



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



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पत्र सं० : 8बी/यू०पी०/०७/११८/२०२१/एफ.सी./400

दिनांक : 13.10.2023
15.11.2023

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

ऑनलाईन प्रस्ताव संख्या-FP/UP/RAIL/41878/2019

विषय: पूर्वोत्तर रेलवे द्वारा औडिहार-जौनपुर रेलवे सेक्शन के अंतर्गत रेलव ट्रैक के दोहरीकरण में जनपद गाजीपुर (किमी० १.९०० से १०.९०० तक) में प्रभावित ६.५०५७२ हे० संरक्षित वनभूमि एवं ०९ वृक्षों/पौधों के पातन तथा जनपद जौनपुर में (किमी० १०.९०० से ५७.४०० तक) प्रभावित ४३.४१७०४ हे० संरक्षित वनभूमि एवं बाधक १३३७ वृक्षों/पौधों के पातन की अनुमति अर्थात् कुल ४९.९२२७६ हे० संरक्षित वनभूमि के गैर वानिकी प्रयोग एवं बाधक कुल १३४६ वृक्षों/पौधों के पातन की अनुमति के संबंध में।

सन्दर्भ: मुख्य वन संरक्षक/नोडल अधिकारी का पत्रांक १६९/११-सी- FP/UP/Rail/41878/2019, दिनांक २०.०७.२०२३.

महोदय,

उपरोक्त विषयक विषेष सचिव (वन), उत्तर प्रदेश शासन के पत्रांक पी-६७/८१-२-२०२१-८००(५४)/२०२१, दिनांक २२.०३.२०२१ का आशय ग्रहण करने का कष्ट करें, जिसके द्वारा विषयांकित प्रकरण में राज्य सरकार द्वारा वन (संरक्षण) अधिनियम, १९८० की धारा (२) के अन्तर्गत भारत सरकार की स्वीकृति माँगी गयी है।

प्रकरण को दिनांक २७.०४.२०२२ को (REC Agenda item ६५.२-UP), दिनांक ३०.०५.२०२३ को (REC Agenda item ५.४-UP) एवं दिनांक १०.०८.२०२३ को (REC Agenda item ८.१०-UP) को आहूत की गई क्षेत्रीय सषक्त समिति (REC) की बैठक में शामिल किया गया था। क्षेत्रीय सषक्त समिति (REC) के निर्णयानुसार प्रकरण को स्वीकृति हेतु मंत्रालय प्रेषित किया गया था, जिसपर मंत्रालय, नई दिल्ली ने प्रकरण को स्वीकृति प्रदान की है। तत्पश्चात् मुझे आपको यह सूचित करने का निर्देश हुआ है कि केन्द्र सरकार पूर्वोत्तर रेलवे द्वारा औडिहार-जौनपुर रेलवे सेक्शन के अंतर्गत रेलव ट्रैक के दोहरीकरण में जनपद गाजीपुर (किमी० १.९०० से १०.९०० तक) में प्रभावित ६.५०५७२ हे० संरक्षित वनभूमि एवं ०९ वृक्षों/पौधों के पातन तथा जनपद जौनपुर में (किमी० १०.९०० से ५७.४०० तक) प्रभावित ४३.४१७०४ हे० संरक्षित वनभूमि एवं बाधक १३३७ वृक्षों/पौधों के पातन की अनुमति अर्थात् कुल ४९.९२२७६ हे० संरक्षित वनभूमि के गैर वानिकी प्रयोग एवं बाधक कुल १३४६ वृक्षों/पौधों के पातन की सैद्धांतिक स्वीकृति निम्नलिखित शर्तों पर प्रदान करती है:-

1. Legal status of the forest land shall remain unchanged.
2. Compensatory afforestation shall be taken up by the Forest Department in an area of **120 ha** Degraded Forest Land in District Gazipur & Jaunpur at the cost of the User Agency. As far as practicable a mixture of local indigenous species will be planted and monoculture of a species has to be avoided. The details of area for CA is as follows:-

S.No.	Block and Compartment Name	CA proposed in Area (Ha.)	Range
1.	Bakiya-4	10	Obra
2.	Parsoi-8B	10	Obra
3.	Agori-3	10	Jugail
4.	Agori-3A	10	Jugail
5.	Pansila-3	10	Jugail
6.	Hathwani-11	10	Dala
7.	Ranitali -2A	10	Dala
8.	Ranitali-2B	10	Dala
9.	Basudha-3	10	Dala

10. •	Maidhiya-9	10	Data
11.	Semardah-4B	10	Obra
12.	Purvi Amarsota-5D	10	Obra
Total		120 ha.	

3. The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars if required on the CA land shall be deposited in advance with the Forest Department by the project authority. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.
4. The State Government shall charge the Net Present Value (NPV) for the 49.92276 ha forest area to be diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 30/10/2002, 01/08/2003, 28/03/2008, 24/04/2008 and 09/05/2008 in IA No. 566 in WP (C) No. 202/1995 and as per the guidelines issued by the Ministry vide letters No. 5-1/1998-FC (Pt.II) dated 18/09/2003, as well as letter No. 5-2/2006-FC dated 03/10/2006 and 5-3/2007-FC dated 05/02/2009 in this regard.
5. **Revised NPV and Penal NPV calculation as per orders dated 06.01.2022 and 19.01.2022 needs to be submitted and NPV and five times NPV (along with 12% Simple Interest) as penal NPV needs to be deposited accordingly.**
6. Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect.
7. User agency shall restrict the felling of 1346 trees/minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the User Agency with the State Forest Department.
8. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
9. Speed regulating signage will be erected along the railway line at regular intervals in the Protected Areas/ Forest Areas.
10. The user agency shall provide suitable under/ over passes in Protected Area/ Forest Area as per recommendations of CWLW / NBWL / FAC / REC.
11. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.
12. The layout plan of the proposal shall not be changed without prior approval of Central Government.
13. No labour camp shall be established on the forest land.
14. Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.
15. The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.
16. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
17. The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less.
18. The forest land shall not be used for any purpose other than that specified in the project proposal.
19. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India.
20. The KML file of the area to be diverted, the CA areas, the proposed SMC work, the proposed Catchment Area Treatment area and the WLMP area shall be uploaded on the e-Green watch portal with all requisite details before commencement of works.

21. The violation of any of the conditions stipulated under this approval will be liable to the cognizance and appropriate action under MoEFCC rules and Guidelines as applicable, specifically MoEFCC Guidelines dated 15/05/2023, authorizing officers of the rank of Divisional Forest Officer (DFO)/Deputy Conservator of Forests (DCF) and above of the State Government or Union territory Administration concerned, having jurisdiction over the forest land in respect of which any offence under the Forest (Conservation) Act, 1980 is committed or violation of the provisions of the said Act has been made, to file complaints against such person/authority/organization, prima-facie found guilty of offence under the Act or the violation of the rules made thereunder, in the court having jurisdiction in the matter.
22. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF&CC Guideline F. No. 11-42/2017-FC dt 29/01/2018.
23. Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.
24. All the funds received from the user agency under the project shall be transferred/ deposited to CAMPA fund only through (<https://parivesh.nic.in/>).
25. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>)

After receipt of compliance report on fulfillment of all of the above conditions from the State Government, proposal will be considered for final approval under Section-2 of the Forest (Conservation) Act, 1980, by this office.

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

भवदीया,

(डॉ० प्राची गंगवार)

उप वन महानिरीक्षक [केन्द्रीय]

प्रतिलिपि (ईमेल द्वारा):

1. प्रधान मुख्य वन संरक्षक(हॉफ), वन विभाग, 17, राणा प्रताप मार्ग, लखनऊ, उ०प्र०।
2. मुख्य वन संरक्षक(वन संरक्षण) एवं नोडल अधिकारी, 17, राणा प्रताप मार्ग, लखनऊ, उ०प्र०।
3. वन संरक्षक, वाराणसी वृत्त, वाराणसी।
4. प्रभागीय निदेशक, गाजीपुर/जौनपुर।
5. सार्वजनिक अभियंता/कार्य/निर्माण/बी०एस०वी०, उत्तर रेलवे, वाराणसी।
6. पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय को वेबसाइट पर अपलोडिंग हेतु/आदेश पत्रावली।

(डॉ० प्राची गंगवार)

उप वन महानिरीक्षक [केन्द्रीय]

