

प्रेषक,

अपर प्रधान मुख्य वन संरक्षक/नोडल अधिकारी,
उ०प्र०, लखनऊ।

सेवा में,

प्रभागीय वनाधिकारी,
हाथरस वन प्रभाग,
हाथरस।

विषय:- जनपद हाथरस में मैसर्स हिन्दुस्तान पेट्रोलियम कार्पोरेशन लिमिटेड द्वारा सादाबाद-जलेसर मार्ग (एस०एच०-१२२) किमी० ४९ के मध्य बाँयी पटरी पर खसरा संख्या-१०९६ ग्राम सहपऊ तहसील सादाबाद जनपद-हाथरस में स्थापित होने वाले रिटेल आउटलेट के सम्पर्क मार्ग के निर्माण हेतु प्रभावित ०.०७८१२४६ हे० संरक्षित वन भूमि के गैर वानिकी प्रयोग एवं बिना वृक्ष पातन की अनुमति के सम्बन्ध में।

महोदय,

उपर्युक्त विषयक कृपया अपने कार्यालय पत्र संख्या-४८२१/१४-१, दिनांक २३.०६.२०२३ एवं संख्या-२१७५/१४-१, दिनांक ०६.०२.२०२५ का संदर्भ ग्रहण करने का कष्ट करें।
विषयगत प्रकरण में वन (संरक्षण एवं संवर्धन) अधिनियम १९८० सपठित वन (संरक्षण एवं संवर्धन) नियम २०२३ के अन्तर्गत पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार, नई दिल्ली के पत्र दिनांक २९.११.२०२३ द्वारा निर्गत अधिसूचना के बिन्दु सं०-९ के क्रम में उ०प्र० शासन द्वारा निर्गत कार्यालय-ज्ञाप संख्या-यू०ओ०-८८/८१-२-२०२४, दिनांक १८.१२.२०२४ के अनुपालन में जनपद हाथरस में मैसर्स हिन्दुस्तान पेट्रोलियम कार्पोरेशन लिमिटेड द्वारा सादाबाद-जलेसर मार्ग (एस०एच०-१२२) किमी० ४९ के मध्य बाँयी पटरी पर खसरा संख्या-१०९६ ग्राम सहपऊ तहसील सादाबाद जनपद-हाथरस में स्थापित होने वाले रिटेल आउटलेट के सम्पर्क मार्ग के निर्माण हेतु प्रभावित ०.०७८१२४६ हे० संरक्षित वन भूमि के गैर वानिकी प्रयोग एवं बिना वृक्ष पातन की अनुमति के सम्बन्ध में शर्तों/प्रतिबन्धों के अधीन एतद्वारा सैद्धान्तिक स्वीकृति (Stage-I) निर्गत की जाती हैं:-

1	Legal status of the diverted forest land shall remain unchanged
2	Compensatory afforestation shall be taken up by the Forest Department for the plantation over an area of 0.1600 ha. or (160 plants) degraded forest land in Tatidandia van forest block, Sikandra rao Forest Range, Forest division, District- Hathras at the cost of the User Agency. As far as practicable a mixture of local indigenous species will be planted and monoculture of a species has to be avoided.
3	The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars if required on the CA land shall be deposited in advance with the Forest Department by the project authority. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.
4	The State Government shall charge the Net Present Value (NPV) for the 0.0781246 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 and 5-3/2011-FC (Vol-I) dated 06-01-2022 in this regards.
5	Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect.
6	The FRA certificate as per Ministry's guidelines shall be submitted before the issuance of final approval. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed

	certificate from the concerned District Collector.
7	No violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 certificate from concerned DFO shall be provided.
8	Greenery will be maintained by user agency around Periphery of Fuel Station.
9	User agency shall use the land between entry and exit for plantation and conservation of trees, the same shall be demarcated by 2 feet wall.
10	Plantation shall also be done along the inside boundary of Fuel Station.
11	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.
12	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.
13	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.
14	The KML file of area proposed for diversion and area proposed for plantation shall be uploaded on the E-Green watch portal with all requisite details before commencement of works.
15	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.
16	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/).
17	The compliance report shall be uploaded on e-portal (https://parivesh.nic.in/).
18	Entire periphery of the establishment should be lined up with plantation at a close espacement of 1.0 to 1.5 meter keeping an offset of 1.5 meter from the boundary, with light crown tree species which will maintain greenery without compromising with the land requirement of the establishment.
19	Separator island has to be maintained as Green Belt, in consultation with DFO. Green belt plan on separator island shall be approved by DFO, ensuring appropriate site specific species. Green belt plan shall also include species to be planted on the periphery of retail outlets and service road, if applicable. Green plan in respect of Separator island/entry & exit /service road as applicable and duly approved by DFO be submitted along with compliance report.
20	User Agency and authorized signatory oil company issuing sanction letter shall be liable for land use including tree plantation for entry/exit and Separator island strictly as per the approved layout plan and any violation /non adherence shall attract penal action/prosecution in competent court of jurisdiction as per Van (Sanrakshan Evam Samvardhan) Adhiniyam (1980), Rules and guidelines.
21	Violation of any of the conditions stipulated under this approval will be liable for 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 Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 is committed or violation of the provisions of the said Adhiniyam has been made, to file complaints against such person/authority/organization, prima-facie found guilty of offence under the Adhiniyam or the violation of the rules made thereunder, in the court having jurisdiction in the matter.
22	Green Plan duly approved by DFO in respect of Separator island/entry/exit/service road as applicable be submitted and Geo tagged six monthly reports be maintained at retail outlet and be submitted six monthly.
23	DFO needs to certify that the area proposed for diversion is as per the existing Working Plan

	and no other affected forest area is left to be included in the proposal.
24	The approval shall be revoked if any change in forest area/forest boundary occurs after Digitization of forest boundaries is completed.
25	उपरोक्तानुसार निर्गत सैद्धांतिक स्वीकृति (Stage-I) की बिन्दुवार अनुपालन आख्या उपलब्ध कराने के पश्चात प्रश्नगत प्रकरण में विधिवत स्वीकृति (Stage-II) प्रदान की जायेगी।
26	प्रश्नगत सैद्धांतिक स्वीकृति प्रभागीय वनाधिकारी/निदेशक की रिपोर्ट/संस्तुति के आधार पर निर्गत की जा रही है। भविष्य में प्रकरण में किसी बिन्दु पर तथ्य छिपाये जाने अथवा अन्य कोई नियम विरुद्ध तथ्य प्रकाश में आने पर प्रभागीय वनाधिकारी/निदेशक स्वयं उत्तरदायी होंगे।

भबदीय,

(ललित कुमार वर्मा)

अपर प्रधान मुख्य वन संरक्षक/नोडल अधिकारी,
उ०प्र०, लखनऊ।

संख्या एवं दिनांक तदैव।

प्रतिलिपि:— निम्नलिखित अधिकारियों को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:—

1. प्रमुख सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, उ०प्र० शासन, लखनऊ।
2. उप वन महानिदेशक, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार, एकीकृत क्षेत्रीय कार्यालय, केन्द्रीय भवन, अलीगंज, लखनऊ।
3. वन संरक्षक, अलीगढ़ वृत्त, अलीगढ़।
4. डिप्टी जनरल मैनेजर, हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लि०, संजय प्लेस, आगरा।

(ललित कुमार वर्मा)

अपर प्रधान मुख्य वन संरक्षक/नोडल अधिकारी,
उ०प्र०, लखनऊ।

