



भारत सरकार
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
क्षेत्रीय कार्यालय (मध्य)
Ministry of Environment, Forest and Climate Change
Regional Office (Central Region)



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पत्र संख्या-8बी/यू.पी./06/86/2019/एफ.सी. 563

दिनांक: 20.02.2020

सेवा में,
विशेष सचिव (वन),
उत्तर प्रदेश शासन,
बापू भवन, लखनऊ।

(ऑनलाईन प्रस्ताव संख्या-FP/UP/Road/39827/2019)

विषय: जनपद-झांसी में झांसी-बबीना-ललितपुर राष्ट्रीय राजमार्ग सं०-26 के किमी० सं० 3 से 11 तक झांसी हंसारी से खैलार की सीमा तक दोनों पटरी पर चौड़ीकरण/चार लेन में प्रभावित 14.80 हे० संरक्षित वनभूमि के गैर वानिकी प्रयोग एवं बाधक 945 वृक्षों के पातन की अनुमति के सम्बन्ध में।

सन्दर्भ: विशेष सचिव, उत्तर प्रदेश का पत्रांक-203/81-2-2020-800(64)/2019, लखनऊ, दिनांक-28.01.2020.

महोदय,

उपरोक्त विषय पर विशेष सचिव (वन), उत्तर प्रदेश का पत्रांक-1951/81-2-2019-800(64)/2019, लखनऊ, दिनांक-27.09.2019 का आशय ग्रहण करने का कष्ट करें। जिसके द्वारा विषयांकित प्रस्ताव पर वन (संरक्षण) अधिनियम, 1980 की धारा (2) के अन्तर्गत भारत सरकार की स्वीकृति माँगी थी।

प्रकरण को दिनांक-18.02.2020 को आहूत की गयी क्षेत्रीय सशक्त समिति (REC) की बैठक में (REC Agenda item 45.2-UP) शामिल किया गया था जिसमें विचारोपरान्त प्रकरण को सशर्त स्वीकृति प्रदान की गयी है। अतः केन्द्र सरकार भारतीय जनपद-झांसी में झांसी-बबीना-ललितपुर राष्ट्रीय राजमार्ग सं०-26 के किमी० सं० 3 से 11 तक झांसी हंसारी से खैलार की सीमा तक दोनों पटरी पर चौड़ीकरण/चार लेन में प्रभावित 14.80 हे० संरक्षित वनभूमि के गैर वानिकी प्रयोग एवं बाधक 945 वृक्षों के पातन की सैद्धान्तिक स्वीकृति निम्नलिखित शर्तों पर प्रदान करती है:-

1. Legal status of the forest land shall remain unchanged.
2. Compensatory afforestation shall be taken up by the Forest Department over 29.60 ha. degraded forest land (Compartment/Khasra No. 21, Village- Simraha, Tehsil- Jhansi, District- Jhansi) at the cost of the user agency. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided.
3. The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars if required on the CA land shall be deposited in advance with the Forest Department by the project authority. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.
4. The State Government shall charge the Net Present Value(NPV) for the 14.80 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. 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.

[Signature]

6. User agency shall restrict the felling of trees to minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the User Agency with the State Forest Department.
7. All the funds received from the user agency under the project shall be transferred/ deposited to CAMPA fund only through *e-portal* (<https://parivesh.nic.in/>).
8. User agency shall raise strip plantation on both sides and central verge of the road as per the IRC norms.
9. Speed regulating signage will be erected along the road at regular intervals in the Protected Areas/ Forest Areas.
10. The user agency shall provide suitable under/over pass 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. Certificate of DFO certifying that the proposed RO is not in close proximity of any existing RO in accordance with MORTH guidelines dated 24-07-2013 has to be provided.
21. If feasible translocation of trees proposed for felling should be explored by the User agency.
22. DFO should submit a certificate, certifying that no work has been executed in violation of Forest (Conservation) Act, 1980 in the said proposal.
23. 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.
24. 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.
25. The compliance report shall be uploaded on *e-portal* (<https://parivesh.nic.in/>).

भवदीया,

(प्राची गंगवार)

उप वन महानिरीक्षक [केन्द्रीय]

प्रतिलिपि सूचनार्थ एवं आवश्यक कार्यवाही हेतु :-

1. मुख्य वन संरक्षक/नोडल अधिकारी वन विभाग, 17, राणा प्रताप मार्ग, उत्तर प्रदेश, लखनऊ।
2. प्रभागीय वनाधिकारी, झांसी वन प्रभाग, झांसी।
3. अधिशासी अभियंता निर्माण खण्ड (भवन विंग) लोक निर्माण विभाग, झांसी।
4. पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, क्षेत्रीय कार्यालय, लखनऊ को वेबसाइट पर अपलोडिंग हेतु/आदेश पत्रावली।

(प्राची गंगवार)

उप वन महानिरीक्षक [केन्द्रीय]