



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./06/29/2020/एफ.सी./640

दिनांक: 27.05.2020

सेवा में,

विशेष सचिव (वन),
उत्तर प्रदेश शासन,
वापू भवन, लखनऊ।

(ऑनलाईन प्रस्ताव संख्या-FP/UP/Road/43247/2019)

विषय: जनपद शाहजहाँपुर में प्रांतीय खण्ड लोक निर्माण विभाग द्वारा पुत्तूलाल चौराहा, रोजा अड़डा चौराहा (चैनेज 0.00 से 2.750) हथौड़ा चौराहा-पुत्तूलाल चौराहा, (चैनेज 0.00 से 2.750) जी0आई0सी0 से अट्सलिया रेलवे फाटक रोड (चैनेज 0.00-3.950) बरेली रोड से गर्गा रोड (चैनेज 0.00 से 1.800) तक सड़क चौड़ीकरण एवं सुदृढीकरण में प्रभावित 9.16 हे० संरक्षित वन भूमि के गैर वानिकी प्रयोग एवं बाधक कुल 523 वृक्षों के पातन की अनुमति के सम्बन्ध में।

सन्दर्भ: विशेष सचिव, उत्तर प्रदेश का पत्रांक-पी 32/81-2-2020-800(23)/2020, लखनऊ, दिनांक-13.03.2020.

महोदय,

उपरोक्त विषय पर विशेष सचिव (वन), उत्तर प्रदेश का पत्रांक-पी 32/81-2-2020-800(23)/2020, लखनऊ, दिनांक-13.03.2020 का आशय ग्रहण करने का कष्ट करें। जिसके द्वारा विषयवर्तित प्रस्ताव पर वन (संरक्षण) अधिनियम, 1980 की धारा (2) के अन्तर्गत भारत सरकार की स्वीकृति माँगी थी।

प्रकरण को दिनांक-18.05.2020 को आहूत की गयी क्षेत्रीय सशक्त समिति (REC) की बैठक में (REC Agenda item 47.5-UP) शामिल किया गया था जिसमें विचारोपरान्त प्रकरण को सशर्त स्वीकृति प्रदान की गयी है। अतः केन्द्र सरकार जनपद शाहजहाँपुर में प्रांतीय खण्ड लोक निर्माण विभाग द्वारा पुत्तूलाल चौराहा, रोजा अड़डा चौराहा (चैनेज 0.00 से 2.750) हथौड़ा चौराहा-पुत्तूलाल चौराहा, (चैनेज 0.00 से 2.750) जी0आई0सी0 से अट्सलिया रेलवे फाटक रोड (चैनेज 0.00-3.950) बरेली रोड से गर्गा रोड (चैनेज 0.00 से 1.800) तक सड़क चौड़ीकरण एवं सुदृढीकरण में प्रभावित 9.16 हे० संरक्षित वन भूमि के गैर वानिकी प्रयोग एवं बाधक कुल 523 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 18.50 ha. degraded forest land in (Compartment/Khasra No. Not provided, Village- Milik Forest Block, Tehsil- Dhaurhra, District- Lakhimpur Kheri) 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 9.16 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. 366 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.
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. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector. The certificate has to be submitted in prescribed format as per FCA guidelines.
9. User agency shall raise strip plantation on both sides and central verge of the road as per the IRC norms.
10. Speed regulating signage will be erected along the road at regular intervals in the Protected Areas/ Forest Areas.
11. The user agency shall provide suitable under/over pass in Protected Area / Forest Area as per recommendations of CWLW / NBWL / PAC / REC.
12. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.
13. The layout plan of the proposal shall not be changed without prior approval of Central Government.
14. No labour camp shall be established on the forest land.
15. 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.
16. 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.
17. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
18. The period of diversion under this approval shall be co-terminous with the period of lease to be granted in favour of the user agency or the project life, whichever is less.
19. The forest land shall not be used for any purpose other than that specified in the project proposal.
20. 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.
21. Certificate of DFO, certifying that no violation has taken place in the said case.
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. The compliance report shall be uploaded on *e-portal* (<https://parivesh.nic.in/>).

सवदीया,

(प्राची गंगवार)

उप वन महानिरीक्षक (केन्द्रीय)

प्रतिलिपि सूचनार्थ एवं आवश्यक कार्यवाही हेतु :-

1. मुख्य वन संरक्षक एवं नोडल अधिकारी(वन संरक्षण) 17, राणा प्रताप नगर, लखनऊ, उ०प्र०।
2. जिलाधिकारी, शाहजहांपुर।
3. अधिशासी अभियंता प्रांतीय खण्ड लोक निर्माण विभाग, शाहजहांपुर।
4. प्रभागीय निदेशक, सा०वा०प्रभाग, शाहजहांपुर, उ०प्र०।
5. पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, क्षेत्रीय कार्यालय, लखनऊ को वेबसाइट पर अपलोडिंग हेतु प्रेषित/आदेश पत्रावली।

27/05/2020
(प्राची गंगवार)

उप वन महानिरीक्षक (केन्द्रीय)