at higher elevation by suitable retaining structures. All the spoil tips will be developed by taking a plantation through bio-technological method to generate a thick forest canopy over them. So that there are no reason of spilling of muck in river and threat to terrestrial & aquatic environment and biota.

- (ii) The Compensatory afforestation on remaining 1295 Ha On degraded land as " Vindhyan Bio Diversity park" created on the basis of Eco restoration model imposed extra burden on project proponent at this stage, because at the time of initial forest clearance and handing over forest land. It has fully complied with the condition and payment has also done to forest department. The same is likely to impose an additional burden on the project cost.
- (iii) Since the Botanical survey of India described in its report that there are no rare or endangered species of plant then the case of Endemic plants of medicinal value doesn't arisen.
- (iv) The Committee constituted by Hon'ble Court also stated in para (6) that Eco-tourism promoted as means of improving livelihood of local people, so that project proponent shall compliance committee recommendation after completion of project.

- 3- (i) The Catchment area treatment plan done by NRM GEO MATICS PVT Ltd. Office 19/224 sector-19 Indira Nagar Lucknow. The proposal of Catchment area treatment plan decided on the basis that Situation of soil erosion not arisen as per recommendation given by committee.

7. The Committee shall assess and examine the present status of the compensatory afforestation done by the forest department during 1984, 85 and 86 over an

The present status of compensatory plantation carried out in year 1984, 1985 & 1986 to extent of 666.00 hac. in forest blocks and 80km. of linear pact assessed 12.68% survival. The reason behind less survival is

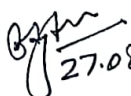
area of 666 hectares and 80 kms. on the road side. The Committee shall make assessment of the survival percentage and the present status of compensatory plantation through random sampling.	anthropogenic and seraphic factor and completion of rotation period of some species. The project proponent already paid Rs. 2907111.60 for planting ten times of the trees on the land measuring 2422.593 acres to forest department and Rs. 1211296.50 for land.															
8. The Committee shall examine the proposal of Project Proponent with reference to the forest area already diverted (980.40 Hectare) and the balance area of 441.07 hectares that is required to be diverted in terms of the note prepared by the Administration of the project while seeking clearance for the project.	The assessment of balance forest land required for project is completed and final figure area after Jharkhand. Chhattisgarh state detailed survey as below- <table><tr><th>State</th><th>Forest area initially assessment (Ha.)</th><th>Forest area final assessment (Ha.)</th></tr><tr><td>Uttar Pradesh</td><td>228.75</td><td>127.1637</td></tr><tr><td>Chhattisgarh</td><td>121.00</td><td>191.4100</td></tr><tr><td>Jharkhand</td><td>91.32</td><td>174.3000</td></tr><tr><td>Total</td><td>441.07</td><td>492.8737</td></tr></table> The forest land diversion of Chhattisgarh and Jharkhand state are dealt separately by them fund damaged for the same have already been transferred.	State	Forest area initially assessment (Ha.)	Forest area final assessment (Ha.)	Uttar Pradesh	228.75	127.1637	Chhattisgarh	121.00	191.4100	Jharkhand	91.32	174.3000	Total	441.07	492.8737
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Jharkhand	91.32	174.3000														
Total	441.07	492.8737														
9. The Project Proponent shall not take up any new activity on the additional forest area of 441.07 hectares proposed to be acquired unless specific permission under the Forest (Conservation) Act 1980 is taken and the area diverted for non-forest activity by the Competent Authority.	The project proponent will not take up any new activity on additional forest area (proposed to be acquired) unless specific condition/clearance under the forest (Conservation) act 1980 is taken and the area diverted for non forest activity.															
10. The Committee shall study the impact of loss of 980 hectares of forest area which is comprised of wild life habitats with specific reference to the elephant corridor, rich floral and faunal diversity.	The Committee has given their observation at the 9th meeting dt. 29 February 2016, regarding wild life and Elephant Corridor, which is as follows "Regarding wild life and Elephant Corridor, sporadic incidence of wild life movement doesn't notify the area as a corridor for any specific species. There were no rare or endangered species found earlier, or at present any, in or around the project area. The project proponent have already carried out a study in march 1980 through an Expert agency Botanical survey of india, which concluded that no rare or endangered species of plants were found in the project locality at this time. Same is also observed by committee in its report.															

11. Undertaking Social forestry in resettlement colonies of the displaced persons what one of the conditions of EC. The committee shall examine whether social forestry for ameliorative measures against air pollution and adverse impact on local ecology and environmental has been taken up and to what extent. The committee shall also suggest measures as to how the resettlement colonies particularly, if located close to the industrial clusters of Sonebhadra, can be protected from the adverse effects of thermal power plants, coal and bauxite mining, aluminium and cement industries, particularly, from the air and water pollution and health impacts due to Mercury, Arsenic and Fluoride contamination and as a consequence of the presence of large number of industries in the district of Sonebhadra in particulars and Singrauli in general.	The committee suggested sewage treatment plant for preventing water quality of kanhar river through generating 1 MLD of sewage in R&R colony. Though the sewage treatment plant for R&R colony is not estimated in project cast. It is stated that even though it will impose additional burden on the project the same if considered appropriate may be so directed by the Hon'ble court.
12. In the light of the fact that the Kanhar River flows through a drought prone area where water is a critical input for the life supports systems, both on land and within the aquatic ecosystem, the Committee should examine maintenance of certain minimum environmental flow downstream of the Dam.	The Guidelines given by the ministry of Environment forest & climate change for ecological/ environmental flow are compiled. The project proponent constructed 2 No. of under sluice of size 1.50x2.0 m in spillway to provide minimum ecological flow of kanhar River. In D/S of River Goitha, Thema, Phulma, lauwa and maliya rivers join kanhar river before kanhar joins Sone river, which is tributary of River Ganga. Due to hilly source kanhar River is almost Dry in dry monsoon (march to mid June).The report of committee constituted by Ministry of Water Resources River Development and Ganga rejuvenation comes, all guidelines compliance as per order.
13. The Committee while preparing the comprehensive report shall take into considerations, if there is any adverse impact of the works already executed, on the environment and ecology or the areas and the remedial steps that should be taken.	The committee visited the project site and found apparently there is no adverse impact of works already executed. The barbed wire fencing has been done around the blasting area for restricting movement of animal and human being. The air quality also found clean without particulate matter and river water also clear & clean. The committee also suggested no remedial steps are considered necessary other then the environment safeguard measured already proposed.



14. The Project proponent shall complete the construction of activity that is under way and would not commence any new activity or construction without specific recommendations of the Committee in that behalf.	The project proponent will only complete the construction activities that area underway and will not commence any new activity or construction before floating successful tendering process.
15. The committee shall pay specific attention in regard to the conditions that should be imposed upon the project proponent for conservation, protection, reforestation, restoration of environment and ecology wherever any environmental damage degradation has occurred as a result of this project.	All recommendation given by committee already considered/follow by project proponent and continued with provisions as above. In last point Dam break analysis (studies) done by project proponent by central water & power research station Pune. The other viz. Hydrological non stationary. Sediment transport, Dam induces seismicity & post dam hydrological changes area also in progress from recognised institution.




27.08.2025
(Er. Vinod Kumar)
Executive Engineer

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH
NEW DELHI**

**ORIGINAL APPLICATION NO. 521 OF 2014
AND
(M.A. NOS. 902 OF 2014 & 14 OF 2015)**

IN THE MATTER OF:

1. Om Dutt Singh
58 MG Marg, Allahabad
Uttar Pradesh
2. Debadityo Sinha
R/o III Floor, 943A/8
Govindpuri, Kalkaji
New Delhi - 110019

.....Applicants

Versus

1. State of Uttar Pradesh
Through its Chief Secretary,
Government of Uttar Pradesh
2. Department of Irrigation
Through its Principal Secretary
Government of Uttar Pradesh
Sinchai Bhawan, Lucknow
3. Union of India
Through the Secretary
Ministry of Environment, Forests & Climate Change
Indira Paryavaran Bhavan
Jor Bagh Road
New Delhi - 110003

.....Respondents

Counsel for Applicant:

Ms. Parul Gupta, Advocate.

Counsel for Respondents:

Mr. Pinaki Misra, Sr. Advocate, Mr. Ravi P. Mehrotra and Mr. Abhinav Kumar Malik, Advocates for Respondent Nos.1 & 2.
Mr. Vivek Chib, Mr. Asif Ahmed, Mr. Kushal Gupta, Mr. Mir Joby P. Varghese, Ms. Ruchira Goel and Mr. Ankit Prajash, Advocates for Respondent No. 3.

JUDGMENT

PRESENT:

Hon'ble Mr. Justice Swatanter Kumar (Chairperson)

Hon'ble Dr. D.K. Agrawal (Expert Member)

Hon'ble Mr. Bikram Singh Sajwan (Expert Member)

Reserved on: 24th March, 2015

Pronounced on: 7th May, 2015

1. Whether the judgment is allowed to be published on the net?
2. Whether the judgment is allowed to be published in the NGT Reporter?

JUSTICE SWATANTER KUMAR, (CHAIRPERSON)

The applicant no. 1 is a member of People's Union for Civil Liberties while applicant no. 2 is founder of Vindhya Bachao Abhiyan and Managing Trustee of Vindhyan Ecology and Natural History Foundation, Mirzapur (Uttar Pradesh). Both of them submit that they have been working extensively in the field of protection and conservation of environment. They have submitted that they are directly affected by the construction of the 'Kanhra Irrigation Project' and are, therefore, aggrieved persons entitled to invoke the jurisdiction of the National Green Tribunal (for short 'the Tribunal') under Sections 14(1) and 15 read with Section 18(1) of the National Green Tribunal Act, 2010 (for short the 'NGT Act').

1. The applicants have approached the Tribunal with the averments in their application that the 'Kanhra Irrigation Project', hereinafter referred to as 'the project', was originally approved by the Central Water Commission in September, 1976. The project is located downstream of the confluence of

River Pagan with Kanhar near village Sugawaman in Tehsil Dudhi of District Sonebhadra, Uttar Pradesh. The details of the projects are stated to be as under:

- “i) 3.003 km earthen dam having maximum height of 39.90m from deepest bed level.
- ii) Concrete ogee spillway of 237m long having 15 Nos. mechanically operated gates of size 13x14.5m.
- iii) 31.50 km Right Main Canal and 25.6 Km Left Main Canal.
- iv) Three Lift Schemes, two on the Left Main Canal and one on the Right Main Canal.
- v) 3 km long irrigation tunnel on Right Kanhar canal.
- vi) 45 Nos. drainage crossing on right bank canal and 35 Nos. drainage crossing on left bank canal, and
- vii) 11 Nos. aqua ducts, 2 Nos. railway bridges, 7 Nos PWS bridges and 39 VRBs on canal and its distribution system.”

2. The Department of Irrigation, Uttar Pradesh vide its letter dated 6th October, 1976 had stated that the project would provide irrigation to Dudhi and Robertsganj Tehsils via left and right canal emerging from both sides of river from the dam. The capacity of right canal and left canal would be 479 and 192 cusec respectively. The project is also to provide water to Rihand reservoir to increase hydro electricity generation there, in which case the height of the project will be increased to 52.90 mtrs. instead of 39.19 mtrs. as originally contemplated. The culturable command area of the project is provided as 47,302 ha. The project envisages submergence of 4131.5 ha of land which includes parts of Uttar Pradesh, Madhya Pradesh (now, Chhattisgarh) and Bihar (now, Jharkhand). The project also involves forests lands. Though the project has been sanctioned in the year 1976, only minor construction took place at the site. The progress report of the project for the year 1998-99 indicates that due to non-availability of

funds and inter-state issues, the construction of the project was suspended in 1989-90 and for a substantial period, the work had not been carried out at all. It is further the case of the applicants that applicant no. 2 visited the site in the month of July, 2014 during which he met the affected villagers and was informed that the project has been under consideration with the Department of Irrigation, Uttar Pradesh for the past 38 years and has been inaugurated on various occasions. No substantial work was undertaken at site during the visit of applicant no. 2 and the same was completely abandoned by the Department of Irrigation, Uttar Pradesh. According to the applicant, the project in which no substantial construction or other project activity has been undertaken, prior to coming into force of the EIA Notification of 2006, the project is required to take Environmental Clearance in terms of the said Notification. The circular issued by MoEF, Government of India on 15th January 2008, specifically provides that the EIA Notification of 1994 had been superseded by the EIA Notification of 2006 and the project activities listed therein shall require prior Environmental Clearance under the said Notification, without linking it to the date of acquisition of land, if the project activity has not commenced at the site. As the project activity had hardly commenced in the year 2006 and even thereafter, the project cannot continue without obtaining the Environmental Clearance in terms of the EIA Notification of 2006.

The applicants states that they have filed two separate RTI applications on 24th July, 2014 and 29th August, 2014 respectively

with MoEF, seeking the copy of the orders granting Environment Clearance and Forest Clearance to the project in question. In response to the same, the Ministry vide its letter dated 16th September, 2014 and 27th November, 2014 has specifically stated that the Environmental Clearance of the project is way back of 14th April, 1980 and that there is no record of the Forest Clearance available in the FC Division of the Ministry with respect to the project. Thus, the project proponent have no clearances under the Environment (Protection) Act, 1986 and Forest (Conservation) Act, 1980. It is in the recent past that the construction activity of the project has been started and reports in this regard were published in the various newspapers including 'Dainik Jagran' dated 5th December 2014. In terms of these reports, the work had been abandoned totally and was being restarted without the requisite permissions in law and thus the construction activity cannot continue. The impacts of the project had never been assessed. The assessment of impacts of the project would, therefore, be essential, which can only be done by expert bodies in accordance with the EIA Notification of 2006 and therefore, the project cannot proceed any further and in fact, the work carried out is liable to be demolished.

It is the specifically pleaded case of the applicant that project is likely to have large scale adverse impacts on the environment and ecology of the area, particularly, if the same is permitted to continue its activity and become operational without prescription of appropriate safeguards in the interest of environment, ecology and the persons living in that area. Referring to various impacts, it is

averred that the project will cause displacement to a large population, the majority of which is a tribal and is likely to evict. Nearly, 7,500 families from 25 villages to make for their resettlement. The preliminary figures estimates that 9 lakhs trees, 2500 kuccha and 200 pucca houses, 500 tube wells and about 30 government schools along with some other buildings and essential amenities shall be submerged under the water. Land admeasuring around 3,000 ha will have to be submerged as per newsletter Update on Dams, Options & Related Issues of South Asia Network on Dams, Rivers and People. However, it is also stated that the project fact sheet of 1998-99 shows submergence of increased area i.e. 4,131.5 ha. It is submitted that River Kanhar is a major tributary of River Son which is a major tributary of River Ganga. Due to construction of several dams and water diversion structures on River Son including Rihand Dam and Bansagar dam, the River Son is facing great threats in terms of its riverine characteristics, loss of fish species and invasion of exotic fishes in the river. It is even adversely affecting the river flow, velocity, depth, substratum, pools, ecology and fish habitats of the area. The project is bound to result in huge loss of forest area and afforestation. Large number of trees were felled despite strong opposition by the tribals and the same is in violation of the provisions of the Forest (Conservation) Act, 1980. The work was stopped in the year 1984. Lakhs of trees were likely to be affected by the project. Renukoot forest division of the District is one of the richest and dense forest areas of Uttar Pradesh. They are known for rich biodiversity, medicinal plants and

the traditional and cultural heritage in the form of tribal knowledge which have attracted much scientific and economic attention. This area is also very rich in wildlife and is host to several species of wild life, and is now very much fragmented owing to rapid industrialisation commissioning of the Rihand reservoir and presence of the coal mines in the area. Submergence of a large forest lands will not only make the nation devoid of the carbon sequestration potential but will also release the carbon trapped in the forests. There are numerous global evidences of production of Green House Gases, especially Methane owing to dams. Methane, a potential GHG, is produced when anaerobic bacteria decomposes organic material. Methane is known for a positive feedback trigger for global warming. With reference to these averments, according to the applicant there would be grave environmental and social impacts, severe impacts on aquatic ecology, impacts on forests and biodiversity, loss of medicinal plants particularly those that are rare and endangered, loss of wildlife habitats and would have even adverse climate change impacts. This, according to the applicant, fully justifies the requirement of feasibility analysis and needs assessment studies. The project was initially approved for an estimated cost of Rs. 27.75 crores and was technically approved in 1979 with the revised estimate cost of Rs. 69.47 crores. In the 106th meeting of the Advisory Committee of the Central Water Commission held on 4th October, 2010, the estimated cost of the project was quoted as Rs. 652.59 crores, as per price level of 2008-09. According to the applicant, even the enhanced cost does not

take into consideration the environmental, social and cultural costs associated with the project which will be lost in the form of ecosystem services, livelihood, displacement and rehabilitation cost, health cost and other economic and livelihood benefits which are obtained by the people from the area. There has been a drastic increase in the population and a huge amount of public money has been spent on development of schools, roads and other infrastructures, industries and development of coal mines etc. All this has already cost significant changes in the environment and ecology. It is also the case of the applicant that there is a need for proper cost benefit analysis which should be undertaken, particularly, in view of the fact that no opportunity has been granted to the affected persons to raise their concern and grievances in regard to the project and its activity.

3. Relying upon the judgment of the Hon'ble Supreme Court of India in *T.N. Godavarman v. Union of India* and Others, W.P. (Civil) No. 171/96, it was contended that forests are vital components for sustaining life support system of the earth and for preventing any damage to them. The development should be consistent with the protection of environment and not at the cost of degradation of environment. Any threat to ecology can lead to violation of the Right to Enjoyment of Healthy Life guaranteed under Article 21 of the Constitution of India and needs to be protected. On this premise, the applicant prays that the work of the project and its activities should be immediately stopped as they are being carried out in violation of the EIA Notification of 2006. It is also prayed that the

project proponent should immediately stop illegal felling of trees and use of forest land for non-forest activity, to restore the pristine environment of the area to its natural state and action be taken against the project proponent for violating the said law as per EIA Notification, 2006.

4. Though respondents no. 1 & 2 have filed a common counter affidavit and respondent no. 3 has filed a separate reply but the stand taken by all the respondents are somewhat on the common lines. The respondents, besides, contesting the case of the applicant on merits, have also taken a preliminary objection that the present application is barred by limitation and is liable to be rejected. The application is barred by time both under the provisions of Section 14 and/or Section 15 of the NGT Act. Another preliminary objection raised on behalf of the respondent is that the two writ petitions being WP No. 67043/11, *Gram Panchayat Sundri Block Babhni v. Union of India & Others* and WP No. 58444/14, *Ramdev & Ors. v. State of Uttar Pradesh* have been filed before the Allahabad High Court and therefore, the tribunal should not entertain the present application to avoid conflicting decisions and even otherwise.

5. According to respondent no. 3 the Environmental Clearance to the project had been granted on 14th April, 1980, while the present application under Section 14 has been filed in the year 2014. Where the limitation prescribed under Section 14 is six months from the date when the cause of action first arose, whereas the limitation prescribed under Section 15 is five years from the date

when the cause of action first arose and the petition having been instituted on 22nd December, 2014 is barred by time.

It is stated that the contention of the applicant that the cause of action arose when replies to the RTI filed by the applicants were received in September and November, 2004 is untenable. It is specifically stated that the project does not require fresh Environmental Clearance in terms of the Office Memorandum dated 15th January, 2008 issued by the Ministry. This is an inter-state project which had been sanctioned in the year 1976 and the Environmental Clearance was accorded on 14th April, 1980. MoEF came into existence only in the year 1985 i.e., subsequent to grant of Environmental Clearance in the present case. The Forest Department vide its letter dated 27th February, 1982 had transferred 2422.593 acres of forest land to Irrigation Department, State of Uttar Pradesh for the purposes of the said irrigation project for which the compensation of Rs. 41,27,211.93 was paid. This factual position is even supported by the letter of the Forest Department dated 17th April, 1986. The project activity had been commenced in the year 1980 and, therefore, as per respondents, no Environmental Clearance under the Notification of 2006 is required. As far as the Forest Clearance is concerned, according to the Ministry, the records pertaining to the same are not traceable since the records dates back to more than 3 decades, therefore, the Ministry prays for leave of the tribunal. According to the respondents no. 1 & 2, in addition to the above project, which is that of Government of Uttar Pradesh with the participation of other

States, had been granted Environmental and Forest Clearance by different agencies; the project is being monitored regularly and the compliance report is sent, as mandated by the Ministry. Photographs have been placed on record by these respondents to show that the construction related work on the project in question has been going on over a period of time. The project was conceived in the year 1976 which postulates the construction of the dam over River Kanhar and which also require the participation and approval of the States of Jharkhand and Chhattisgarh. The said project proposes to provide irrigation facilities to Dhudhi and Robertsganj Tehsils of district Sonebhadra in the State of Uttar Pradesh and envisages the construction of left and right canal along with concrete spill way of length of 312 metres on river Kanhar, a tributary of river Son. 11 villages in Uttar Pradesh, 4 villages in Chhattisgarh and 4 villages in Jharkhand are identified and are a part of the project in question and would be submerged by the construction of the dam on the river Kanhar. It is proposed to irrigate an area having 2605 ha. with 136 percent irrigation intensity to feed 108 villages of the two districts which are naxal affected, drought prone and constitutes tribal area. It is specifically stated in the reply that the earthwork in the main dam to the extent of 30.84 lakh cubic metres out of 64.94 lakh cubic metres had been completed. Furthermore, in the left and right main Kanhar canal, the length of which are respectively 25.60 km and 31.50 km, earthwork have been completed to the extent of 14.9 lakh cubic metres out of 62.44 lakh cubic metres, which is about 25 per cent

of the total earthwork. 14 items of pucca work of the proposal of 266 concrete works have been completed. The total land required for the project is being 4439.294 ha, have been acquired to the extent of 2681.404 ha which is about 60 percent of the land required. This itself shows that the work of the project has been going on and was never closed. In contemplation of the approval received from the States of Chhattisgarh and Jharkhand which came in the year 2002 and 2010 respectively, various construction works related with the project other than concrete spill way on the river path and related activities, had been done. It is stated by the respondents that till date almost 80 percent of the earthwork relating to main dam of the project has been completed. Forest land required for submergence area of project in the State of Uttar Pradesh has been acquired to the extent of 100 per cent and 89 per cent of the agriculture land required for the project has also been acquired till date, for which the compensation has been given. Contract works for the construction related activity in the project has been awarded. 70 percent earthwork along with the left and right Kanhar canal has been done.

The Ministry vide its letter dated 14th April 1980 though mentioned as 16th April 1981, in the short affidavit, had been granted Environmental Clearance to the project. The Forest Clearance had also been granted, though the letter granting Forest Clearance is not available, the copy of the letter dated 27th February, 1982 has been placed on record, subject of this letter relates to transfer of forest land in the district in question. Vide this

letter, the permission has been granted by the Governor for transfer of forest land to the Irrigation Department for the purposes of submergence of areas for Kanhar Dam project for the consideration stated therein. The payments received for compensatory afforestation and for transfer of forest at the rates specified therein, has been tendered by the authorities. According to these respondents, the project in question where the project related activity is ongoing does not require any fresh Environmental Clearance. The Irrigation Department is submitting a biannual compliance report relating to the project as stipulated by notification dated 14 September 2006, and the project is being monitored by the Ministry of Environment and Forest. An elaborate and more comprehensive rehabilitation scheme dated 13th October 2014 had been formulated by the State Government for the families of those villagers who are affected by the construction of spill way on the Kanhar river. In the reply, it has been stated that in October 2014, the CWC had proposed a revised cost estimate for Kanhar irrigation project to the advisory committee of the irrigation, flood control and multipurpose projects which unequivocally demonstrates that the project is one where investment clearance has been accorded by the Planning Commission and other vital aspects relating to the utility of the dam and the area to be approved and rehabilitation scheme, were approved subsequent thereto in the 124th meeting of the advisory committee of the CWC held on 16th October 2014. The said proposal was accepted and till date an amount of Rs. 223.55 crores has been invested. Thus, these

respondents submit that the allegations in the application are wholly misplaced and completely untenable and hence the application is liable to be dismissed.

6. A common rejoinder has been filed by the applicants, stating that there was no operation from the year 1989 to 2014 and it is thus, not an ongoing project. It is submitted that for a project to come into existence, the necessary elements are the allocation of funds, acceptance of design, purpose of project, specific time duration for completion of construction and operation phase, etc. All these ingredients were missing at any time earlier than 2014. According to the reply of the State itself, it is clear that the present project with its project design and cost was originally accepted by CWC in 106th meeting of the Advisory Committee on 16th September 2010 and clearance to the project was accorded only on 5th December 2010 and no substantial work had been carried out due to non-availability of funds. Subsequently, the project was again presented to CWC on 16th October 2014, wherein the technical approval with revised budget was granted.

“The note on the basis of which the said approval has been granted shows that CWC has suggested substantial changes in the project including the following:

- a. The spillway length have been increased from 237m to 311.75m higher grade of concrete has been suggested.
- b. The gate size is revised from 13m x 14.5 m (15 No.) to 15.5m x 14.5 (16 Nos.)
- c. Changes in Malliya aqueduct-The trough width of aqueduct increased from 3.75m to 5.3m and also higher grade of concrete has been suggested in Malliya aqueduct.
- d. Changes in Tunnel-tunnel diameter increased from 4m to 5.5m whereas the length reduced from 3.0km to 2.66m.

Apart from the same, there are significant addition to structures and change in design which are shown in tabular form in the same document. (page 179-182). The perusal of the document shows that the cost of the project has been finalized for Rs. 2252.29 crores which is due to price escalation, inadequate provision, additional requirements and change in design. It is pertinent to mention here that in 1989 the project was suspended only due to the pending permission of the CWC. The Progress Report of 1998-99 (Pg 312) clearly states:

(iv) Cost of project and clearance:

The estimate of project was presented to the Central Water Commission in October, 1973. The proposal was accepted by the Central Water Commission in September, 1976 with an estimated cost of Rupees 27.75 crores. The financial approval to this project was granted by Government of Uttar Pradesh vide letter No. 258/79/23-C-4/1991/W/73/dated 29.01.79 for 27.75 crores but due to interstate conflicts, the clearance by Central Water Commission is expected and hence the project work is suspended since 89-90.

It is absolutely clear from the aforesaid that the project is not an “ongoing” project and infact shall be treated as a new project since major changes in the project design and costs estimates have been approved by CWC only in 2014; thus even if it is assumed that the project has undertaken any construction activity prior to 2014 the same becomes defunct due to the reason that the same would be required to be reconstructed as per the revised changes.”

7. The applicants also submitted that based on the progress reports of the project which are on record and the judgment of the Tribunal in the case of *Rayons Enlightening Humanity v. MoEF*, 2013 (1), All India Reporter, page 324, the project falls within the ambit of the circular dated 15th January, 2008 issued by the Ministry. It is also stated that the project has undertaken construction activities without approval of the Central Government under Section 2 of the Forest (Conservation) Act, 1980 and the activity, whatever has been carried out, is unauthorized and illegal. As per the standing order of

the Ministry of Agriculture and Irrigation dated 18th July, 1979, wherever the proposal is for transfer of more than 10 ha of forest land, the permission of the Government of India is necessary, which has not been taken in the present case.

Kanhar irrigation project, located on Kanhar river, a tributary of river Son is located in Sonbhadra District of Uttar Pradesh. The District has a large number of thermal power plants, aluminum, cement industries and chemical industries besides a large number of coal mines. Infact Singrauli region of which Sonbhadra is a part, collectively accounts for more than 12,000 Mega watt of thermal power, besides hydro power generated through Rihand and Obra Dams. This region is also called the “energy capital of India”. The rich coal belt in the District has several open cast coal mines with a capacity of 17 million tons per annum. Most of this coal mines and the industries have come into existence during the last 35 to 40 years.

While reiterating the averments made in the application the applicants prays for the reliefs claimed in the application.

From the above factual matrix and the contentions raised by the Learned Counsels appearing for the respective parties, the following questions arise for consideration:

- (i) Whether or not the present application should be entertained by the Tribunal in view of pendency of two Writ Petitions on similar issues before the Hon’ble High Court of Allahabad?
- (ii) Whether the present application is barred by time and is therefore liable to be rejected?

- (iii) Whether it is obligatory upon the Project Proponent to seek Environmental Clearance afresh, in terms of the EIA Notification, 2006?
- (iv) Whether in the facts and circumstances of the present case, should the Tribunal issue any directions in the interest of environment and ecology?

Discussion of question (i)

8. One of the contentions raised on behalf of the Respondents is that there are two Writ Petitions pending before the Hon'ble High Court of Allahabad, raising somewhat similar issues. According to the respondents, there is a likelihood of passing of conflicting orders by the High Court and the Tribunal on similar issues, therefore, the Tribunal may not exercise its jurisdiction and entertain and decide these applications.

Undisputedly, the applicants in the present case are not parties to the petitions before the High Court. The High Court, as of now, has not passed any interim or final orders in those writ petitions. Writ Petition No. 67403 of 2011 has been instituted by the Gram Panchayat Sundari, where the prayer is that the project should be started only after a fresh study and a complete and comprehensive Resettlement and Rehabilitation Policy is framed by the Project Proponent and Respondents therein. Writ Petition No. 58444 of 2014 has been filed by Ramdev and Others in which the prayer is that the Notification, under which the lands were acquired, stood lapsed in view of Section 24 (2) of the Right to Fair Compensation and Transparency in Land Acquisition,

Rehabilitation and Re-settlement Act, 2013. Further, the Petitioner should not be dispossessed from the land in question. As is evident, the petitioners in both the Writ Petitions are different from the present applicant, the prayers made therein are also distinct and different from the prayers made before this Tribunal and the controversies to be determined in the Writ Petitions before the Allahabad High Court and before this Tribunal in this present application are governed by different laws and legal criteria. The High Court would primarily be concerned with acquisition of land and the reliefs that the petitioners in these writ petitions would be entitled to in terms of land acquisition laws. The question whether any study should be carried out or not for continuation of project activities is a very generic prayer and in view of the fact that the High Court has not passed any interim orders, the project is continuing with its activities of construction etc. On the other hand, the Tribunal has to examine the impact of the project and its activity upon the environment and ecology of the area in question. Further, the Tribunal has to adjudicate, whether seeking of Environmental Clearance for the project afresh would be necessary or not and whether any directions need to be passed by the Tribunal for restoration of the pristine environment of the area to its natural state. All the reliefs claimed, squarely fall within the provisions of the NGT Act. This is a petition that is squarely covered under Sections 14 and 15 of the NGT Act, of course, subject to the decision on other issues by the Tribunal. Since neither the parties are common nor the issues are directly and substantially similar in

both the proceedings, more so, the reliefs even claimed by the parties in their respective petitions/applications fall in different fields of law and there is hardly any possibility of passing of the conflicting judgments. Thus, there appears to be no merit in the objection raised on behalf of the Respondents. Another aspect which needs to be mentioned at this stage is that, the Respondents are more or less common in the Writ Petitions before the High Court and in the present application. If the decision on any of the issues in the Writ Petitions are likely to have any effect on the present application or vice versa, the Respondents, then should have moved the Hon'ble High Court of Allahabad for transfer of cases to the Tribunal. It is possible that the Respondents herein may not have been able to seek transfer of the cases to the Tribunal in view of the Orders passed by the Supreme Court in SLP No. 50 of 1998. However, the said impediment existed no longer than 9th August, 2012, when the said SLP was dismissed by the Supreme Court and the directions issued by earlier Bench in paragraph Nos. 40 and 41 of its judgment in *Bhopal Gas Peedith Mahila Udyog Sangathan & Ors. v. Union of India & Ors.*, (2012) 8 SCC 326, became operative. Then, nothing prevented the Respondents from seeking transfer of case to the Tribunal.

At this stage of final arguments of the application, the Respondents can hardly be heard to raise such an objection.

Resultantly, this Tribunal finds no merit in this objection raised by the Respondents and rejects the same.

Discussion on Issue No. (ii)

9. In order to examine whether the present application is within time or not, reference to certain undisputed dates would be appropriate. The project was conceived somewhere in the year 1976-1977 and was given Environmental Clearance vide order dated 14th April, 1980. In terms of this letter, the project had been cleared from environmental angle but subject to the safeguards that were stated in the said letter. Appropriately, we may refer to the conditions for the grant of Environmental Clearance as stated in the letter dated 14th April, 1980:

- (1) “ Necessary arrangements may be made by the project authorities to provide fuel wood, free of charge, to the labour force during the construction stage of the Project so that indiscriminate felling of trees in the neighborhood may be prevented. Since it is unrealistic to expect labourers to buy wood when they can easily procure it from the surrounding forest, adequate provision to meet the cost of providing free firewood should therefore be made in the project estimate (Forest Department may be requested to open fuel depots);
- (2) Restoration of Land, to the extent possible, in construction areas may be ensured to prevent erosion and removal of scars.
- (3) Adequate arrangements may be made to prevent the incidence of any endemic health problems due to water/soil-borne diseases;
- (4) It should be ensured that the construction of colonies for the project involves minimum possible deforestation. Compensatory afforestation and social forestry should be undertaken on a large scale and;
- (5) The state of the socio-economic profile of the affected (adivasis) population should be prepared to determine the problems likely to be encountered in their rehabilitation. Count of the Mahuwa trees should also be undertaken in the economic profile.”

10. It is claimed by the Project Proponent and Respondents that the project had been granted Forest Clearance. However, copy of this order granting the Forest Clearance to the project had not been

placed on record of this Tribunal by any of the Respondents including the Project Proponent. Reliance have been placed upon the letter dated 27th February, 1982 wherein the Governor of the State of Uttar Pradesh had approved the transfer of land of the forest division admeasuring about 2422.593 acres to the Irrigation Department for the construction of the project. This was an inter-state project to which State of Jharkhand and Chhattisgarh were also parties. Their land areas were to be submerged and other activities of the project were to be carried out on the lands of these states and thus, their consent was necessary. Such consent for the project was granted on 8th April, 2002 and 9th July, 2010 by the State of Jharkhand and Chhattisgarh respectively. From the documents on record, it is clear that the construction and related activity of the project had come to a halt and had not been carried out for a long time, for the want of funds, due to absence of fresh permission from the Central Water Commission in the light of change in technical and physical parameters of the project and the consent of the other States affected by the project. The Advisory Committee of the Commission in its 106th Meeting held on 16th September, 2010 had considered the project as new major project in Uttar Pradesh and proposal was accepted as follows:

**“KANHAR IRRIGATION PROJECT (NEW-MAJOR),
UTTAR PRADESH:**

CE (PAO), CWC briefly introduced the project. The Kanhar Irrigation Project envisages construction of a 3.003 km long earthen dam across river Kanhar, a tributary of river Sone. The project is proposed to provide irrigation benefits to an area of 27,898 ha (CCA-26,075 ha) annually to the Dudhi and Robertsganj Tehsils of Sonbhadra District which falls in the drought prone area of Uttar Praedesh.

The Cost Estimate for the project has been finalized as Rs. 652.59 crore at 2008-09 Price Level with BC ratio of 1:17. State Finance Concurrence has been submitted by the Project Authorities (Annexure-V).

Ganga Wing, MoWR has informed vide their letter No. 7/17/2008-Ganga/ 5511- 13 dated 15th September, 2010 that TAC Note of Kanhar Irrigation Project does not have any information about international aspect of the project. The project authorities informed that Kanhar Project has been taken up for utilizing 0.15 MAF of Kanhar water out of total allocation of 0.25 MAF to Uttar Pradesh as per Bansagar Agreement (reached on 16th September, 1973 prior to Indo-Bangladesh treaty on sharing of Ganga Water).

After brief discussion, the Committee accepted the proposal.”

It may be noticed at this stage that initially the declared cost of the project was only 27.75 crores which on the basis of 2008-2009 price level with BC Ratio 1:17 was finalized at Rs 652.59 crores. There had been considerable variations in command area, submergence area and the land required to be acquired. Subsequently, it was declared that the land measuring initially 4131.5 hectares from all the three States was required for the project. Through letter dated 27th February, 1982, the forest land admeasuring 2422.593 acres for non-forest activity was approved for transfer to Irrigation Department by Governor. The other land required for the project were 4439.294 hectares.

11. The Environmental Clearance had been granted to the project in 1980. However, the applicants have not filed an appeal under Section 16 of NGT Act challenging the Environmental Clearance. They have raised environmental issues falling within the ambit of Sections 14 and 15 of the NGT Act. Undoubtedly, limitation prescribed under Section 14 is of 6 months from the date when the

‘cause of action first arose’, while under Section 15, it is of 5 years from the date when the ‘cause of action first arose’. The cause of action first arose contemplates a cause of action not in its generic sense but a complete cause of action with reference to the provisions of the NGT Act. For instance, the acquisition of land would not be a cause of action contemplated under the NGT Act. In this regard we may make reference to the Judgment of the Tribunal in *Kehar Singh v. State of Haryana* 2013 ALL (I) NGT REPORTER DELHI 556.

The cause of action must be a composite cause of action which will give rise to environmental specific issues under Section 14 of the NGT Act, 2010. Even if, the land is acquired, environmental clearance is granted and for years together, the work is not carried out, it cannot be said to be a complete and a composite cause of action triggering the point of limitation under Section 16. As already noticed, there is no challenge before us to the order dated 14th April 1980, but the applicants are certainly entitled to question whether or not the conditions of Environmental Clearance are necessarily being implemented in the interest of environment and ecology. Section 15 of the NGT Act, deals with the restoration of property, damage and restitution of the environmental areas where project activity has been carried out. The limitation period specified under the said provision is 5 years. The NGT Act, 2010 itself came into force in the year 2010 and the period of 5 years is not over, even as of today. Prior to 2010, question of filing the petition as contemplated under Section 14 and 15 of the NGT Act would not

arise and the applicant could not have invoked such jurisdiction. From the date above-mentioned, it is clear that the consent of the States which will be an advantage precedence for commencement and carrying on of the project itself, was granted in the year 2010. The project reports showed that in the year 2010, scope of the project was expanded and/or modernized which was cleared by the Central Water Commission only on 16th September, 2010. If 5 years are even computed there from, the petition had been filed on 22nd December, 2014 which is well within the period of 5 years. Another relevant aspect that would call for discussion is the fact that the Forest Clearance of the project is not available and in any case has not been placed on the record of the Tribunal. The applicant had moved two RTI applications on 24th July, 2014 and 29th August, 2014 respectively which was replied by the Ministry by stating that Environmental Clearance had been granted vide order dated 14th April, 1980 but the Forest Clearance was not available though, it was stated to have been granted. After coming in to force of the Environment Protection Act, 1986, particularly the notification of 1994 and 2006, it was expected of the project proponent to put both the Forest and Environmental Clearances on its website and informed the State Government as well, though none of this kind had been done to trigger the prescribed period of limitation under the provisions of the NGT Act. It is only upon compliance of these requirements, that in terms of conditions of EIA Notification, 2006, the Respondents could have raised the plea of limitation. In light of this discussion, we are unable to find any merit in the plea of the

Respondents that the present application is barred by limitation and would reject the same.

Discussion on Issue No. (iii) and (iv)

12. Now, we will proceed to examine the merit and otherwise of the contentions raised in both question nos. (iii) and (iv) which we would prefer to examine collectively. The project in question is not a site oriented project with wide and diverse activity and consequences. According to the Respondents, the project envisages construction of the dam of total length of 3.240 kms with three lift schemes, 2.66 km long irrigation D-shape tunnel of 5.50 meters in diameter on right Kanhar Canal. 74 drainage crossings on right bank canal including Pandu basin canal and 39 drainage crossing on left bank canal and 13 aqua ducts, 2 railway bridges, 7 PWD bridges and 72 Village Road Bridges. The Project is expected to provide facility of annual irrigation to the land of up to 35,467 hectares. The project of this nature and dimension, certainly requires unambiguously stated conditions for avoiding, and in any case, minimizing its adverse impacts on environment, ecology, rivers and biodiversity of the area in question. As already noticed, the project was conceived in the year 1976-1977 and Environmental Clearance was granted to it on 14th April, 1980. The Environmental Clearance to the project was in very general terms. It imposed certain conditions which we have already referred above. The Project Proponent was required to prevent erosion and removal of scars, take effective steps in regard to restoration of the land, take due care of health problems likely to arise due to water/soil-

borne disease. The Project should involve minimum possible deforestation. Compensatory afforestation and social forestry should be undertaken on a large scale. The socio-economic profile of the affected (adivasis) population should be prepared to determine the problems likely to be encountered in their rehabilitation. Due rehabilitation scheme should be formulated. There is nothing on record before us to show complete or even partial compliance to these conditions except vague averments. Submitting of progress reports to the Ministry will be inconsequential, unless and until a strict vigil is kept and physical inspection of the site is continued, to verify the compliance of the conditions. There is no report before us by inspection team, by MoEF or any other competent authority that the project has progressed strictly in terms of these conditions, which in any case are very general in nature.

At the cost of repetition, we may also notice that no order granting Forest Clearance to the project had been placed on record, despite repeated opportunities. It is a matter of surprise that none of the respondents including the Project Proponent are able to produce Forest Clearance to the project, which is the very foundation for commencement of project. The entire reliance has been placed upon the letter dated 27th February, 1982 written by Joint Secretary, Government of Uttar Pradesh to the Chief Conservator of Forest. In terms of this letter, the forest land measuring 2372.593 acres and 50.00 acres i.e. total of 2422.593 acres of forest land situated in District Mirzapur of Duddhi Forest

Division was transferred to the Irrigation Department for the consideration stated therein, for the purpose of submergence of area for Kanhar Dam Project and for the construction of residential quarters for the said project. In terms of this letter, the land was to be used only for the purposes stated in the letter and not otherwise. The Irrigation Department could not transfer this land to any other department, institution or person. Value of 144 trees was to be paid by the Irrigation Department while the trees standing on the rest of the land were to be disposed by the Forest Department in a public auction. The expenses to be accrued on the plantation of 10 times of trees in lieu of the trees cut from the land measuring 2422.593 acres proposed for the transfer, shall be borne by the Irrigation Department. First and foremost, the approval granted by the governor permitting conversion of the forest land for non-forest activity of the project is not and cannot be construed as the Forest Clearance as contemplated in terms of Section 2 of the Forest Conservation Act, 1980. Secondly, this letter postulates compliance to the conditions stated therein. Again, whether these conditions have been complied with or not even as of this date, there is nothing on record of the Tribunal. Even in the counter affidavit filed by the Project Proponent, there is no specific averment that these conditions have been fully complied with. Reforestation is an activity which can safely be continued along with the progress of the project. Compliance to these conditions would have been in the interest of the environment because by now, the trees would have fully grown and would have protected the environment and

prevented pollution generated as a result of various activities, including construction and vehicular pollution, resulting from the activity of the project. Failure to produce relevant records of the Forest Clearance by the Respondents, particularly the Project Proponent, can certainly be of no advantage to them. They are the beneficiaries of the order, thus, under the responsibility to show compliance thereof.

13. In the correspondence relating as back as to 18th July, 1979, Deputy Secretary, Government of Uttar Pradesh had written to Inspector General, Forest, Government of India for permission to transfer the forest land. In the copy of this letter which was addressed to the Chief Conservator of Forest, Uttar Pradesh, it was stated that after contacting Officers of the Irrigation Department which part of the land area urgently required in order that the pruning of trees etc. in such priority area may be get done. Upon receipt of the required permission from Government of India and formal orders being passed by the State Government, there would be no impediment to give physical possession of the land. No clearance or order of the Central Government has been placed on record before this tribunal to show that the conversion and transfer of forest land for unauthorized non-forest activity was approved by the Government of India.

14. Since the inception of the project in the year 1976, a period of more than 39 years has gone by. There are rival contentions made by the parties in relation to activities and progress of the project. According to the applicants, the project has hardly progressed and

even as late as in July, 2014, not much work at site has taken place. They have filed photographs to show that there are dense forests around the area of the project at hills of Rangniya Sundri, Janta Jangal, Gohda, girgarani. It was also contended that because of the increase in population, construction activity and other allied developments in the area in question over this long period, in any case, would justify a relook into the entire project and its activities and the Project Proponent ought to seek fresh Environmental Clearance. On the contrary, the Respondents have placed on record photographs to show that the large scale construction activity is going on the site in question. The major part of the canals has been constructed. The construction of the tunnel is in the process of being completed. Huge amount of funds, i.e., Rs 223.55 crores have already been spent upon removal of earth, construction and other allied activities. It is also averred on behalf of the Respondents that the rehabilitation package, in all respects, have been provided. It was finalized on 30th October, 2014 containing provision for various categories and it is expected that nearly Rs. 7,11,000 would be given for rehabilitation and original families in the villages specified under the scheme shall be given 150 sq. mtr plots for residential units, free of charge. The amount is to be given in a time bound manner and various amenities like school, park etc. is to be provided. In nutshell, according to the Respondents, the project takes care of all essential features and there is no likelihood of the environment and ecology being adversely affected. The specific

stand, is that it is an ongoing project and does not require any fresh Environmental clearance.

Whatever be the situation at site, very substantial work of the project is still to be completed. Even the photographs placed by the Respondents on record do not show that the project is anywhere near to its completion. We are of the considered view that even if the project is treated to be an ongoing project, even then, its impact on environment, ecology and biodiversity of the area is required to be considered objectively and in its correct perspective. We have already noticed that it is not a site oriented project but is a huge project, which will have diverse impacts on a very large area and number of villages falling in the territory of the three States namely Uttar Pradesh, Jharkhand and Chhattisgarh. Nature of the project involves tunneling, making of canals, roads, bridges and other concrete works which all would, in the normal course of events have an impact on the environment. The Environmental Clearance which was granted 33 years back cannot be held as good in the field of environment. With the progress in time and the developments that have taken place during this long time, are certainly of relevant consideration for examining the environmental impact of the project on the area in question. The applicants plea that the project activity which has started at a massive scale in the recent past is bound to have impact on environment, aquatic ecology, forest and terrestrial biodiversity, wild life habitat, climate change and would also result in loss of medicinal plants and rich biodiversity is an element of merit. From the pleadings of the parties

and the documents on record, it is evident that hardly any construction or other major activity had taken place prior to 1994. The consent of the other States came in the year 2002 and 2010 respectively. The Central Water Commission granted approval in September, 2010. The cumulative effect of these documents seen in light of the circumstances of the case clearly shows that the project implementation took off in the recent past and not years back. After coming into force of Environmental (Protection) Act, 1986, the Ministry of Environment and Forests had issued a Notification dated 27th January, 1994 requiring any person who desires to undertake any new project and in any part of India, or expansion or modernization of any industry or project listed in Schedule I to the Notification had to submit an application to the Ministry to seek Environmental Clearance for the project. Schedule I to the Notification included hydro power, major irrigation projects and / or their combination including flood control projects. In view of the peculiar facts and circumstances of this case, it was expected of the Project Proponent to seek Environmental Clearance in terms of the Notification of 1994, which apparently he did not. Thereafter, came EIA Notification issued by MoEF on September, 2006. Under Schedule I to the Notification of 2006, such projects were covered and the Project Proponent was expected to take Environmental Clearance in terms of the specified category. The expansion and modernization of the existing project or activities listed in the Schedule were also covered under the Notification. Under Entry 1(c) to the Schedule to the Notification of 2006, specifically covered such

projects and they were categorized as project 'A' wherever submergence of inter-State domain was concerned. In furtherance to this Notification, MoEF vide its Circular dated 15th January, 2008 notified as under:

“All such projects listed in both EIA Notifications, 1994 and 2006, shall require prior environment clearance irrespective of issue of NOC if the project related activity has not yet commenced at site. The validity of NOC should not be extended without asking the proponent to seek prior environment clearance under the EIA Notification, 2006.

All such projects, which were issued NOC/CTE before September, 2006 and listed in both the Notification, but have not commenced project activities at the site shall not start project activity now without obtaining prior environment clearance under EIA Notification, 2006 even if the land was acquired before January 1994.”

The bare reading of the Circular above, shows that the projects which were to be established and / or which were having expansion or modernization of existing projects and were covered under the Notification of 1994, would require prior Environmental Clearance, irrespective of issue of 'NOC', if the project activity has not yet commenced at the site. Admittedly, the project in question had not established itself, much less it had become operational either in 1994, or 2006 or even in 2014. The expansion and modernization would have to be of an ongoing project. The project must exist on the site, otherwise it would be a project which is sought to be implemented and modified at planned stage, i.e., on paper and not in reality. In such projects, obligation to comply with the existing environmental laws would certainly accrue. The laws even if taken as prospective and not retrospective, even then the project which has not been implemented, at least

substantially, would be required to comply with the environmental conditions as such interpretations of these laws alone, would serve the object of environmental statutes, public good and protection of the Fundamental right in terms of Article 21 of the Constitution of India. The object of environmental laws is to protect the environment, ecology and public health in the interest of society. It would be impermissible to throttle the compliance to these laws on the assumption that such laws would not be applicable to the existing units or to the units or the projects which are on going or are at their very initial stage of construction. For instance, Section 25 of the Water (Prevention and Control of Pollution) Act, 1974 requires not only units, industries, or operations or processes which are to be established, but also covers the existing units which all are required to take consent of the Board within the prescribed period in terms of the said provision [M/s Divya Granites v. KSPCB; 2013 ALL (I) NGT REPORTER (2); A.P. Pollution Control Board V. Prof. M.V. Nayudu, (2001) 2 SCC 62]. Of course, the provisions of the 1994 Notification and / or 2006 Notification by explicit language do not prescribe so, but what cannot be overlooked is the language of the provisions of these Notifications and the Circulars issued by the Ministry, which is intended to further the cause of the laws in force, particularly the Environmental (Protection) Act, 1986. We should give such interpretation to these provisions that would further the cause rather than defeat the very purpose and essence of these environmental statutes. The power of the Central Government to

take measures and / or to issue directions as contemplated under Sections 3 and 5 of the Act of 1986 would apply universally, without any differentiation between an existing project or project in progress or projects to be established in future. The underlining feature for exercise of such power is very fundamental and that is for protecting and improving the quality of environment and preventing, controlling and abating environmental pollution.

15. In the case of *Rayons Enlightening Humanity & Anr. v. MoEF Ors.* 2013 1 All (I) NGT Reporter (2) 324, where the Tribunal was concerned with the interpretation of the Circular dated 15th January, 2008 while noticing that even the State Pollution Control Boards were required not to grant/extend/revalidate NOC/CTE without advising the Project Proponent to seek prior Environment Clearance under EIA Notification, 2006, for the projects which were listed in EIA Notification, 1994 and have not commenced project activity at the site and such projects were required not to start activity on the site without grant of Environmental Clearance. The Tribunal after considering various judgments of the Supreme Court of India held as under:

“36. The purpose of issuing executive directions or circulars is primarily to provide guidelines which then must be read together for the purpose of ascertaining the intendment thereof. Thus, executive orders and circulars have to be interpreted and construed in the backdrop of these stated principles and they cannot be intended to achieve an object which is contra or even different than the statutory law.

37. Now, we revert back to consider the circular dated 15th January, 2008. Admittedly, the project in question was not listed in EIA notification of 1994 and is listed under EIA notification of 2006. It would not require EC under the EIA notification of 2006 if it was not shown in EIA notification of 1994 and NOC was issued on or

before 14th September, 2006. Here, we are concerned with environmental protection with reference to Municipal Solid Waste (Management and Handling) Rules, 2000 (for short 'MSW Rules'). These rules elaborately dealt with the collection and disposal of municipal solid waste. None of the terms and conditions of these rules were complied with by Respondent No.4 till expiry of the NOC period of five years in 2010. The NOC referred to in clause (ii) relates to the NOC being issued under the provisions of the Environment (Protection) Act, 1986 read with MSW Rules of 2000. The NOC issued by Respondent No.3 does not state as to under what provision of law or under what statute the NOC was being issued. In any case, this was the NOC for the purpose of establishment of MSWM plant, which itself was not set up till the expiry of the NOC period in 2010. Thus, the NOC was rendered ineffective and infructuous.

38. Furthermore, we must see the intent of the circular which has been clearly conveyed in clause (iii) of the circular dated 15th January, 2008, though in a different context. Under that clause, obtaining of EC irrespective of NOC would be necessary if the project has not commenced and it was listed under both the notifications of 1994 and 2006, but what is important is that the 44 NOC should not be extended without asking the project proponent to seek prior EC under the notification. The purpose and intent of the circular dated 15th January, 2008, thus cannot be construed to provide an exemption to the statutory notification of 2006 but is to provide solutions in some given situations while ensuring that EC is taken. The exception is relatable to only those projects where the project has been commenced. That is why, the project activity must relate to operation of the plant rather than commencing of ancillary works (such as construction of staff quarters). Now we must also examine the stand taken by Respondent No.3 for all these years. Though the circular had been issued in the year 2008, still the Board was of the firm view that Respondent No.4 need to obtain EC from SEIAA. Even as late as on 5th March, 2012, the Board wrote to Respondent No.4 that NOC had already lapsed and in view of the notification of 2006, there was a compulsion for seeking environmental approval for solid waste management project and specifically stated that no report had been submitted and the authorisation requested was specifically declined. Even on 11th July, 2012, similar stand was taken and the Board called for rapid environmental impact and general environmental assessment report to consider the request. Thus, as late as the end of 2012, the Board was not willing to

grant any authorisation or permission to Respondent No.4 for operating the MSWM project in question. It is also evident at that stage that the project had not been completed and even its construction was not complete. The stand 45 taken by Respondent No.3, apparently was in consonance with law.”

In light of this position of law, let us examine the status of the present project. Undoubtedly, the project is nowhere near its completion. It has still miles to go before it is operationalised and serves the purpose that it is required to serve. There were considerable changes in the scope of the work, technical parameters, dimensions and particularly, the expenditure of the project. We have already noticed that till 2010 even the concurrence of all the concerned States had not been received and the project had not been cleared by Central Water Commission for the revised parameters. The Project Proponent had submitted a note for consideration of the Advisory Committee on ‘irrigation, flood control or multipurpose projects’. The Project Proponent has submitted that the estimated cost for the construction of the project had gone up from Rs. 652.58 crores as was in 2008-09 to Rs. 2252.29 crores in 2013, annual irrigation has gone up from 27898 hectares as was in 2008 to 35467 hectares in 2013 while CCA was stable at 26075 hectares. This had been approved on 10th March, 2010. The grounds given in the said proposal for variations stated in the proposal related to increase in spillway length from 237m to 311.75m, revision in size of the gates, changes in the aqua duct and changes in length and diameter of the tunnel. Besides this, the following recommendations were requested to be considered by the Advisory Committee of the Ministry of Water Resources:

- (1) “ The detailed review of proposed revised costing has been done by CWC and finalized the estimated revised cost as Rs. 2252.29 crore on 2013 price level.
- (2) BC ratio of the project has been revised to 1.42 taking into account the present rates and yield as communicated by State Agriculture Department. The same is acceptable as the project also benefits drought prone Sonbhadra district of Uttar Pradesh. As such the project is techno-economically viable.
- (3) The project has been proposed to complete in four years after investment clearance from Planning Commission. Therefore keeping in view the proposed completion duration, State Government needs to stick the proposed timelines for respective components.
- (4) The State Finance concurrence is granted for cost Rs. 1761.81 crore for which the proposal was submitted. However the cost has been increased as a change in design and other aspects. For remaining balance cost SFC is yet to be obtained from State Govt. The project proposal is recommended for consideration and acceptance of the Advisory Committee subject to condition that State Finance Concurrence from State Government is furnished during the meeting.”

The above recommendations which are stated to have been approved by the Advisory Committee provided a comprehensive differentiation in design and structure plans of the project. This also added considerably to the cost of the project. These modifications would have environmental impacts which nobody appears to have considered. When the proposal was submitted, the work on spillways and distributaries was still to commence. The F-cross drainage work and canal earthwork till March 2014 had only been done to the extent of 17 to 19 percent respectively.

The above discussion clearly shows that the Project Proponent should have been advised to seek Environmental Clearance under the Notification of 1994 and / or 2006. There is legal obligation upon the Project Proponent to continue and complete the project

with due regard to the environmental laws in force. Any law and for that matter, more specifically, the environmental laws are not mutable. They are progressive and subject to change. The provisions must be construed with regard to the scheme of the laws in force and the object sought to be achieved by such legislations. Certainly the entire development of the area will affect 19 villages of 3 States, which is a relevant consideration. The impact of the project activities and its completion will have diverse impacts upon the environment, ecology, rivers and the biodiversity of the area in question. Having obtained the Environmental Clearance in the year 1980 and the project being nowhere near completion even in 2015, the environment and ecological degradation is a matter of serious concern and the Project Proponent should be obligated to take all such precautionary and preventive measures that are required to be taken in the interest of environment and ecology. We have already noticed that there is nothing on record of the Tribunal to show that there has been strict compliance to the conditions of the Environmental Clearance granted in the year 1980 and even to the conditions stated for transfer of forest land in the letter dated 27th February, 1982.

16. The project proponent claims that environmental clearance was granted in the year 1980. However, the project has taken off in the very recent past. If this project was required to take environmental clearance during the period when it has actually started construction, then the laws governing the grant of clearance would have been entirely distinct and different. The laws in force

requires much more stringent compliance to the standards prescribed under different environmental enactments. The concept of EIA in India started much subsequent to the grant of environmental clearance. The full-fledged EIA studies and environmental clearance practices became effective only with the coming into force of the Notification of 1994 issued under the Environmental Act, 1986. The Environmental Clearance granted in the year 1980 was a mere formality and did not safeguard environment and ecology of the area in question. If the project of similar scale was proposed in the times when actual construction work had started after transfer of the required lands, it would have required serious considerations from various environmental perspectives and much harsher conditions would have been imposed on the project proponent. Some activities of the project, like the building of the roads, bridge and dams etc. would have a different impact at the construction stage and operation stage. The facts of the present case, examined in the light of the principles of sustainable development and the precautionary principle would tilt in favour of the project proponent but even by imposition of proper conditions in consonance with the laws in force, which in any case exists right from 1986 onwards. Another factor that has persuaded us to pass an equitable order in the present case is the fact that huge amount of public funds have already been spent on the project, large scale construction and digging has already taken place as of now. Any direction for stoppage of work or demolition of the project would certainly not serve either the ends of justice or the

environment. The project also contemplates to provide water to drought prone areas.

Another aspect which requires to be noticed in favour of the invocation of precautionary principle is that large scale industrial development has taken place in and around this area but still it has not affected the area in terms of prosperity and health. Life of the people living in that area still remains backward. This project is intended to provide and inject better facilities of living and better environmental air to the area in question.

17. The Environmental Clearance to the Project is of a period prior to the enactment of the Environmental (Protection) Act 1986. In the light of the fact that actual impacts of the project on the ecology, environment and the people would be noticed only on commissioning of the project, thus there is need to reassess the environmental impacts in the light of the development that has taken place in the area around the project, both within the District of Sonbhadra and in the entire Singrauli region. The environmental impact assessment prior to the grant of EC in 1980 confined itself to the assessment of natural resources, mainly, forest diversity with botanical surveys of trees, shrubs and grasses being carried out by the botanical survey of India. The EIA study had merely listed out the various plant species occurring in the area and made observation that there are no rare or endangered species of the plant occurring in the area. It is further said that there is not much vegetation in the area except common species of dry deciduous

forest and that there will be no major environmental impact if the proposed dam is constructed.

18. The industrial development that has taken place in the last 30 to 40 years, have created great deal of environmental stress. The air and water pollution has increased manifold. The mining activity has resulted in large dumps of over burden being created which is physically, nutritionally and micro biologically harming the environment and impoverishing the ecosystem. This has also led to soil erosion and contamination of rivers including adverse impact on agricultural lands through leaching of heavy metals. The ground water is also severely under stress due to contamination with heavy metals like Mercury, Arsenic and Fluoride from the fly ash generated by the power plants. There are Reports of the CPCB to suggest that there is a presence of Mercury, Arsenic and Fluoride in the water samples which is entering the food chain and thereby, affecting the health of the people. It therefore does not come as a surprise that the Singrauli region was identified as a critically polluted area by CPCB as far back as 1991. The State of Madhya Pradesh and Uttar Pradesh were required to prepare action plan to control pollution. Even in terms of the study conducted in 2009 by CPCB in collaboration with IIT, Delhi, Singrauli region, of which Sonbhadra is a part as already stated above, was identified as critically polluted area with a comprehensive environmental pollution index (CEPI) of 81.79 out of 100 and was among the 88 most critically polluted industrial cluster in the Country. As a consequence thereof the Government of India placed a moratorium

on setting up of new industries in 2010. The soil is withered and impoverished and consequently natural forest and the eco system are fragile. Most of the industrial development which has taken place in last 30 to 40 years has caused immense stress on the environment and consequently on the people. Obviously, therefore, an environmental clearance granted in 1980 would not have factored with the level of industrial development and its cumulative impact on the environment.

A simple reading of the conditions for EC will only demonstrate that such factors as Air Pollution caused due to the industries, power plants, mining and stone crushing has not even been mentioned in the EC, let alone gone into comprehensively while undertaking Environmental Impact Assessment.

19. Paradoxically although Sonbhadra is one of the highly industrially developed districts of the State of Uttar Pradesh, it is also the district which is classified as one of the 250 most backward districts in the Country. The district is also one of the districts which have high percentage of the area under forest. As against the forest cover of less than 6 % for the entire State of UP, Sonbhadra District accounts for about 38 % of the forest cover (though most of it is more than 60 % open forests with canopy density of less than 40 %).

In terms of the permission of the Governor of Uttar Pradesh approving diversion of 2422.593 acres of forest land situated in Dudhi Forest Division of District Mirzapur to the Irrigation Department, Respondent No. 1 and 2 (the State of UP) have averred

that in lieu of the 2422.593 acres (equal to 980.40 hectares), compensatory afforestation over an area of 666 hectares has been done, besides 80 KMs of road side plantations along Myorpur – Dhaba and Myorpur Babhuni Roads. Therefore, against an area of 980.40 hectares diverted for the irrigation project, the area brought under compensatory afforestation in terms of the statement filed by a Divisional Forest Officer, Renukoot Forest Division is only 666 hectares of forest plantations and 80 KMs of road side plantations. Though not specifically mentioned in the Report of the DFO, however, it emerges that there is still deficit of about 314 hectares of area to be covered under compensatory afforestation. The reply filed by the State of UP (Respondent No. 1 and 2) is silent as to when and where the deficit of compensatory afforestation is proposed to be liquidated. It is also not clear from the Report filed by the Divisional Forest Officer as to the present status of the compensatory afforestation in terms of the survival percentage of the plantation and their growth and their present status. The compensatory afforestation which is claimed to have been done in the years 1984 to 86 would have reached sufficient degree of maturity and should be a full grown forest in 30 years, the time elapsed since the compensatory afforestation activity was done. This is particularly important considering the fact that all the forest areas that were diverted in terms of the order of Governor of UP in 1982, has been cleared of the pre existing vegetation and in the area that was taken up for compensatory afforestation should be a full grown forest as of now. It is also essential to assess the impact

of such large scale clearance of forest when compensatory afforestation has not been completed. There being a deficit of more than 300 hectares even now as per the document on record.

20. From the affidavit filed by the State of UP it is evident that in a note prepared by the District Magistrate Sonbhadra (who is also the Administrator of the irrigation project) which was submitted to Secretary, Irrigation and water resources, Government of UP that in so far as land acquisition is concerned, the total forest land required to be acquired is 1421.47 hectares out of which 980.40 hectares has already been acquired and balance forest land that is required to be acquired is 441.07 hectares. The relevant portions of the Annexure A/12 of the State of UP are reproduced below:

“11. Land acquisition

A total 4610.87 ha of land (including submergence and main canal and branches) is required for construction of this project.

Details of updated land acquisition are given below:

Sr. No	Type of land	Total Land requirement (ha)	Land acquired (ha)	Balance (ha)	Remark
1	Agricultural	2085.85	1752.39	333.46	Land required for submergence and construction of dam has been acquired completely only gram samaj (govt. land) is to be transferred to project authority by the District Magistrate is under process
2	Forest land	1421.47	980.40	441.07	
3	Gram Samaj	1103.55	0	1103.55	
	Total	4610.87			

It thus emerges that the 980.40 hectares is the land already diverted in terms of the order of the Governor of the UP vide letter dated 27.02.1982. This leaves a balance of 441.07 hectares of forest lands which is still to be acquired. In other words, in order for the project to be completed as per the revised technical and physical parameters, the project authority would require additional 441.07 hectare of forest land for its completion. There is not even a whisper in the reply of the State of UP to suggest that State of UP has submitted a proposal for acquiring this balance forest lands in terms of the Provision of the Forest (Conservation) Act 1980. The Affidavit of the MoEF & CC (Respondent No. 3) is also silent on this.

21. The applicants have also referred to a study conducted by Central Inland Fisheries Research Institute (CIFRI) in the year 2014 in respect of the River Sone, of which Kanhar River is a tributary. The research paper has categorized the Sone river as environmental class 'F', which suggests that the modification of the river flow has reached critical level and river system has been completely modified with almost total loss of natural habitat and biota. The applicant has averred that with the impounding of River Kanhar, there will be serious adverse impacts on the aquatic fauna particularly the fishes population and also on the number of species present, due to the dams already constructed.

22. The Respondent No. 3 (MoEF & CC) in its Additional Affidavit filed on 11th March, 2015 have averred that the Forest (Conservation) Act 1980 was enacted on 25th October, 1980 and

that it is evident that the issue of application and grant of environmental and forest clearance as raised by applicant pertains to the period prior to 25th October, 1980, that is the date of enactment of Forest (Conservation) Act 1980. In any case the Respondent No. 3 (MoEF & CC) has taken different stands on the subject and is unable to produce document to conclusively say, whether the forest clearance under the Forest (Conservation) Act, 1980 was granted if taken after the enactment of the Forest (Conservation) Act 1980 or whether in view of the fact that since the project pertains to the period prior to 1980 there is no forest clearance required. Be that as it may, assuming that the Governor of UP approved the diversion of 2422.593 acres of forest land validly, no such diversion could have happened in 1982 without prior concurrence of the central govt. under Section 2 of the Forest (Conservation) Act 1980.

23. In the application, there is no prayer for setting aside of the Environmental Clearance dated 14th April, 1980. There is no Forest Clearance placed on record by any of the parties before the Tribunal. We are not inclined to accept the contentions of the applicant and grant prayer that the project work should be stopped and it should not be permitted to continue till the Project Proponent seeks fresh Environmental Clearance. In our considered opinion, it would neither serve the interest of the environment or ecology nor would it serve public purpose. Huge amounts have been spent on this project. The project which was expected to cost the nation 27.75 Crores, is now costing the country 2252.29 Crores at 2013

price level. Stoppage of work would further enhance the cost of construction and would be unnecessary burden on public exchequer. Applying the principle of sustainable development, while giving due regard to the protection of environment and while ensuring that no irreversible damage and degradation of environment is permitted in terms of Section 20 of NGT Act, we are constrained to issue certain directions. We find it inevitable for us to issue directions keeping in mind peculiar facts and circumstances of the present case, thus, the following order:

(1) We constitute the following Committee which shall submit the report to the Tribunal on the issues stated hereinafter and in light of this judgment:

- (a) Principle Chief Conservator of Forest (Uttar Pradesh) or his representative.
- (b) Chairman or his Nominee of Expert Appraisal Committee of River Valley and Hydro Power Projects of Ministry of Environment, Forest and Climate Change.
- (c) Member Secretary, Central Pollution Control Board.
- (d) Representative of Ministry of Environment, forest and Climate Change.
- (e) Representative of Central Water Commission.
- (f) Chief Engineer, Department of Irrigation, State of Uttar Pradesh.
- (g) Chief Engineer, Department of Irrigation, State of Chhattisgarh.
- (h) Expert from IIT, Kanpur.

- (2) The Committee shall specifically report whether the conditions imposed in the consent order dated 14th April, 1980 and 27th February, 1982 of the Forest Department have been strictly complied with or not, in all respects.
- (3) The Committee while examining the compliance of the conditions, as noticed above, shall specifically report whether the conditions have been complied with in its entirety or not. What is the status thereof and what steps are required to be taken in that regard?
- (4) Whether there is complete and comprehensive Resettlement and Rehabilitation Policy in place in relation to the project.
- (5) Modifications in execution of the project, if any, required to ensure protection of environment and ecology in the execution of the project in question.
- (6) The Committee is required to make its general recommendations, measures and the conditions that should be imposed upon the project proponent to ensure that further progress of the project does not have any adverse impacts on ecology, environment, rivers, hydrology, biodiversity and on all the surrounding forests, villages and tribes.
- (7) The Committee shall assess and examine the present status of the compensatory afforestation done by the forest department during 1984, 85 and 86 over an area of 666 hectares and 80 kms on the road side. The Committee shall make assessment of the survival percentage and the present status of compensatory plantation through random sampling.

- (8) The Committee shall examine the proposal of Project Proponent with reference to the forest area already diverted (980.40 Hectare) and the balance area of 441.07 hectares that is required to be diverted in terms of the note prepared by the Administrator of the project while seeking clearance for the project.
- (9) The Project Proponent shall not take up any new activity on the additional forest area of 441.07 hectares proposed to be acquired unless specific permissions under the Forest (Conservation) Act 1980 is taken and the area diverted for non forest activity by the Competent Authority.
- (10) The Committee shall study the impact of loss of 980 hectares of forest area which is comprised of wild life habitats with specific reference to the elephant corridor, rich floral and faunal diversity.
- (11) Undertaking Social forestry in resettlement colonies of the displaced persons was one of the conditions of EC. The Committee shall examine whether social forestry for ameliorative measures against air pollution and adverse impact on local ecology and environment has been taken up and to what extent. The committee shall also suggest measures as to how the resettlement colonies particularly, if located close to the industrial clusters of Sonbhadra, can be protected from the adverse effects of thermal power plants, coal and bauxite mining, aluminum and cement industries, particularly, from the air and water pollution and health

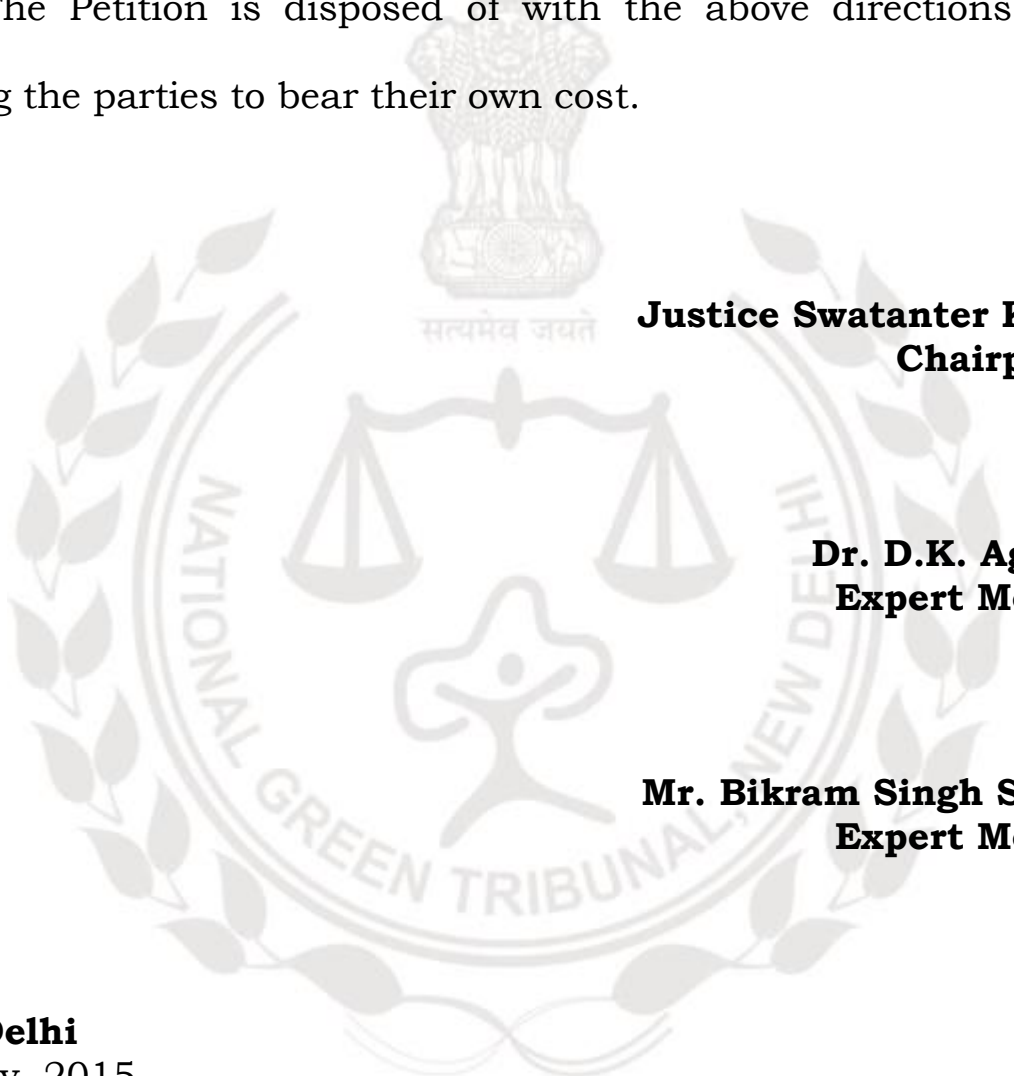
impacts due to Mercury, Arsenic and Fluoride contamination and as a consequence of the presence of large number of industries in the District of Sonbhadra in particular and Singrauli in general.

- (12) In the light of the fact that the Kanhar River flows through to a drought prone area where water is a critical input for the life supports systems, both on land and within the aquatic ecosystem, the Committee should examine maintenance of certain minimum environmental flow downstream of the Dam.
- (13) The Committee while preparing the comprehensive report shall take into consideration, if there is any adverse impact of the works already executed, on the environment and ecology of the areas and the remedial steps that should be taken.
- (14) The Project Proponent shall complete the construction or activity that is under way and would not commence any new activity or construction without specific recommendations of the Committee in that behalf.
- (15) The Committee shall pay specific attention in regard to the conditions that should be imposed upon the project proponent for conservation, protection, reforestation, restoration of environment and ecology wherever any environmental damage or degradation has occurred as a result of this project.

24. In view of the fact that we are finally disposing off the Original Application, M.A. No. 902 of 2014 (praying for interim stay on the

further progress and construction of the project) and M.A. No. 14 of 2014 (praying for taking of action against respondents for violating the orders of the Tribunal on 24th December, 2014) do not survive for consideration of the Tribunal and are, therefore, disposed of as such.

The Petition is disposed of with the above directions while leaving the parties to bear their own cost.



Justice Swatanter Kumar
Chairperson

Dr. D.K. Agrawal
Expert Member

Mr. Bikram Singh Sajwan
Expert Member

New Delhi
7th May, 2015

NGT

REPORT PREPARED AND SUBMITTED BY THE
COMMITTEE APPOINTED BY HONORABLE
NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH,
NEW DELHI

(O.A. No. 521 of 2014 (M.A. No. 902 of 2014 & R.A. No. 14 of 2015))

Om Dutt Singh & others Vs. State of U.P. & others

Order dated 07.05.2015 and dated 14.12.2015



Vol. I/III

Chairman

Committee Appointed by

Honorable National Green Tribunal, Principal Bench, New Delhi vide Order dated

07.05.2015 in O.A. No. 521/2014

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BRIEF HISTORY OF KANHAR PROJECT

Kanhar Irrigation Project is located downstream from the confluence of rivers Kanhar and Pagan near village-Sugwaman in Tehsil Duddhi in District Sonebhadra of Uttar Pradesh. The River Kanhar is a tributary of river Sone, which originates from Lavmurha Path village in Manora block of Jaspur district in the State of Chhattisgarh and traverses through the States of Jharkhand and Uttar Pradesh before it confluences with river Sone in district Sonebhadra in Uttar Pradesh. Total catchment area of Kanhar river upto its confluence with Sone River is 6,020 sq. km, out of this catchment area of Kanhar river upto dam site near Amwar village is 4,584 sq. km. Index map of the project is given on the next page.

Kanhar Irrigation Project aims to provide irrigation facilities in most backward, tribal and drought prone area of Duddhi and Robertsganj Tehsil in Sonebhadra District of Uttar Pradesh. Apart from irrigation it will also provide drinking water facilities in this area. Cultural command area of Kanhar project is 26,075 ha with irrigation intensity of 136%. The project envisages an annual increase of about 291,712 tons in food grain production. As per the agreement done between States of Jharkhand and Uttar Pradesh, for irrigating 7000 ha land in Bhavnathpur block in Jharkhand, 6.23 cumecs (220 cusec) of water shall be taken by the State of Jharkhand as and when required through canal system developed by the State of Uttar Pradesh. The ground water table will increase in all the three States.

The project envisages construction of 39.90 meter high dam having total length of 3.24 km. Out of this, 1.50 km earthen embankment is on the left flank and 1.24 km is on the right flank. In addition and in overlap to this, there are two additional structure viz. 311.75 meter long concrete spillway and 288.25 meter long composite section on Kanhar River near Amwar village, in Duddhi Tehsil. Irrigation facility shall be provided through


3/1/12/15

Right Kanhar Canal (head discharge 18 cubic meter per second i.e. cumecs) and Left Kanhar Canal (head discharge 4.8 cumecs). Main canal is having a length of 110.20 km with distribution system of 190 km. At a glance, the project envisages construction of following major components –

- a) 3.24 km. long dam (earthen dam including spillway and composite section) having maximum height of 39.90 meter from deepest bed level, Concrete ogee spillway of 311.75 meter long having 16 number of hydraulically operated gates of size 15.5 m x 14.5 m, and 02 under-sluice gate of size 1.50 m x 2.0 m.
- b) 31.50 km Right Kanhar Main Canal and 53.1 km branch canal (Left & Right Pandu basin canal) and 25.6 km Left Main Canal.
- c) Three lift schemes, two on the Left Main Canal and one on the Right Main Canal to irrigate an area of approximately 1100 ha.
- d) 2.66 km long irrigation D-Shape tunnel of 5.50 meter diameter on Right Kanhar Canal for Irrigation.
- e) 74 number drainage crossings on Right Bank Canal including Pandu Basin Canal and 39 number drainage crossings on Left Bank Canal.
- f) 13 number aqua-ducts, 2 railway bridges, 7 PWD bridges and 72 village road bridges (VRBs) on canal and its distribution system.

Kanhar Irrigation Project was initially approved by Central Water Commission in 1976 for an estimated cost of INR 27.75 crores and was technically approved in 1979 with the revised estimate cost of INR 69.47 crores. Subsequently, the project was again techno-economically appraised by Central Water Commission and accepted in the 106th meeting of the Advisory Committee of the Ministry of Water Resources, River Development and Ganga Rejuvenation held on 4th October, 2010 at an estimated cost of INR 652.58 crores, at the price level of 2008-09. The revised cost estimate of the project is INR 2252.29 crores at price level of 2013 which has also been techno-economically appraised by Central Water Commission and accepted by the Advisory Committee in its 124th meeting held on 16th October, 2014. The project envisages annual irrigation over 35,467 hectares in addition to



KANHAR IRRIGATION PROJECT (U.P.)

INDEX MAP

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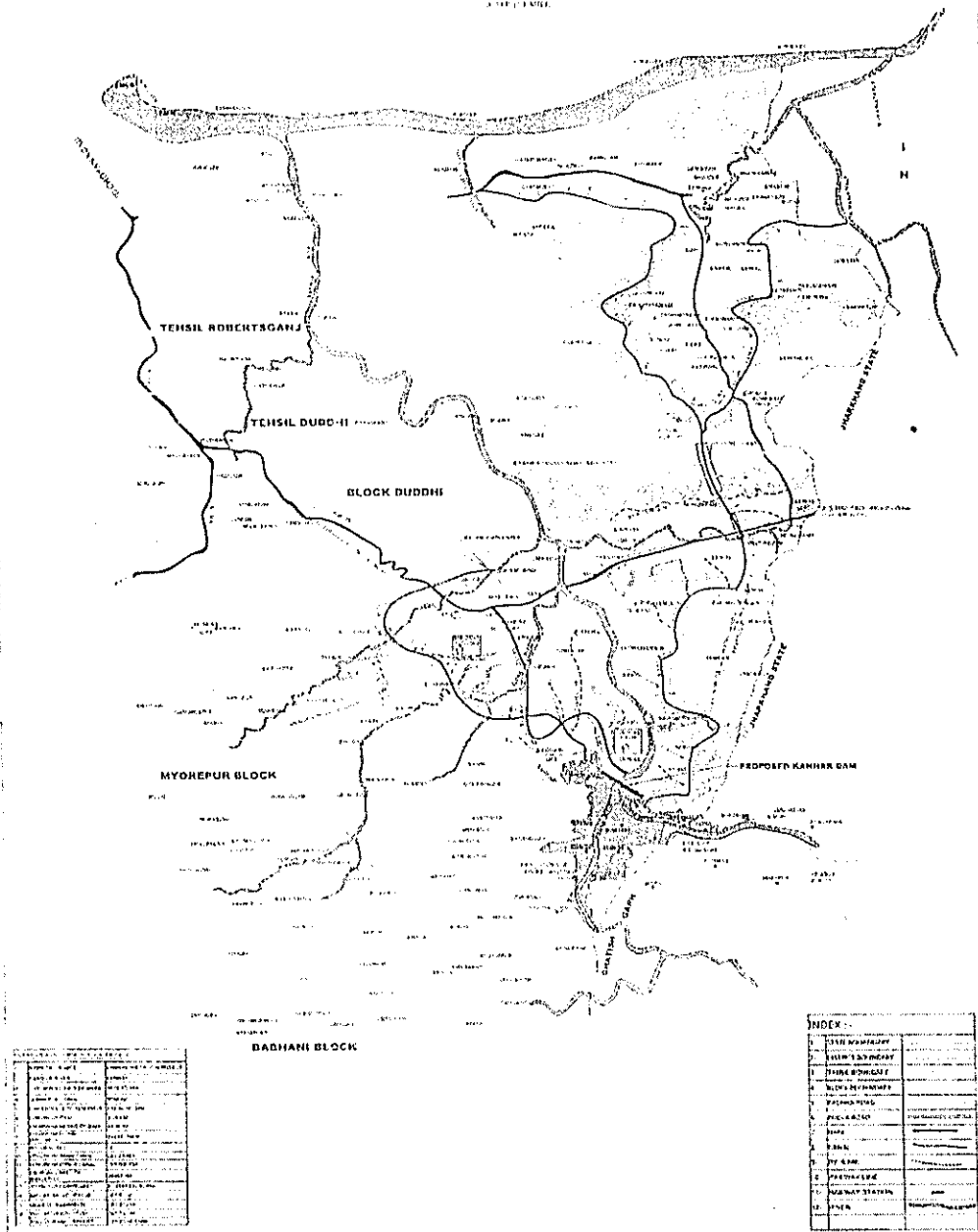


PLATE 1: INDEX MAP (Source: Irrigation Department, State of Uttar Pradesh)

the provision of supplying 1.42 million cubic meters (0.00115 million acre feet (MAF)) of water in the drought prone areas of Duddhi and Robertsganj Tehsils in District Sonebhadra (Uttar Pradesh) with a benefit cost ratio of 1.42. Out of 0.25 MAF of water available in river Kanhar, the Kanhar

Irrigation Project will utilize 0.152 MAF of water i.e. (60.80%) and balance 0.098 MAF (39.20%) of water will be available in the river Kanhar.

Despite lying in tropical zone with seasonal rainfall, Sonbhadra district is one of the drought prone districts of Uttar Pradesh. Topography in the region is semi-hilly with undulating terrain and drinking water problem becomes acute during the period April to June. Kanhar Irrigation Project will provide assured irrigation in the proposed command area which will optimize agricultural production and improve the socio-economic conditions of inhabitants of this backward region of Uttar Pradesh.

Approximately 30% of the project area including catchment area has forest cover which consists of dense, medium and degraded forests. Forest area under consideration is the hilly catchment area with dry peninsular sal forest (5B/C1) in slopes along river and subsidiary rivulets. Northern dry mixed deciduous forests (5E/C2) in the top of the hills and ridges mixed with Hardwickia binata (parsidh) forests (5/E-4). People depend upon forests for fulfilling their social, economic and religious needs. Local communities depend on forests for fuel, fodder and medicinal & aromatic plants. The top story of the proposed forest area comprises of Shorea robusta, Hardwickia binata, Meliusa tomentosa, Adina cordifolia, Pterocarpus marsupium, Madhuca indica, Khair, Salai, Jhingan etc. Middle story comprises of Tendu, Buchnania, Emblica, Dhaura, Siddha, Gardenia, Koraiyya etc. The ground flora and the understory comprises of Woodfordia fruticosa, Helictus isora, Indigofera pulvela, Rendia, Zijyphus, Van Tulsi etc. Lantana has also invaded the slopes. The climbers found are mainly Gurch (Tenospora), Bauhina, Ratti etc. Various medicinal plants such as Satavar (Asparagus), Van Pyaz (Virginia indica), Ramdatun (Eragrostis aristida) etc. are also found in these forests.

The area has sizeable population of chinkara, hyena and sambhars, which can be seen occasionally. The nallah beds and slopes are very rich in avifauna. Migratory birds also visit this area for breeding. The area is also

very rich in insects and flies. Reptiles like monitor lizard, chameleon, rat-snake, cobra, vipers and kraits.

The project area also has tribal population mainly Gond, Kharwar, Chero, Baiga etc. Local communities have their traditional forest rights viz. collection of Mahuwa flowers, chironji, gums, medicinal herbs, fuelwood etc.

In State of Uttar Pradesh, 11 villages viz. Sundari, Bhisur, Korchi, Bagharu, Amwar, Kudri, Barkhohra, Lambi, Randahtola, Sugwaman and Gohra are getting affected by this Project. Similarly in the State of Chhattisgarh, 6 villages viz. Trishuli, Jhara, Kushfar, Semarva, Kameshwarnagar and Dhauli; and in the State of Jharkhand 4 villages viz. Pefsa, Bhuifore, Shuru and Paraspani Kalan will be affected. People by and large are poor and live below the poverty line. Their dependency is primarily on renewable natural resources. Local population suffers from poor health, lack of sanitation, lack of drinking water availability, pre-natal and post-natal mortality.



PHOTOGRAPHS OF PROJECT SITE

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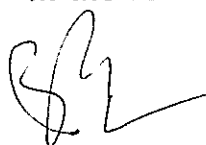
**ORDERS ISSUED BY HON'BLE NATIONAL
GREEN TRIBUNAL, PRINCIPAL BENCH, NEW
DELHI**

Hon'ble National Green Tribunal, Principal Bench, New Delhi in O. A. No. 521 of 2014 (M.A. No. 902 of 2014, M A. No. 1050 of 2015 & R.A. No. 14 of 2015) in the matter of Om Dutt Singh & others Vs. State of U. P. and others pronounced various orders. These are listed below –

Order dated 07.05.2015

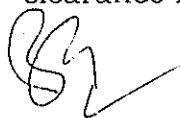
Order passed by Hon'ble National Green Tribunal, Principal Bench, New Delhi is at Annexure-1. Operative part of the said order is stated below –

1. We constitute the following committee which shall submit the report to the Tribunal on the issues stated herein after and in light of this judgment.
 - a) Principal Chief Conservator of Forest (Uttar Pradesh) or his representative
 - b) Chairman or his nominee of Expert Appraisal Committee of River Valley and Hydro Power Projects of Ministry of Environment, Forest and Climate Change
 - c) Member Secretary, Central Pollution Control Board
 - d) Representative of Ministry of Environment, Forest and Climate Change
 - e) Representative of Central Water Commission
 - f) Chief Engineer, Department of Irrigation, State of Uttar Pradesh
 - g) Chief Engineer, Department of Irrigation, State of Chhattisgarh
 - h) Expert from IIT, Kanpur
2. The Committee shall specifically report whether the conditions imposed in the consent order dated 14th April, 1980 and 27th February, 1982 of



the Forest Department have been strictly complied with or not, in all respects.

3. The Committee while examining the compliance of the conditions, as noticed above, shall specifically report whether the condition has been complied with in its entirety or not. What is the status thereof and what steps are required to be taken in that regard?
4. Whether there is complete and comprehensive Resettlement and Rehabilitation Policy in place in relation to the project.
5. Modification in execution of the project, if any, required to ensure protection of environment and ecology in the execution of the project in question.
6. The Committee is required to make its general recommendations, measures and the condition that should be imposed upon the project proponent to ensure that further progress of the project does not have any adverse impacts on ecology, environment, rivers, hydrology, biodiversity and on all the surrounding forests, villages and tribes.
7. The Committee shall assess and examine the present status of the compensatory afforestation done by the forest department during 1984, 85 and 86 over an area of 666 hectares and 80 kms on the road side. The Committee shall make assessment of the survival percentage and the present status of compensatory plantation through random sampling.
8. The Committee shall examine the proposal of Project Proponent with reference to the forest area already diverted (980.40 Hectare) and the balance area of 441.07 hectares that is required to be diverted in terms of the note prepared by the Administrator of the project while seeking clearance for the project.



9. The Project Proponent shall not take up any new activity on the additional forest area of 441.07 hectares proposed to be acquired unless specific permission under the Forest (Conservation) Act 1980 is taken and the area diverted for non-forest activity by the Competent Authority.
10. The Committee shall study the impact of loss of 980 hectares of forest area which is comprised of wild life habitats with specific reference to the elephant corridor, rich floral and faunal diversity.
11. Undertaking Social forestry in resettlement colonies of the displaced persons was one of the conditions of EC. The committee shall examine whether social forestry for ameliorative measures against air pollution and adverse impact on local ecology and environment has been taken up and to what extent. The committee shall also suggest measures as to how the resettlement colonies particularly, if located close to the industrial clusters of Sonbhadra, can be protected from the adverse effects of thermal power plants, coal and bauxite mining, aluminium and cement industries, particularly, from the air and water pollution and health impacts due to Mercury, Arsenic and Fluoride contamination and as a consequence of the presence of large number of industries in the District of Sonbhadra in particular and Singrauli in general.
12. In the light of the fact that the Kanhar River flows through a drought prone area where water is a critical input for the life supports systems, both on land and within the aquatic ecosystem, the Committee should examine maintenance of certain minimum environmental flow downstream of the Dam.
13. The Committee while preparing the comprehensive report shall take into consideration, if there is any adverse impact of the works already

executed, on the environment and ecology or the areas and the remedial steps that should be taken.

14. The Project proponent shall complete the construction or activity that is under way and would not commence any new activity or construction without specific recommendations of the Committee in that behalf.
15. The Committee shall pay specific attention in regard to the condition that should be imposed upon the project proponent for conservation, protection, reforestation, restoration of environment and ecology wherever any environment damage or degradation has occurred as a result of this project.

Order dated 06.10.2015

Order passed by Hon'ble National Green Tribunal, Principal Bench, New Delhi is at Annexure-2. Operative part of the said order is stated below –

1. We are informed by the Learned counsel appearing for Respondents that the post of Principal Chief Conservator of Forests have fallen vacant and will be filled shortly. The said person will act as Chairman. In the event immediate the said appointment is not made, the Senior most Chief Conservator of Forest of the State would act as Chairman of the Committee.
2. We direct the Committee to visit the site in question and submit a status report.
3. At the joint request of the Learned counsel appearing for parties, the State of Jharkhand is directed to be impleaded as Respondent in the matter and Chief Engineer, Department of Irrigation, State of Jharkhand also as a Member of the Committee.



Order dated 14.12.2015

Order passed by Hon'ble National Green Tribunal, Principal Bench, New Delhi is at Annexure-3. Operative part of the said order is stated below –

1. The Principal Chief Conservator of Forest, State of Uttar Pradesh is present. He agrees that there are certain patent flaws and shortcoming in the report submitted by the Committee. We grant by way of last opportunity three weeks time to the committee which is Chaired by him to submit a comprehensive report in relation to the project works making distinct reference to pending works and new works that are taken up. He shall involve the representative of IIT Kanpur who had inspected the site but did not sign the report. We direct Director of IIT Kanpur to nominate a person to report, who shall deal with all the three States State of Uttar Pradesh, State of Jharkhand and State of Chhattisgarh.
2. We direct Secretary of all the respective concerned States to fully cooperate with the Committee to enable them to finalise the report.
3. The report should be specific on afforestation in terms of the judgment as well as generally which is being done by the Project Proponent. It is pointed out that the survival rate of the trees is 12.68. We express our great dis-satisfaction over this. The Committee shall provide due remedial measures in that behalf.



MEMBERS OF THE COMMITTEE

In compliance to the Judgment pronounced by Hon'ble National Green Tribunal, Principal Bench, New Delhi dated 07.05.2015, Chairperson / Principal Chief Conservator of Forests, Uttar Pradesh vide letter no. 731/NGT (PA) dated 12.05.2015 (Annexure-4) requested designated offices to nominate their representatives along with their names and email addresses. List of designated offices is as follows –

1. Chairman, Expert Appraisal Committee of River Valley and Hydro Power Projects, MoEF&CC, Government of India, New Delhi
2. Member Secretary, Central Pollution Control Board, New Delhi
3. Director General of Forests, MoEF&CC, Government of India, New Delhi
4. Chairman, Central Water Commission, Government of India, New Delhi
5. Chief Engineer, Department of Irrigation, State of UP, Luck now
6. Chief Engineer, Department of Irrigation, State of Chhattisgarh, Raipur
7. Director, IIT Kanpur

In compliance to Chairperson's above mentioned letter dated 12.05.2015 following members were nominated by the designated offices –

1. IA Division, Ministry of Environment, Forests & Climate Change, Government of India vide letter no. L-11011/8/2015-IA-I dated 03.07.2015 (Annexure-5) nominated Dr. K.D. Joshi, Principal Scientist & Head, Central Inland Fisheries Research Institute, Allahabad.
2. Member Secretary, Central Pollution Control Board was nominated by Hon'ble National Green Tribunal vide order dated 07.05.2015. Dr. A.B. Akolkar, Member Secretary, Central Pollution Control Board vide letter no. A-14011/1/2015-Mon dated 21.10.2015 (Annexure-6) nominated Shri Vishal Gandhi, Environmental Engineer (Scientist 'C') for inspecting the project site and attending the meeting schedule on 26.10.2015. Further Dr. A.B. Akolkar, Member Secretary, Central Pollution Control

Board vide letter no. A-14011/1/2015-Mon dated 28.12.2015 (Annexure-7) nominated Shri D.K.Soni, (Scientist 'D') for attending the meeting schedule on 29.12.2015 and to submit his report.

3. Forest Conservation Division, Ministry of Environment, Forests & Climate Change, Government of India vide letter F. No. 7-7/2015-FC dated 29.05.2015 (Annexure-8) nominated Conservator of Forests in their Regional Office at Lucknow.
4. Central Water Commission vide letter no. 2/139/15-प्र(उ) / 389-390 dated 28.05.2015 (Annexure-9) nominated Dr. Mukesh Kumar Sinha, Chief Engineer (PAO).
5. Engineer-in-Chief, Irrigation Department, State of Uttar Pradesh vide letter dated 09.06.2015 (Annexure-10) nominated Shri O.P. Srivastava, Chief Engineer, Kanhar Irrigation Project.
6. Engineer-in-Chief, Irrigation Department, State of Chhattisgarh vide letter no. memo 22611309/F.C./15/7819 Raipur dated 18.06.2015 (Annexure-11) nominated Shri R.N. Divya, Chief Engineer. After the transfer of Mr. Divya, Mr. S.K Pathak Chief Engineer has attended the meeting.
7. Legal Registrar, IIT Kanpur vide letter no. IITK/A-73/LC-49 dated 22.05.2015 (Annexure-12) nominated Dr. Shivam Tripathi, Assistant Professor, Department of Civil Engineering.
8. In compliance to Hon'ble NGT order dated 06.10.2015, Chief Engineer, Project, Planning & Monitoring, Water Resources Department, Ranchi vide letter no. 1/PMC/Works/684/2015-1594 dated 03.12.2015 (Annexure-13) communicated the nomination of Mr. Moti Lal Pingua, Chief Engineer, Water Resources Department, Medininagar.



TIMELINE OF THE COMMITTEE'S ACTIVITIES

In compliance to Hon'ble National Green Tribunal, Principal Bench, New Delhi order dated 07.05.2015 and 06.10.2015, the Committee carried out various activities such as site visit, meetings, preparation of reports, deliberations and discussions, etc. Date-wise details are as follows –

07.05.2015	Said judgement was pronounced by Hon'ble National Green Tribunal, Principal Bench, New Delhi.
12.05.2015	Chairperson of the Committee requested designated offices for nominating their representatives.
22.05.2015	Member Secretary, Central Pollution Control Board sent his nomination. Engineer-in-Chief, Department of Irrigation, State of Uttar Pradesh sent his nomination. Legal Registrar, IIT Kanpur nominated Dr. Shivam Tripathi.
28.05.2015	Central Water Commission nominated Dr. Mukesh Kumar Sinha, Chief Engineer (PAO)
29.05.2015	Engineer-in-Chief, Water Resources Department, Chhattisgarh send the nomination of Shri R.N. Divya, Chief Engineer.
03.06.2015	Reminder for nomination of representatives was sent to remaining offices who had not nominated their representatives.
08.06.2015	Director, Forest Conservation, MoEF&CC, New Delhi communicated their nomination
09.06.2015	Engineer-in-Chief, Irrigation Department, State of Uttar Pradesh nominated Sri O.P. Srivastava Chief Engineer as member of the Committee
18.06.2015	Letter for first meeting of the committee sent to the committee members by Chairman / Principal Chief Conservator of Forests, State of Uttar Pradesh

03.07.2015	Letters were sent to designated Committee Members to submit their report and circulate it amongst Committee Members
08.07.2015	Reminder was sent to designated Committee Members to submit their report and circulate it amongst Committee Members
	Next date for the meeting was fixed on 24.07.2015
24.07.2015	Due to unavoidable reasons meeting was postponed
05.08.2015	Conservator of Forests, Ministry of Environment, Forests and - Climate Change, Regional Office, Lucknow carried out field
08.08.2015	inspection to assess the status of compensatory afforestation. Field staff was also trained to capture the data as per format circulated earlier by him
11.08.2015	Letters were sent informing that the Committee's meeting has been scheduled for 20.08.2015 and designated members were requested to submit their reports
12.08.2015	Reminders were sent to designated Committee Members to submit their reports
19.08.2015	Letters were sent to Government of Jharkhand and Government of Chhattisgarh for submitting their response with reference to Resettlement and Rehabilitation Policy
20.08.2015	Second meeting of the Committee was held at Lucknow. Minutes of the meeting were issued
	Next date for the meeting was fixed for 11.09.2015
31.08.2015	Letter was sent to Chief Secretary, Government of Jharkhand requesting to direct the concerned Department and officers to give information related to Resettlement and Rehabilitation Policy
02.09.2015	Again reminder was sent to designated Committee Members requesting them to submit their reports latest by 07.09. 2015
07.09.2015	Again reminder was sent to designated Committee Members requesting them to submit their reports immediately

11.09.2015	Meeting scheduled for this date was cancelled as the Chairperson had to appear before Hon'ble National Green Tribunal, Principal Bench, New Delhi
14.09.2015	Again reminder was sent to designated Committee Members requesting them to submit their reports immediately
16.09.2015	Third meeting of the committee was held at Lucknow. Reports submitted by few members were discussed and deliberated upon. Rest of the members were requested to submit their reports at the earliest possible
24.09.2015	In light of Hon'ble National Green Tribunal, Principal Bench, New Delhi order dated 21.09.2015 reminders were sent to remaining designated Committee Members to submit their reports immediately Next date for the meeting was fixed for 29.09.2015 for preparation of final report
29.09.2015	Fourth meeting of the Committee was held in Lucknow. The Committee authorized one of its members i.e. Chief Engineer, Kanhar Project, Irrigation Department, Government of Uttar Pradesh to file, on behalf of the Committee, interim compliance report to the Hon'ble National Green Tribunal, Principal Bench, New Delhi
06.10.2015	Hon'ble National Green Tribunal, Principal Bench, New Delhi passed order whereby directing inclusion of Chief Engineer, Department of Irrigation, State of Jharkhand as member of the Committee
08.10.2015	In compliance to Hon'ble National Green Tribunal, Principal Bench, New Delhi order dated 06.10.2015 in the absence of the then Chairman / Principal Chief Conservator of Forests, Government of Uttar Pradesh vide order no. 2700/14-2-2015-483G/2015 dated 08.10.2015 (Annexure-15) nominated Shri Umendra, Principal Chief Conservator of Forests, Research & Training, Government of UP to Chair the said Committee

The Chairman decided to carry out field inspection during the period 12.10.2015 to 14.10.2015 and contacted Committee Members through email / telephone to be part of team for site visit

12.10.2015	Site inspection and on-site meeting under the Chairmanship
to	of Shri Umendra was carried out. The meeting took place on
14.10.2015	13.10.2015 at Amwar Field Hostel of Uttar Pradesh Irrigation
	Department, Sonbhadra. Minutes of the meeting were issued
19.10.2015	Dr. Shivam Tripathi, Assistant Professor, IIT Kanpur
20.10.2015	inspected the site separately
24.10.2015	Member representing Central Pollution Control Board
to	(nominated vide letter no.A-14011/1/2015-Mon dated
25.10.2015	21.09.2015) inspected the project site separately
26.10.2015	Sixth meeting of the Committee was held at Lucknow. Various
to	reports, field observations, etc. were discussed and
27.10.2015	deliberated upon. The Report was finalized
30.10.2015	Report was submitted to Hon'ble National Green Tribunal,
	Principal Bench, New Delhi
14.12.2015	Chairman of the Committee / Principal Chief Conservator of
	Forests, UP appeared before Hon'ble National Green Tribunal,
	Principal Bench, New Delhi and orders were issued by the
	Tribunal
16.12.2015	Seventh meeting of the Committee was held at Lucknow.
to	Order dated 14.12.2015 issued by Hon'ble National Green
17.12.2015	Tribunal, Principal Bench, New Delhi was discussed. A sub-
	committee was formed to re-visit the site and works were
	assigned to various members to submit their reports and
	views in order to prepare a more comprehensive report
18.12.2015	Sub-committee visited the project site
21.12.2015	Field visit report was submitted by the sub-committee
28 Dec to	Various reports, field observations, etc. were discussed and
30.12.2015	deliberated upon. The Report was finalized



MANDATE-WISE COMPLIANCE REPORT

After detailed deliberations on the report submitted to Hon'ble National Green Tribunal, Principal Bench, New Delhi on 30.10.2015, site inspection by a designated team, and detailed discussions and deliberations in two subsequent meetings the final report is submitted, paragraph-wise, in successive pages. Reports submitted by subject matter experts / members of the committee are also annexed.

Report regarding Para (1) at page no. 47 of the order Dated 07.05.2015 issued by Hon'ble National Green Tribunal, Principal Bench, New Delhi

PARA (1) AT PAGE NO. 47 OF THE SAID ORDER

"We constitute the following committee which shall submit the report to the Tribunal on the issues stated herein after and in light of this judgment.

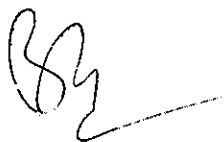
1. Principal Chief Conservator of Forest (UP) or his representative.
2. Chairman or his nominee of Expert Appraisal committee of River Valley and Hydro Power Projects of MoEF&CC.
3. Member Secretary, Central Pollution Control Board.
4. Representative of Ministry of Environment, Forest and Climate Change.
5. Representative of Central Water Commission.
6. Chief Engineer, Department of Irrigation, State of Uttar Pradesh.
7. Chief Engineer, Department of Irrigation, State of Chhattisgarh.
8. Expert from IIT, Kanpur."

Subsequently vide order dated 06.10.2015 issued by Hon'ble National Green Tribunal, Principal Bench, New Delhi Chief Engineer, Department of Irrigation, State of Jharkhand was also nominated as a member of committee.

REPORT ON PARA (1)

Complied with as detailed in the Chapter "MEMBERS OF THE COMMITTEE"

(Page 11)



PARA (2) AT PAGE NO. 48 OF THE SAID ORDER

"The Committee shall specifically report whether the conditions imposed in the consent order dated 14th April, 1980 and 27th February, 1982 of the Forest Department have been strictly complied with or not, in all respects."

REPORT ON PARA (2)

Project Proponent i.e. Irrigation Department, State of Uttar Pradesh presented two compliance reports viz. -

1. Compliance report on conditions imposed by order dated 14.04.1980 issued by Member Secretary, Environmental Appraised Committee New Delhi regarding environmental clearance (Annexure-16)
2. Compliance report on conditions imposed by order dated 27.02.1982 issued by Government of Uttar Pradesh regarding transfer of forest land (Annexure-17)

Compliance reports were deliberated upon and status regarding compliance by the Project Proponent is as follows -

Environment Clearance (order dated 14.04.1980)

Condition-1 *Necessary arrangements may be made by the project authorities to provide fuel wood, free of charge, to the labor force during the construction stage of the Project so that indiscriminate falling of trees in the neighbourhood may be prevented. Since it is unrealistic to expect labourers to buy wood when they can easily procure it from the surrounding forest- adequate provision to meet the cost of providing free firewood should therefore be made in the project estimate (Forest Department may be requested to open fuel depots).*

Summary of the compliance submitted to the Committee by the Project Proponent on condition-1 Necessary precautions are being taken by the Project authority to prevent the indiscriminate felling of trees in the

neighbourhood of the project area. Further, Project authorities have made provisions to provide fuel wood free of charge to the labour force during the construction of project. Measures adopted by Project Proponent to ensure compliance of this condition are as follows –

- a) Works are allotted to "AA" class contractors who have a legal binding to provide community kitchen along with other amenities to employees and labour force. Requirement of fuelwood or other fuel inputs for cooking purposes is duly addressed by the contractor / project proponent.
- b) L.P.G. based kitchen / canteen has been provided by the contractor for skilled labour force and employees.
- c) In order to meet fuel wood requirement, sufficient arrangements have been made by the contractor through authorized local dealers.

Further, the Project Proponent has established monitoring mechanism to ensure availability of L.P.G. and fuel wood to labour and their employees. Project Proponent has constituted a committee vide letter no. 815/kcd-3/spillway dated 15.01.2015 to this effect. The committee gives their report every three months. According to committee's report, the contractors have used mostly L.P.G. and if required sometimes they purchase fuel wood from authorized fuel wood supplier.

Committee's observation on compliance to condition-1 Satisfactory and such arrangement needs to be continued with.

Condition-2 *Restoration of Land, to the extent possible, in construction areas may be ensured to prevent erosion and removal of scars.*

Summary of the compliance submitted to the Committee by the Project Proponent on condition-2 Main body of dam in river portion will be made of cement concrete, rock fill and remains of earth. Borrow area is situated in the submergence area of reservoir hence restoration to prevent erosion and removal of scars are not required in submergence area. Earth taken from

the borrow area for constructing canals if required is limited to shallow depth (<0.5 mts) of borrow pit as per Irrigation Department specification to control erosion and scars.

During construction of spillway, the excavated material i.e. sand, soil and rock are being utilized. A proper muck disposal plan has been given to the contractor to dispose the excavated material. Useful excavated rock is re-used as coarse aggregate. Similarly useful sand is re-used as fine aggregate. Retaining wall and other structures have been made to completely stop rolling down of the muck. Dumping sites are being stabilized by proper levelling, and planting of grass, shrub and tree species. In financial year 2015-16, till date, approximately INR 1.5 crore has been paid as royalty to the District administration for using excavated material in different structures.

Committee's observation on compliance to condition-2 Such arrangements seem to be satisfactory but need documentation for future purposes.

Condition-3 *Adequate arrangements may be made to prevent the incidence of any epidemic health problems due to water/soil-borne diseases.*

Summary of the compliance submitted to the Committee by the Project Proponent on condition-3 One Primary Health Centre (PHC) has already been opened in Amwar near resettlement and rehabilitation site and two additional PHC centers have been planned in the R&R colony itself. Thus adequate arrangements have been made for prevention of any epidemic health problems due to water / soil-borne diseases in rehabilitation colony. Apart from the above, Government has taken several measures to overcome the water / soil borne diseases by providing special facilities through various programmes viz Aanganwadi, National Rural Health Mission (NRHM) etc. Aanganwadi centers provide supplementary nutrition, non-formal preschool education, immunization, health check-ups and referral services in the rural

areas. NRHM is an initiative to establish fully functional, community owned, decentralized health delivery system with inter-sectoral convergence at all levels. Uttar Pradesh Jal Nigam / Jal Sansthan carry out ground water quality checks on a regular basis and certify whether ground water is fit for human consumption or not. In the submerged areas in the States of Chhattisgarh, Jharkhand and Uttar Pradesh, Aanganwadi and Asha workers are fully functional. Several times health camps for villagers are organized to educate rural people.

Committee's observation on compliance to condition-3 In addition to existing measures, Project proponent should ensure all time compliance with this condition and should carry out soil / water quality check in coordination with line departments on a regular basis. Further, health checkup and awareness camps in coordination with line departments should be organized.

Condition-4 *It should be ensured that the construction of colonies for the project involves minimum possible deforestation. Compensatory afforestation and social forestry should be undertaken on a large scale.*

Summary of the compliance submitted to the Committee by the Project Proponent on condition-4 The R&R Colony in UP is constructed in almost barren land. No tree was felled during construction work and at the same time old mature trees were preserved and protected in the R&R colony. Social forestry plantations had been done by the Project proponent on Duddhi-Amwar Road (in patches) and in colonies. There are more than 240 km of canal bank, where plantation will be done, along both banks, in future. 3,000 plants have been planted in R&R colony during the planting season in the year 2015 and 70,000 plants will be planted by 2018.

Committee's observation on compliance to condition-4 Satisfactory. In addition to this, project proponent has proposed 70,000 saplings plantation by 2018.

Condition-5 *The state of the socio-economic profile of the affected (adivasis) population should be prepared to determine the problems likely to be encountered in their rehabilitation. Count of the Mahuwa trees should also be undertaken in the economic profile*

Summary of the compliance submitted to the Committee by the Project Proponent on condition-5 Socio-economic profile of the affected (adivasis) population was carried out at the time of preparation of project report. However Socio-economic profile is further needed for the assessment and implementation of R&R package. The Committee has recommended for a fresh Socio-economic study. Project Proponent has approached Bhau Rao Devras Government Degree College, Duddhi for socio-economic studies. The concerned professor along with researchers is conducting socio-economic studies in project affected area in all the three State viz. Chhattisgarh, Jharkhand and Uttar Pradesh. Socio-economic study presently being conducted will pay specific attention to the role of Mahuwa trees in local economy, culture, social and religious way of life.

Committee's observation on compliance to condition-4 Socio-economic study was conducted at the onset of the project. Fresh socio-economic study with due emphasis on problems likely to be faced by project affected people (along with count of Mahuwa trees) is needed and is being conducted by the Project proponent.

Forest Clearance (order dated 27.02.1982)

Condition-1 *Even after the transfer, there shall be no change in the legal position of the land.*

Summary of the compliance submitted to the Committee by the Project Proponent and concerned DFO on condition-1 Irrigation Department told that they have not applied for change in the legal position of the forest land and same was confirmed by the Department of Forests. (Annexure-18)

Committee's report on condition-1 Complied with.



Condition-2 *The irrigation department shall use the proposed land only for the stated purpose and shall not use otherwise. Moreover, aforesaid department shall not transfer this land or any part thereof to any other department, institution or specific person.*

Summary of the compliance submitted to the Committee by the Project Proponent and concerned DFO on condition-2 Irrigation Department told that they have used the forest land for the purpose for which transfer of forest land was sought.

Committee's report on condition-2 Irrigation Department is complying with the condition which has been duly vouched by the Department of Forests, Uttar Pradesh.

Condition-3 *The aforesaid transferred land shall be continue to remain under the amortization and use of the Irrigation Department, till its requirement for the stated purpose by the aforesaid department and on fulfilment of requirement, it shall itself be returned to the Forest Department without payment of any type of compensation.*

Summary of the compliance submitted to the Committee by the Project Proponent on condition-3 Irrigation Department has assured that they will comply with the condition.

Committee's report on condition-3 Committee agrees.

Condition-4 *Out of the trees situated on the land, the Irrigation Department shall pay value of 144 trees situated in Villages Amwar and Nagwa to the tune of Rs. 7,779/- to the Forest Department, and the trees standing on the rest of land shall be disposed by the Forest Department in a public auction.*

Summary of the compliance submitted to the Committee by the Project Proponent on condition-4 Value of said 144 trees has already been paid by Irrigation Department. Rests of the trees have not been felled till date. As and when the need arises for disposal of remaining trees same will be done as per the prevailing laws.



Committee's report on condition-4 Committee agrees

Condition-5 *the Forest Department shall use the roads constructed by the Irrigation Department on the aforesaid transfer land, as free of cost and Irrigation Department shall not have any objection therein*

Summary of the compliance submitted to the Committee by the Project Proponent on condition-5 Irrigation Department is complying with the condition.

Committee's report on condition-5 Committee agrees

Condition-6 *The expenses to be accrued on the plantation of 10 times of trees in lieu of the trees cut from the land measuring 2,422.593 acres land proposed for the transfer, shall be borne by the Irrigation Department*

Summary of the compliance submitted to the Committee by the Project Proponent on condition-6 Irrigation Department had already paid Rs 29,07,111.60 for planting ten times of the trees on the land measuring 2,422.593 acres to the Forest Department.

Committee's report on condition-6 Committee agrees

Condition-7 *The value of land and the trees standing thereon, shall be deposited under main sub-title of Receipt Account Title in the income-expenditure account.*

Summary of the compliance submitted to the Committee by the Project Proponent and concerned DFO on condition-7 Irrigation Department has paid for the value of land measuring 2,422.593 acres @ Rs 500/= per acre (as decided by the DM Mirzapur vide letter no. Memo/District/MZP/Bhumi-A dated 13th March 1978) i.e. Rs 12,11,296.50/= to concerned DFO and deposit was made in indicated account's head by concerned DFO.

Committee's report on condition-7 Committee agrees

Condition-8 *These order are being issued with the approval of the Finance Department given vide its demi-official letter no. E-8-389/ dus dated 12.12.81*

Committee's report on condition-8 No action needed



PARA (3) AT PAGE NO. 48 OF THE SAID ORDER

"The Committee while examining the compliance of the conditions, as noticed above, shall specifically report whether the condition have been complied with in its entirety or not. What is the status thereof and what steps are required to be taken in that regard?"

REPORT ON PARA (3)

Status of compliance of conditions has been discussed in earlier pages (page 19-25). Steps which are required to be taken in this regard have been elaborated upon in rest of the report.

A handwritten signature in black ink, consisting of stylized initials and a long horizontal stroke.

PARA (4) AT PAGE NO. 48 OF THE SAID ORDER

"Whether there is complete and comprehensive Resettlement and Rehabilitation Policy in place in relation to the project."

REPORT ON PARA (4)

The policy regarding resettlement and rehabilitation is in place in two states viz. UP and Jharkhand. The state of Chhattisgarh has not decided this issue yet. Current status of implementation of resettlement and rehabilitation policy for the project affected communities is as follows –

State of Uttar Pradesh – 11 villages namely Sundri, Bhishur, Kurchi, Amwar, Sugwaman, Kudri, Barkhohara, Lambi, Gohra, Randahtola, Bagharu have been affected due to construction of Amwar Dam in Kanhar Irrigation Project. U.P. Government vide G.O. No 3050/79-23-fla-3-17M/17 Sinchai Anubhag-3, Lucknow dated 19.11.1979 (Annexure-19) issued directives which deal with land compensation and ex-gratia for the project affected people. Considering the demand at local level, Government of U.P. has made rehabilitation and resettlement package for the Kanhar irrigation project vide letter No- 2265/14-27 fla-4-112(w)/14 Sinchai and JalSansadhanAnubhag-4 dated 30.10.2014 (Annexure-20). Irrigation Department has informed implementation of R&R package as under;

1. Administrator (DM Sonebhadra) of Kanhar Irrigation Project has distributed Rs- 41.13 crore to the 1549 families out of 1810 families in the affected area in Uttar Pradesh. Out of 1549 families, 169 families got the full package amount and 1380 families have got the partial package amount.
2. Free of cost plot (size 15m×10m) has been distributed to 1400 families out of 1810 affected families.
3. R&R colony has been provided wide road with drain, Electricity, School, Hospital, Post office, Park, Place for funeral activities etc.



4. Five families have started living in the Rehabilitation Colony. Other families are in process of shifting to the R&R colony.

A comparative chart of resettlement and rehabilitation package adopted by State of Uttar Pradesh for Kanhar Irrigation Project vis-à-vis provisions under The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 (Annexure-21).

State of Chhattisgarh – Survey of affected families has been completed in all six villages, viz., Trishuli, Jhara, Kushfar, Semarva, Kameshwarnagar and Dhauli, which are likely to be affected due to Kanhar Project. Total 32 families have been identified to be affected so far. Existing resettlement and rehabilitation policy in the State of Chhattisgarh is ADARSH PUNARWAS ADHINIYAM 2007, but according to the agreement made between Chhattisgarh and U.P., the Government of Chhattisgarh can adopt either of the Chattisgarh or UP R&R policies, whichever they feel better. Engineer-in-Chief, Department of Chhattisgarh has sent the proposal to Government of Chhattisgarh for decision regarding resettlement and rehabilitation policy, which shall be adopted in respect of the project.

State of Jharkhand – Chief Engineer, Jharkhand has informed that survey work has started in September, 2015. It is likely to be completed in next six months. Thereafter, resettlement & rehabilitation works would be undertaken as per the revised resettlement and rehabilitation policy 2012 of Govt. of Jharkhand. Further action for R & R works will have to be now undertaken according to the guideline 2015 for the land acquisition and rehabilitation works notified by the Land Reforms and Revenue Dept. Jharkhand in accordance with the "Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013" of Govt. of India.



Committee's Inferences/Recommendations:

1. R & R package exists and under implementation in the State of Uttar Pradesh. Implementation of this package needs to be expedited and completed in a time bound manner.
2. The Committee feels that the R&R package needs to be completed at the earliest and not later than 6 months prior to area getting submerged.
3. The committee recommends that the states of Chhattisgarh and Jharkhand must finalise their R&R for Kanhar Irrigation project latest by 31st March 2017.



PARA (5) AT PAGE NO. 48 OF THE SAID ORDER

"Modifications in execution of the project, if any, required to ensure protection of environment and ecology in the execution of the project in question."

REPORT ON PARA (5)

The project was conceived and planned in 1970s when the concepts of environmental flows and equitable distribution through regulated releases were not fully developed. The Committee takes this opportunity to suggest following measures for betterment of the environment;

Continuous operation of under-sluices to ensure release of environmental flows –

Maintaining environmental flows downstream of the dam is necessary. The National Water Policy (2012), adopted by the National Water Resources Council headed by Hon'ble Prime Minister with related Union Ministers and Chief Ministers of all States as Members, clearly stipulates that

"3.3 Ecological needs of the river should be determined, through scientific study, recognizing that the natural river flows are characterized by low or no flows, small floods (freshets), large floods, etc., and should accommodate developmental needs. A portion of river flows should be kept aside to meet ecological needs ensuring that the low and high flow releases are proportional to the natural flow regime, including base flow contribution in the low flow season through regulated ground water use."

The Ministry of Water Resources, River Development and Ganga Rejuvenation have already set up a Committee to determine the quantum of e-flow (environmental flow). However, the report of the Committee has not been finalized yet. Pending finalization of the report and decision of the Government, Ministry of Environment, Forests and Climate Change, has

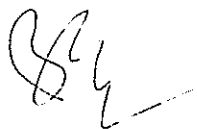
been prescribing 30% of flows during monsoon period, 25% during non-monsoon and non-lean periods and 20% during lean period towards environmental flows while granting environmental clearances. For the time being these flow parameters should be adopted for Kanhar Irrigation Project. As and when GoI takes decision in this regard the same shall be adopted. It is further suggested that a site specific scientific study determining environmental flow for the projects will be beneficial and should be carried out in due course of time.

Just about 1 km downstream of the Kanhar dam, the river is joined by Goitha River. Further downstream Tehma, Phulma, Lulwa and Maliya rivers join Kanhar River before Kanhar joins Sone River. Thus, even though there are network of rivers in the downstream region, it is considered necessary to ensure release of environmental flows. The Project Authority agreed for the same and assured to re-workout reservoir operation and to continuously operate under sluice(s) to ensure release of environmental flow as per the norm.

Regulation of canal releases to ensure equitable distribution –

Often head reaches in a canal irrigation system use more water, which leads to wastage of water resulting into adverse environmental impacts like water logging, increased salinity, etc., in the head reaches, besides depriving tail end users from much needed water even for the ecosystem needs. Thus, there is a need to have regulated canal releases on the basis of volumetric measurements to ensure equitable distribution of water amongst various reaches. The Committee suggests installation of discharge measurement devices at key locations in canal system and evolution of a rotational irrigation system to achieve the same. This will help regulating releases through gates along the length and breadth of a canal system in a coordinated manner so that water levels remain stable while just the amount of water needed by farmers is supplied from the dam or river. The Project Authority is also advised to promote cropping pattern compatible with the soil health and efficient irrigation system, such as micro-irrigation

and System of Rice Intensification, in the command area. The Detailed Project Report of Kanhar Irrigation Project envisages cropping pattern which has been recommended by the State Agricultural Department. At the same time, Project Authority should undertake agriculture extension services for promotion of micro-irrigation (drip and sprinkler irrigation system) and system of rice intensification comprising of carefully transplantation of single seedlings at two-leaf stage (8-12 days), plant seedlings at a distance of 25 cm or more in a square pattern, keeping soil moist and aerated and fertilization with compost - chemical fertilizer only if needed. The provisions of Pradhan Mantri Krishi Sinchai Yojana (PMKSY), extending the coverage of irrigation 'Har Khet ko pani' and improving water use efficiency 'More crop per drop' in a focused manner with end to end solution on source creation, distribution, management, field application and extension activities, should be utilized for the same. Though these measures would be required at the time of actual irrigation, suitable provisions must be kept at the time of project construction.



PARA (6) AT PAGE NO. 49 OF THE SAID ORDER

"The Committee is required to make its general recommendations, measures and the condition that should be imposed upon the project proponent to ensure that further progress of the project does not have any adverse impacts on ecology, environment, rivers, hydrology, bio-diversity and on all the surrounding forests, villages and tribe."

REPORT ON PARA (6)

Representative from CWC submitted that while planning and implementation of a water resources project it is generally done to optimize the utilization of available water resources to meet various demands while giving due consideration to topography and geology. Through conservation of water and equitable distribution, the project not only facilitates drinking water supply and irrigation, but also improves environment through reduced flood magnitude, increased availability of water for eco-system particularly during dry summer months, reduced pressure on environment through general uplift of the local population by increased productivity and better living conditions, etc. It may be prudent to clarify that the hydrology, per se, does not get adversely impacted by the irrigation project. During flood times, flood magnitudes get moderated due to storage in reservoir and during lean time, environmental flows sustain the ecosystem. Thus, in both the cases, there will not be any adverse impacts on the hydrology due to project progress.

Representative from River Valley Project EAC, MoEF&CC stated that there is no published information available about the fish diversity and fishery of the river Kanhar, since the river Kanhar is a tributary of the river Sone. Based on field observations and reported by the fisherman about 35 fish species belonging to six orders, 11 families and 26 genera are available in the river. Ministry of Water Resources, River Development and Ganga Rejuvenation has already set up a Committee to determine the quantum of e-flow (environmental flow). However, the report of the Committee has not

been finalized yet. Pending finalization of the report and decision of the Government, Ministry of Environment, Forests and Climate Change, has been prescribing 30% of flows during monsoon period, 25% during non-monsoon and non-lean periods and 20% during lean period towards environmental flows while granting environmental clearances. The same may be adopted for Kanhar Irrigation Project, Uttar Pradesh. It was further stated that -

1. A fish hatchery with sufficient infrastructure may be established near the reservoir area for livelihood support of the affected fishermen in the catchments. (A detailed report is annexed as annexure-22).
2. Eco-tourism such as angling, or recreational fishing, may be promoted as a means of improving livelihood of local people. (A detailed report is explained in annexure-22)
3. During construction phase adequate efforts must be taken by the project proponent to protect the fish communities from killing by destructive methods like poisoning and use of dynamite in the diverted river channel and pool regions and also to take necessary measures for protection of habitats.
4. A well-designed Catchment Area Treatment (CAT) plan is essential to ameliorate the adverse effects of soil erosion. (As per the project proponent the process of preparation of CAT plan is yet to be prepared).
5. The muck management must be undertaken by the proponent to protect the land, river, terrestrial and aquatic environment and biota.

The project proponent and member of the committee, Irrigation Dept. of UP pointed out that except for muck management there are no provisions for rest of the activities in the present project but are open to revising the project under directions from the competent authority.

Representative from MoEF&CC proposed that as per the present Forest (Conservation) Act 1980 guidelines, compensation of the loss of forest land should be either equivalent non forest land acquired by the project proponents and provided to the Department of Forests for afforestation or double the degraded forest land earmarked for afforestation. Therefore to



fully compensate loss of 980.40 ha of forest land, on an area of 1,295 ha degraded forest land a "Vindhyan Biodiversity Park" may be created on the basis of eco restoration model and eco-restoration may be taken up in consultation with the forest department. The representative of Irrigation department has submitted,

1. The cost of land under question i.e. 2422.593 Acres has been paid @ Rs 500/acre as decided by the Collector Mirzapur vide letter no. memo/distt./MZP/bhumi-A dated 13/03/1978 for Rs 12,11,296.50 ($2422.593 \times 500 = 12,11,296.50$).
2. Cost of ten times of trees over the forest area measuring 2422.593 acres has been paid 29, 07,111.60 Rs as per the demand raised by the Forest Department of UP at that time.

Hence the above clause is fully complied with (Annexure-23 and 24).

Further, Representative from MoEF&CC proposed that Geographical Information System (GIS) based study may be carried out to study changes in ecological parameters. Representative from Irrigation Department told that project proponents have already carried out a study in March 1980 through an expert agency i.e. Botanical Survey of India which concluded that no rare or endangered species of plants were found in the project locality at that point of time. Nevertheless endemic plants having medicinal values may be surveyed, listed, conserved and their ethno botanical importance studied.

Further, though the socio-economic profile of the affected adivasis population was carried out at the time of preparation of project report, however socio-economic profile is further needed for the assessment and implementation of R&R package. Preparation of recent socio-economic profile of the affected adivasis population has been proposed by engaging an institute of repute. It is already elaborated in compliance of the condition 5 of the environment clearance order dated 14/04/1980 on page no. 23. Furthermore, health issues due to the heavy metal contamination and its associated problems have been adequately highlighted in the case of the Rihand Dam. Therefore, the participating three states will ensure that at all

cost heavy metal contamination of the Kanhar river water in reservoir shall not take place.

After detailed deliberation the Committee proposes as follows –

1. Fisheries management is essential for Kanhar Project. Fisheries Management Plan for the Kanhar Project is already annexed as Annexure-22.
2. Afforestation plans both addressing remedial measures for those plantations where the survival is below Forest Department's norm and carrying out planting over balance land is needed. Project for this affect is at Annexure-25.
3. Project Proponent will get prepared Catchment Area Treatment (CAT) Plan from competent agency and will get it implemented.



PARA (7) AT PAGE NO. 49 OF THE SAID ORDER

"The Committee shall assess and examine the present status of the compensatory afforestation done by the forest department during 1984, 85 and 86 over an area of 666 hectares and 80 kms on the road side. The committee shall make assessment of the survival percentage and the present status of compensatory plantation through random sampling."

REPORT ON PARA (7)

The work of assessment of compensatory afforestation was assigned to the Conservator of Forests (Central), Regional Office Lucknow who represents Ministry of Environment, Forests & Climate Change in the Committee and submitted his report to the committee members. The methodology was discussed, deliberated and finalized in first meeting dated 29.06.2015 of the committee. It was also decided that Chief Conservator of Forests, Mirzapur and subordinate officials of Renukoot Forest Division will provide details of field plantations from the record and assist the committee member in assessment and examination work.

Assessment of the compensatory afforestation in lieu of transfer of forest land of the extent 980.40 ha (2422.593 acres) was carried out by the designated team. The afforestation works were carried out in 1984, 85 and 86. The criteria of assessment as per the direction of the Hon'ble Tribunal were survival percentage and its present status.

Data for all 34 plantation site were collected, on which plantation were carried out in year 1984, 1985 & 1986. On the basis of analysis of the data both statistically as well as on GIS platform with inspection of record of the Renukoot Forest Division following conclusions are drawn -



1. The compensatory afforestation works was carried out in the year 1984, 85 and 86 to the extent of 666 ha in forest blocks and 80 km of linear patch.
2. The survival percentage of the compensatory afforestation work after 30 years of planting on the basis of weighted average is 12.68%.
3. Reasons for such survival current percentage can be attributed to anthropogenic and edaphic factors and completion of rotation period of some of the planted species.

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PARA (8) AT PAGE NO. 49 OF THE SAID ORDER

"The Committee shall examine the proposal of the project proponent with reference to the forest area already diverted 980.40 hectare and the balance area of 441.07 hectare that is required to be diverted in terms of the note prepared by the administrator of the project while seeking clearance for the project"

REPORT ON PARA (8)

The assessment of balance forest land required for completion of the project is provided in tabular form below –

State	Forest Area (in ha) Initially Assessment	Forest Area (in ha) Final Assessment	Remarks
Uttar Pradesh	228.75	126.826	Assessment complete
Chhattisgarh	121.00	156.295	Assessment complete
Jharkhand	91.32	91.32 (tentative)	Assessment in progress
Total	441.07	374.441 (tentative)	

The issues like coordination amongst different Government Department viz. Irrigation, Forest, Revenue, etc., different pace of assessment in different State Governments has created a slowdown effect on implementation of the project.

In view of this Hon'ble National Green Tribunal may kindly grant permission for the proposal for forest land diversion of three States may be allowed to be dealt separately by the forest clearance according authority. It is further prayed that taking of the new activity on additional forest area may be permitted accordingly.

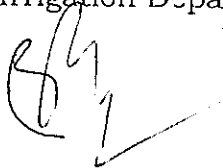


PARA (9) AT PAGE NO. 49 OF THE SAID ORDER

"The project proponent shall not take up any new activity on additional forest area of 441.07 hectare proposed to be acquired unless specific conditions under the Forest (Conservation) Act 1980 is taken and the area diverted for non-forest activities by competent authority."

REPORT ON PARA (9)

One of the members of the Committee is Chief Engineer, Irrigation Department, State of Uttar Pradesh and he has assured on behalf of State Government and Project Proponent that Project Proponent will not take up any new activity on additional forest area of 441.07 hectare proposed to be acquired unless specific conditions / clearance under the Forest (Conservation) Act 1980 is taken and the area diverted for non-forest activities by competent authority. Undertaking given by Chief Engineer, Irrigation Department, State of Uttar Pradesh is at Annexure-26.



PARA (10) AT PAGE NO. 49 OF THE SAID ORDER

"The Committee shall study the impact of loss of 980 hectares of forest area which is comprised of wildlife habitat with specific reference to elephant corridor, rich floral and faunal diversity."

REPORT ON PARA (10)

The Committee studied the report presented by Chief Conservator Forest West Zone, Kanpur on behalf of Chief Wild Life Warden UP the impact of loss of 980 ha of forest area which is said to be comprised of wildlife habitats with specific reference to the elephant corridor, rich floral and faunal diversity. The summery of study report is as follows –

Though the animals listed in the area of the project have their habitat and place for grazing, foraging, roosting, nesting etc., but none of the animals are endemic to the project area. The area of the project is neither harboring any elephants nor is the migratory corridor for the elephants. The total forest area of the project is about 0.11 percent of the total forest area of the district Sonbhadra, thus the loss of forest is negligible. The habitat represented in the project area is similar to the habitat of the adjoining forest areas. Thus if there is any loss of habitat due to the construction of reservoir, this will not unduly affect the animals residing in the project area. These animals can find alternate home in the vicinity of the project area itself without having to migrate to far off distance. Thus construction of the reservoir does not in any way become a threat to the existence of these animals of the area and neither becomes a threat to the survival of any species in particular.

A wildlife / eco-development plan aimed at capacity building of nearby eco-development committees (EDCs) and / or joint forest management committees (JFMCs) and creating alternate livelihood opportunities will suffice the need of the local people. Uttar Pradesh Forest Department will

prepare a plan which will be duly funded by the project proponent and dovetailed with other development schemes. An outlay of Rs. 1.00 crores spread over a period of 5 years can be earmarked for this purpose.

Report submitted by Chief Conservator of Forests, Western Zone, Kanpur is at Annexure-27.

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PARA (11) AT PAGE NO. 49 OF THE SAID ORDER

"Undertaking social forestry in resettlement colonies of the displaced persons was one of the conditions of EC. The committee shall examine whether social forestry for ameliorative measures against air pollution and adverse impact on local ecology and environment and to what extent. The Committee shall also suggest measure as to how the resettlement colonies particularly if located close to the industrial clusters of Sonbhadra can be protected from the adverse effects of thermal power plants, coal and bauxite mining, aluminum and cement industries, particularly from the air and water pollution and health impacts due Mercury, Arsenic and Fluoride contamination and as a consequence of the presence of large number of industries in the district of Sonbhadra in particular and Singrauli in general."

REPORT ON PARA (11)

The committee visited the Amwar Resettlement Colony on 13th October 2015, and a sub-committee visited the area on 18th December 2015 and inspected this issue (Report annexed as Annexure-28 and 29). Area has been identified and infrastructure is being created. The project proponents will also provide basic facilities like electricity, water supply, drainage system, park, community center, school etc. However, it was observed that no sewage treatment facility was provided. Till date shifting of families has not taken place except one. The issue of social forestry plantation is now being initiated by way of planting 3,000 trees including Mahuwa and other species in the colony. Additional plantation will redress the issue of air pollution. The Rehabilitation and Resettlement colony is nearly 30 kms from Renukoot and 55 kms from power projects (Singrauli) (aerial distance); this spatial isolation will dilute the deleterious impact of air pollutants. Though Kanhar River is tributary of Sone but the project is located upstream is free from industrial waste. The project proponents are creating resettlement



colony infrastructure in such a manner that the existing trees are not being disturbed.

It was estimated that 1 MLD (approximately) of sewage will be generated in resettlement colony. This 1 MLD of untreated sewage will find its way to Kanhar River and deteriorates the water quality on downstream. So, there is need to build proper sanitation facility or sewage treatment plant. (Annexure-30)

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PARA (12) AT PAGE NO. 50 OF THE SAID ORDER

"In the light of the fact that the Kanhar River flows through a drought prone area where water is a critical input for the life support systems, both on land and within the aquatic ecosystem, the committee should examine maintenance of certain minimum environmental flow downstream of the dam."

Committee's view: As per the deliberations recorded in Para 5 starting at page number 30.

REPORT ON PARA (12)

Ministry of Water Resources, River Development and Ganga Rejuvenation has already set up a Committee to determine the quantum of e-flow (environmental flow). However, the report of the Committee has not been finalized yet. Pending finalization of the report and decision of the Government, Ministry of Environment, Forests and Climate Change, has been prescribing 30% of flows during monsoon period, 25% during non-monsoon and non-lean periods and 20% during lean period towards environmental flows while granting environmental clearances. The same may be adopted for Kanhar Irrigation Project, Uttar Pradesh. As and when Govt takes decision in this regard the same shall be adopted. It is further suggested that a site specific scientific study determining environmental flow for the projects will be beneficial and should be carried out in due course of time.

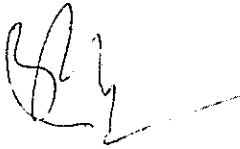
Just about 1 km downstream of the Kanhar dam, the river is joined by Goitha River. Further downstream Thema, Phulma, Lauwa and Maliya rivers join Kanhar River before Kanhar joins Sonc River. Thus, even though there are network of rivers in the downstream region, it is considered necessary to ensure release of environmental flows. The Project Authority should re-workout reservoir operation and to continuously operates under sluice(s) to ensure release of environmental flow as per the norm.

PARA (13) AT PAGE NO. 50 OF THE SAID ORDER

"The Committee while preparing the comprehensive report shall take into consideration, if there is any adverse impact of the works already executed, on the environment and ecology of the areas and the remedial steps that should be taken."

REPORT ON PARA (13)

The Committee visited the Project site and found apparently there is no adverse impact of the works already executed. It was observed that barbed wire fencing has been done around the blasting area for restricting movement of animal and human beings. The air was also found clean without particulate matter and river water was clear and clean. Thus, no remedial steps are considered necessary other than the environment safeguard measures already proposed.



PARA (14) AT PAGE NO. 50 OF THE SAID ORDER

“The project proponent shall complete the construction activity that is underway and would not commence any new activity or construction without specific recommendation of the committee in that behalf.”

REPORT ON PARA (14)

One of the members of the Committee is Chief Engineer, Irrigation Department, State of Uttar Pradesh and he has assured on behalf of State Government and Project Proponent that Project Proponent will only complete the construction activities that are underway and will not commence any new activity or construction without specific recommendations of the Committee in this behalf. Undertaking given by Chief Engineer, Irrigation Department, State of Uttar Pradesh is at Annexure-31.

Chief engineer Kanhar project State of UP vide letter no. 2773/mu.aa. ka./ dated 23rd December 2015 (Annexure-32) has requested the committee to grant permission to commence new works over the non-forest land so that project can be completed in time and benefits of the said project become available to local communities.



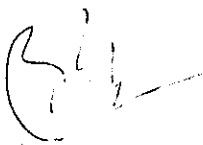
PARA (15) AT PAGE NO. 50 OF THE SAID ORDER

"The committee shall pay specific attention in regard to the conditions that should be imposed upon the project proponent for conservation, protection, reforestation, restoration of environment and ecology wherever any environmental damage or degradation has occurred as a result of this project."

REPORT ON PARA (15)

After site inspection and deliberations this Committee suggests following conditions, in addition to conditions imposed earlier while granting environment and forestry clearance, to be imposed on project proponent -

1. Project Proponents will provide funds for taking up adequate remedial measures for afforestation works where the survival is below Uttar Pradesh Forest Department survival norms. A plan to this effect is appended.
2. Project Proponents will provide funds for taking up afforestation works over balance area i.e. 1,295 ha of degraded forest land. A plan to this effect is appended.
3. Project proponents should ensure minimum ecological flow of Kanhar River i.e. 30% of flows during monsoon period, 25% during non-monsoon and non-lean periods and 20% during lean period towards ecological / environmental flows as per the MoEF&CC guidelines.



4. Fisheries management is essential for Kanhar Project. Project Proponents will provide funds to State Fisheries Department for implementing Fisheries Management Plan for Kanhar Project. A plan to this effect is appended.
5. A wildlife / eco-development plan aimed at capacity building of nearby eco-development committees (EDCs) and / or joint forest management committees (JFMCs) and creating alternate livelihood opportunities will suffice the need of the local people. Uttar Pradesh Forest Department will prepare a plan which will be duly funded by the project proponent and dovetailed with other development schemes. An outlay of Rs. 1.00 crores spread over a period of 5 years will be provided by the Project Proponents.
6. Project proponents should implement the recommendations of socio-economic studies which are being carried out.
7. Project Proponent will get prepared Catchment Area Treatment (CAT) Plan from competent agency and will get it implemented as per the norms/guidelines of MoEF&CC for major and medium irrigation projects.
8. The State Governments of participating three states viz. Uttar Pradesh, Jharkhand and Chhattisgarh shall ensure that heavy metal contamination should not take place in Kanhar River, which is detrimental to all life forms. *presently the water of Kanhar River is pure. We will comply with the recommendation by the committee.*
9. (a) It was estimated that 1 MLD (approximately) of sewage will be generated in resettlement colony. This 1 MLD of untreated sewage will find its way to Kanhar River and deteriorates the water quality

on downstream. Project Proponents will build proper sanitation facility or sewage treatment plant.

(b) As the region is known to have water quality issues, it is essential to provide a proper infrastructure for the treatment of drinking water and its equitable distribution among the residents of the colony water treatment.

10. The project shall be subject to the environmental clearance and forest clearance conditions and conditions imposed by Hon'ble National Green Tribunal, Principal Bench, New Delhi will be displayed on Irrigation Department's website in all the three States and will be submitted to concerned Regional Offices, Ministry of Environment, Forests and Climate Change, Government of India.

11. The Committee under Para 14 of Hon'ble NGT's order dated 7th May 2015 recommends that the project proponent may be allowed to commence new activities over non forest land as per their approved Detailed Project Report provided they abide by the recommendations made by this committee and commencing new activities over non forest land does not become fate accompli for seeking forestry clearance.

12. The committee is of the opinion that following studies shall be conducted along with execution of the project to provide better picture of the scenario:

- a. Hydrological Non-stationarity
- b. Sediment Transport
- c. Dam break Analysis.

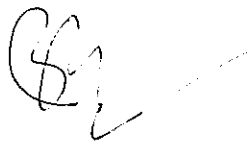
- d. Dam induced Seismicity
- e. Post Dam hydrological changes

A brief on these studies and their objectives are provided at Annexure-33.

13. Committee's Response on Order Dated 14th December 2015

1. Revised and updated report is on preceding pages.
2. List of ongoing works is placed for perusal at annexure-31.
3. List of new works proposed which the project proponent will take up only after issuance of suitable orders from Hon'ble National Green Tribunal, Principal Bench, New Delhi is being annexed at Annexure-32.
4. The remedial measures for improving survival percentage of previously done plantations of 666 ha have been duly elaborated in the relevant chapters of the report annexed at annexure- 25.

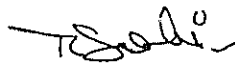
The detailed report of the Committee is annexed herewith.



Present report which is being submitted to Hon'ble National Green Tribunal, Principal Branch, New Delhi in compliance to orders dated 07.05.2015, 06.10.2015 and 14.12.2015 has been prepared after carrying out sites inspections; discussions with project affected communities, officials of Forest Departments and Irrigation Departments in the States of Chhattisgarh, Jharkhand, and Uttar Pradesh; examining various reports submitted by Project proponent, and detailed deliberations and discussions on reports prepared by expert members in the Committee.

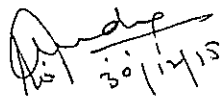

30/12/15

(Umendra)
Principal Chief
Conservator of Forests,
UP, Lucknow
Chairman



(Dr. K.D. Joshi)
Principal Scientist &
Head
Central Inland Fisheries
Research Institute
Allahabad

(Dr. A.B. Akolkar)
Member Secretary
(DK Soni)
(Scientist 'D')
Central Pollution
Control Board
New Delhi


30/12/15

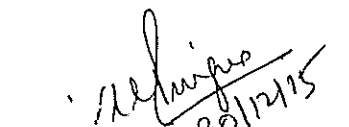
(Brijendra Swaroop)
Conservator of Forests
Ministry of
Environment, Forests
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Regional Office,
Lucknow

(Dr. Mukesh Kumar
Sinha)
Chief Engineer (PAO)
Central Water
Commission New Delhi


30/12/15
(O.P. Srivastava)
Chief Engineer
Kanhar Irrigation
Project
UP, Mirzapur

(SK Pathak)
Chief Engineer
Irrigation Department
Chhattisgarh, Raipur

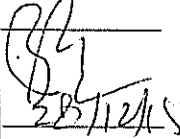
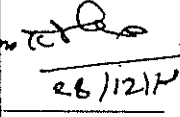
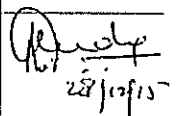
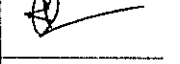
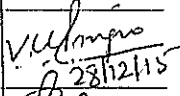
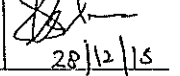
(Dr. Shivam Tripathi)
Assistant Professor
IIT, Kanpur


30/12/15
(ML Pingua)
Chief Engineer
Irrigation Department
Jharkhand, Ranchi

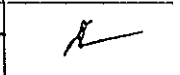
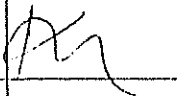
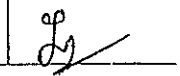
Meeting regarding Implementation of Judgment and order dated 07.05.2015 of Hon'ble National Green Tribunal, Principal Bench, New Delhi in O.A. No. 521 of 2014 (M.A. No. 902 of 2014 & M.A. No. 14 of 2015) Om Dutt Singh & others Vs State of U.P. & others under the chairmanship Shri Umendra, PCCF, UP, Lucknow.

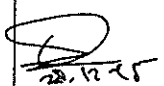
Venue- Lucknow

Date- 28.12.2015

Sl no	Nominated Organization	Participating officer name /Designation	Mob Number & Email Id.	Signature
1	Chairman	PCCF UP	9415279693 PCCF-UP@NIC.IN	
2	Chairman Expert appraisal committee of River valley and Hydro power project	Dr. K.D. Joshi P. S. 8 Hazrat CIFRI, Allahabad	9450600926 Kdjoshi.cifri@gmail.com	
3	Member Secretary, central pollution control board			
4	Representative of Ministry of environment forest and climate change	B SWAROOP CFC CENTRAL AO, MOEF, LKO.	9434169208 brijeshswaroop@gmail.com	
5	Representative of central water commission	Dr. M. K. Sinha CE (P&S), CWC	8826007291 ssmsinha@gmail.com	
6	Chief Engineer Irrigation, UP	D. P. Srivastava C.E. Kannan project	9453005736	
7	Chief Engineer Irrigation Chhattisgarh			
8	Chief Engineer Irrigation, Jharkhand	M. L. Pingua C.E. wrd, Medininagar	8235801996 cemedini-wrd-jhr@nic.in	
9	Expert from IIT Kanpur	Shivan Tripathi	900-566-3618 shiva@iitk.ac.in	

Special Invitees

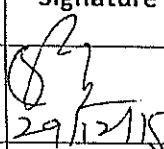
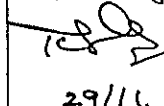
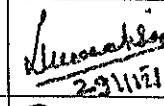
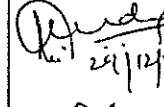
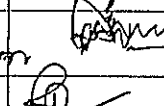
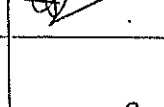
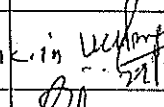
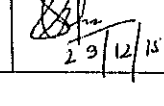
Sl no	Organization	Participating officer name /Designation	Mob Number & Email Id.	Signature
1.	Chief Conservator of forests/Nodal Officer, UP FC Act-1980	Dr. Rajiv Kumar Garg CCF/Nodal officer	9717466448	
2.	Dy. Conservator of forest/Nodal Office, Lucknow	V.K. Singh DFO Nodal office.	9415361367	
3.		K. M. Thakur CCF Mirzapur	9452357555 CE mirzapur@yahoo.co.in	
4.		T. Das DFO, Renukoot	08765233834 dforkt@yahoo.co.in	

Sl no.	Organization	Participating officer name /Designation	Mob Number & Email Id.	Signature
5.	U.P. Irrigation Deptt.	Dineshwar Shukla S.O., KCC-II Pipri Soubhadra	9450 400732	
6.	U.P. Irrigation Deptt.	S.H.P. Singh Yadav S.E. KCC Pipri	9415 44 8081	
7.	K.P. Pandey S.E.	S.E. KCC-S, Pipri Soubhadra	8804000111	
8.	BISAY KUMAR	E-E K.C.D.I.J Pipri Soubhadra	9415490495	
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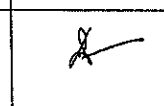
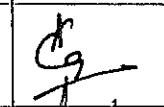
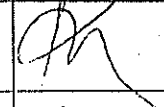
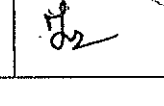
Meeting regarding Implementation of Judgment and order dated 07.05.2015 of Hon'ble National Green Tribunal, Principal Bench, New Delhi in O.A. No. 521 of 2014 (M.A. No. 902 of 2014 & M.A. No. 14 of 2015) Om Dutt Singh & others Vs State of U.P. & others under the chairmanship Shri Umendra, PCCF, UP, Lucknow.

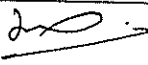
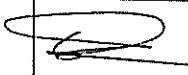
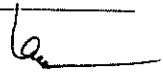
Venue- Lucknow

Date- 29.12.2015

Sl no	Nominated Organization	Participating officer name /Designation	Mob Number & Email Id.	Signature
1	Chairman	Umendra Sharma, PCCF UP.	9415279693	 29/12/15
2	Chairman Expert appraisal committee of River valley and Hydro power project	Dr. K. D. Joshi P.S. & Head, CIPRI	9450 600 826 kdjoshi@cipri@gmail.com	 29/11.
3	Member Secretary; central pollution control board	DR. D.K. SINGH, Secy	9794996946 Dens_dk_singh@mail.com	 29/12/15
4	Representative of Ministry of environment forest and climate change	B. SWAROOP CE (CENTRAL) REG. OFFICE, NTOE, Lucknow	9134169208 bijendra96uof@gmail.com	 29/12/15
5	Representative of central water commission	Dr. M. K. Sinha, CE (PRO)	8826007291 ssmsinha@gmail.com	 29/12/15
6	Chief Engineer Irrigation, UP	O.P. Srivastava C.E. Kanhar Irrig. project	9453005736	 29/12/15
7	Chief Engineer Irrigation Chhattisgarh			
8	Chief Engineer Irrigation, Jharkhand	M.L. Pingua Chief Engineer WRD Medininagar	8235801996 (cemedini-wrd-jhr@nic.in)	 29/12/15
9	Expert from IIT Kanpur	Shiram Tripathi	900-566-3618	 29/12/15

Special Invitees

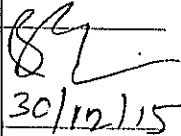
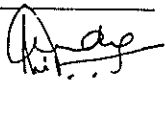
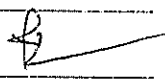
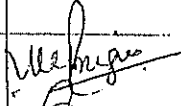
Sl no	Organization	Participating officer name /Designation	Mob Number & Email Id.	Signature
1.	Chief Conservator of forests/Nodal Officer, UP FC Act-1980	Dr. Rajiv Kumar Garg CCF/Nodal officer	9717466448	 29/12/15
2.	Dy. Conservator of forest/Nodal Office, Lucknow	VK Singh D.F.O. (Nodal Office)	9415361367	 29/12/15
3.		K.M. Thakur CCF Mirzapur	9452357558	 29/12/15
4.		Tuhir Das DFO, Renukoot	8765233834 dfookt@yahoo.co.in	 29/12/15

Sl no.	Organization	Participating officer name /Designation	Mob Number & Email Id.	Signature
5.	Immigration Deptt U-P	SHP Singh yadav SE K.C.C Pipri	9415448581	
6.	Immigration Deptt U-P	D. Sankar SE Kanher Construction Circle-II Pipri-Sourbhadrach	9450400732	
7.	Immigration Deptt U-P	BIJAY. KUMAR EE K.C.D-3 Pipri	9415490495	
8.	Immigration Deptt U-P	K P PANDEY. SE K.C.D-3, Pipri	8874707111	
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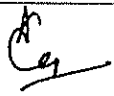
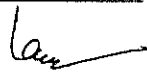
Meeting regarding Implementation of Judgment and order dated 07.05.2015 of Hon'ble National Green Tribunal, Principal Bench, New Delhi in O.A. No. 521 of 2014 (M.A. No. 902 of 2014 & M.A. No. 14 of 2015) Om Dutt Singh & others Vs State of U.P. & others under the chairmanship Shri Umendra PCCF, UP, Lucknow.

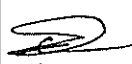
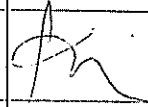
Venue- Lucknow

Date- 30.12.2015

Sl no	Nominated Organization	Participating officer name /Designation	Mob Number & Email Id.	Signature
1	Chairman	Umendra Sharma, PCCF U.P.	9415279693 PCCF-UP@NIC.IN	 30/12/15
2	Chairman Expert appraisal committee of River valley and Hydro power project			
3	Member Secretary, central pollution control board			
4	Representative of Ministry of environment forest and climate change	BRIJENDRA SWAROOP (PCCF) Reg. OFFICE MOEF, LUCKNOW	9434169208 brijendra96moef@gmail.com	
5	Representative of central water commission			
6	Chief Engineer Irrigation, UP	D.P. Srivastava C.E. Kanpur Irrigation	9453005736	
7	Chief Engineer Irrigation Chhattisgarh			
8	Chief Engineer Irrigation, Jharkhand	M. L. Pringua Chief Engineer, wtd, Jhr.	8235201996	
9	Expert from IIT Kanpur	Shivam Tripathi Asst. Professor	900-566-3618	

Special Invitees

Sl no	Organization	Participating officer name /Designation	Mob Number & Email Id.	Signature
1.	Chief Conservator of forests/Nodal Officer, JP FC Act-1980	Dr. Rajiv Kumar Singh CCF/Nodal officer	9717466448	
2.	Dy. Conservator of forest/Nodal Office, Lucknow	V.K. Singh DCF	9415361367	
3.	Irrigation Deptt UP	K.P. Pandey Executive Engineer	8074707111	
4.	Forest Deptt Int. Sec. Deptt	Tuli Das JFO, Ranchi	8755233834	

Sl no.	Organization	Participating officer name /Designation	Mob Number & Email Id.	Signature
5.	Irrigation Dept	BIJAY KUMAR Executive Engineer K.C.C. Pipri	9415490495	
6.	Irrigation Dept U.P.	D. Shukla SE K.C.C.-2 Pipri, Southahe	9450400732	
7.	Forest Dept	K.M. THAKUR CF, MIRZAPUR	9452357555	
8.	Irrigation Dept U.P.	S.N.P. Singh Yadav SE K.C.C. Pipri	9415448581	
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भारत सरकार

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय

एकीकृत क्षेत्रीय कार्यालय, लखनऊ

Ministry of Environment, Forest & Climate Change

Integrated Regional Office, Lucknow

केन्द्रीय भवन, 5th Floor, Sector-II, Aliganj, Lucknow-226024, Telefax 2326696
Email: roez.lko-mefn@gov.in, goimcofrolko@gmail.com

पत्र सं० ४४०/यूपीओ/०२/३१/२०१६/एफओसीओ/३-५८

दिनांक : 10.03.2022

सेवा में

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

ONLINE PROPOSAL NO: FP/UP/IRRIG/20269/2016

विषय : सोनभद्र में कनहर सिंचाई परियोजना के मुख्य नहरों एवं प्रणालियों हेतु रेनुकूट वन प्रभाग की 103.675 हे० आरक्षित वनभूमि के गैर वानिकी प्रयोग एवं बाधक 18282 वृक्षों के पातन तथा ओबरा वन प्रभाग की 23.4887 हे० आरक्षित वनभूमि के गैर वानिकी प्रयोग एवं बाधक 2928 वृक्षों का पातन अर्थात् 127.1637 हे० आरक्षित वनभूमि के गैर वानिकी प्रयोग एवं बाधक 21210 वृक्षों के पातन की अनुमति।

सन्दर्भ: सचिव, उ० प्र० का पत्रांक-307/81-2-2022-800(148)/2017, लखनऊ, दिनांक-03.03.2022.

महोदय,

उपरोक्त विषयक संदर्भित पत्र का आशय ग्रहण करने का कष्ट करें। जिसके द्वारा राज्य सरकार ने विषयवस्तु प्रस्ताव पर वन (संरक्षण) अधिनियम, 1980 की धारा-2 के तहत भारत सरकार की स्वीकृति मांगी थी।

प्रश्नगत प्रकरण में आपने मांगी गई कैट योजना (CAT PLAN) प्रस्तुत की है। सैद्धान्तिक स्वीकृति की पूर्ण अनुपालना उपलब्ध कराने का कष्ट करें ताकि आगे की कार्रवाई सुनिश्चित की जा सके।

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. प्रभागीय वनाधिकारी, रेनुकूट, ओबरा, उ० प्र०।
4. अधिशासी अभियन्ता, कनहर निर्माण खण्ड-3, पिपरी, सोनभद्र, उ० प्र०।
5. पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, एकीकृत क्षेत्रीय कार्यालय, लखनऊ को वेबसाइट पर अपलोडिंग हेतु/आदेश पत्रावली।

(डॉ० प्राची गंगवार)
उप वन महानिरीक्षक (केन्द्रीय)

कार्यालय मुख्य वन संरक्षक/नोडल अधिकारी, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, उ०प्र०, लखनऊ।

पत्रांक- 2600 /11-सी-FP/UP/IRRIG/20269/2016, लखनऊ, दिनांक: मार्च 15, 2022

प्रतिलिपि- मुख्य वन संरक्षक, मीरजापुर क्षेत्र, मीरजापुर को इस आशय से प्रेषित कि भारत सरकार द्वारा वांछित सैद्धान्तिक स्वीकृति की पूर्ण बिन्दुवार अनुपालन आख्या एवं उससे सम्बन्धित अभिलेख इस कार्यालय को तीन प्रतियों में संस्तुति के साथ प्रेषित करने का कष्ट करें।

प्रतिलिपि- प्रभागीय वनाधिकारी, ओबरा एवं रेनुकूट को इस आशय से प्रेषित कि विषयगत प्रकरण में भारत सरकार द्वारा वांछित सैद्धान्तिक स्वीकृति की पूर्ण बिन्दुवार अनुपालन आख्या एवं उससे सम्बन्धित अभिलेख इस कार्यालय को मुख्य वन संरक्षक के माध्यम से तीन प्रतियों में संस्तुति के साथ उपलब्ध कराना सुनिश्चित करें।

प्रतिलिपि- अधिशासी अभियन्ता, कनहर निर्माण खण्ड, तृतीय, पिपरी सोनभद्र को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

(अनुपम गुप्ता)

मुख्य वन संरक्षक/नोडल अधिकारी,
उ०प्र०, लखनऊ।