



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



केन्द्रीय भवन, पंचम तल, सेक्टर-एच, अलीगंज, लखनऊ-226024  
Kendriya Bhawan, 5th Floor, Sector-H, Aliganj, Lucknow- 226024, Telefax: 2326696, 2324340, 2324047, 2324025  
Email: (Env.) m\_env@rediffmail.com, (Forest) goimoeffolkko@gmail.com

पत्र सं० 8बी/यू०पी०/०२/३१/२०१८/एफ०सी०/५२५

दिनांक : 28.11.2019

सेवा में,  
विशेष सचिव (वन),  
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:** क्षेत्रीय सशक्त समिति (REC) की बैठक दिनांक-26.11.2019 की कार्यवाही (REC Agenda item 42.5-U.P.)

महोदय,

उपरोक्त विषय का आशय ग्रहण करने का कष्ट करें। विषयांकित प्रकरण में राज्य सरकार द्वारा वन (संरक्षण) अधिनियम, 1980 की धारा (2) के अन्तर्गत भारत सरकार की स्वीकृति मांगी है।

उक्त प्रकरण को दिनांक 26.11.2019 को आहूत की गयी क्षेत्रीय सशक्त समिति (REC) की बैठक में सम्मिलित किया गया था। क्षेत्रीय सशक्त समिति की बैठक (REC) दिनांक 26.11.2019 की कार्यवाही (REC Agenda Item 42.5-U.P.) में निम्नलिखित निर्णय लिए गए हैं—

1. The test check of kml files of degraded forest areas proposed for Compensatory afforestation reveals some discrepancies which must be sorted out after detailed analysis to ensure that total areas suitable for plantation does not fall below the total requirement of 1295 hectare.
2. The submission of CAT Plan is a part of diversion of Forest land for Kanhar Irrigation Project sanctioned much earlier and it requires approval of the ministry which should be taken up separately by the State Government.

मुझे आपको यह सूचित करने का निर्देश हुआ है कि राज्य सरकार द्वारा उपरोक्त बिन्दुओं पर अपेक्षित कार्यवाही की जाए।

भवदीय,

(के०के० तिवारी)

उप वन महानिरीक्षक (केन्द्रीय)

**प्रतिलिपि सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:**

1. नोडल अधिकारी एवं मुख्य वन संरक्षक (वन संरक्षण), वन विभाग, 17 राणा प्रताप मार्ग, लखनऊ।
2. प्रभागीय वनाधिकारी, रेनुकूट, ओबरा, उ० प्र०।
3. अधिशासी अभियन्ता, कनहर निर्माण खण्ड-3, पिपरी, सोनभद्र, उ० प्र०।
4. पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, क्षेत्रीय कार्यालय, लखनऊ को वेबसाइट पर अपलोडिंग हेतु/आदेश पत्रावली।

(के०के० तिवारी)

उप वन महानिरीक्षक (केन्द्रीय)

**Agenda Item no.42.5 UP**  
**(Deferred Agenda 37. 3 REC dt 05.03.19 and Agenda 40.8 REC dt 08.08.19)**

**Online No. FP/UP/IRRI/20269/2016**

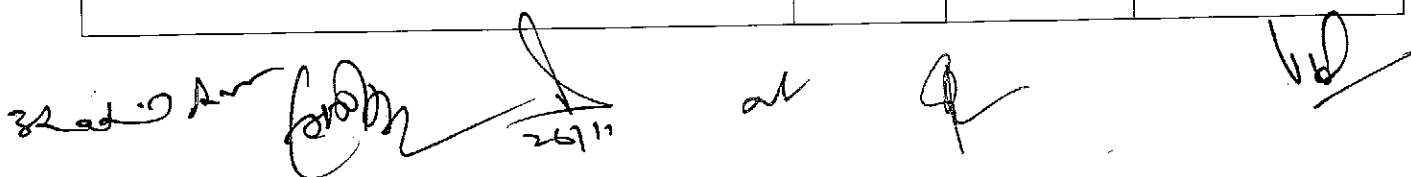
**8B/UP/02/31/2018/ PROPOSAL FOR DIVERSION OF 127.1637 HA FOREST LAND FOR CONSTRUCTION OF KANHAR IRRIGATION PROJECT IN SONEBHADRA DISTRICT (UP).**

**The details of the proposals are as under:**

The proposal was submitted vide letter no. 143/14-2-2018-800(118)/2017 dated 19.03.2018 by State government, Department of Forest, Govt. of UP.

1. The proposal has been signed and recommended by the all concerned authorities in the part I, II, III, IV & V. In part II, III, IV and V of the proposal, no specific comments have been recorded by the concerned authorities.
2. As per Site inspection report of the concerned DCF having territorial jurisdiction on proposed forest land, no violation of Forests (Conservation) Act, 1980 has been reported (Site inspection report at page no. 96-97 of the proposal).
3. As per part II of the proposal the proposed forest patch is not part of National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Reserve, Wildlife Migration Corridor etc. and does not fall within eco sensitive zone of the protected area.
4. As per part II of the proposal; the proposed forest patches are not located in the area having protected archaeological / heritage site / defence establishment or any other important monument and no any rare/endangered/unique species of flora and fauna found in the area.
5. The detail of forest area and number of trees (girth class >30 cm) is as under-

Sr. No	Administrative Unit	Area proposed for diversion			Details of tree	
	Forest Division/ District	Reserved Forest (Ha.)	Details of Protected Forest area (Ha.)	Total Area (Ha.)	Crown density/ Eco Class forest land	No. of trees (gbh.>30 cms)required to be felled
1-	Forest Division Renukoot/District Sonbhadra	103.675	-	103.675	0.8 Eco Class-III	290 trees 17992 poles
2.	Forest Division Obra/District Sonbhadra	23.4887	-	23.4887	0.8 Eco Class-III	63 trees 2865 poles
<b>Total</b>				<b>127.1637</b>		<b>353 trees 20857 poles Total= 21210 trees/poles</b>



### Net Present Value


Sl. No	Name of Forest Division	Forest Area (in Ha.)	NPV Rate (in Rs per ha)	Crown Density	Eco-Class	Total (Rs.)
1	Forest Division Renukoot/District Sonbhadra	103.675	8,87,000/-	0.8	III	9,19,59,725/-
2	Forest Division Obra/District Sonbhadra	23.4887	8,87,000/-	0.8	III	2,08,34,477/-
<b>Rs. 11, 27, 94,202/- (Rupees Eleven crore twenty seven lacs ninety four thousand two hundred two) only.</b>						

### Compensatory Afforestation

Sr. No.	Name of Forest Division	CA proposed in Area (Ha)	Details of CA Scheme	Total Financial Outlay for CA Scheme (Rs)
1	Forest Division Renukoot/District Sonbhadra	69.8110 ha (in village Bhisur)+ 62.8016 ha (in village Korachi)=132.6126 +28.1482 ha (in village Kudari). TOTAL-160.7608 ha.	a. Proposed in 3 patches on NFL (acquired villagers land under possession of Irrigation department and in 1 patch under village kudari) b. Plants/hectare-1100	Rs. 3,85,64,299/-
2	Forest Division Obra/District Sonbhadra			
4	Total	160.7608 ha		Rs. 3,85,64,299/-
<b>(Rupees Three crore eighty five lacs sixty four Thousand two hundred ninety nine) only.</b>				

6. The certificate of District Magistrate under Forests (Rights) Act 2006 is placed with the proposal on pages no.33-95.
7. As per GIS-DSS analysis, proposed forest land for diversion and CA land have passed the GIS-DSS analysis.
8. The total outlay of the proposal is Rs 223935 Lakhs
9. The details of employment generation through the proposal are: temporary employment 1000000 man days and Regular employment 1000.
10. Catchment Area Treatment Plan has been prepared and submitted by the user agency with a cost estimate of Rs. 10,21,79075/- (Ten Crore Twenty one lakhs seventy nine thousand seventy five) only
11. The cost benefit analysis is placed with the proposal on page no. 25-32 and 445-448.







Due to short-coming in the Proposal an EDS was sent to the State Govt. Vide letter No 8B/UP/02/31/2018/FC/45 dated 18.04.2018 on following points -

- 1) Colour coding in the .kml files (provided online) as well as in CD of proposed land to be diverted are in a single colour due to which the distinction between Forest land and Non-Forest land is difficult. It should be in the different colouring coding.
- 2) The data provided in CD should be divisions wise.
- 3) The key coordinates of proposed land to be diverted have not been given.
- 4) The proposed CA land for both divisions i.e. Forest Division Renukoot and Obra are in linear format. The kml file of proposed CA land shows presence of agricultural land which may be reviewed.
- 5) Cost Benefit analysis has not been provided as per new guideline of the Ministry.
- 6) CA Scheme has not been submitted.
- 7) Alternatives of forest land have not been examined and details not provided.
- 8) FRA certificate has been obtained much earlier than date of submission of proposal.

The above queries have been replied by State Govt. Vide letter No. 363/14-2-2019-800(118)/2017 dated 21.02.2019. (a) CA scheme has been submitted (b) Revised Cost benefit analysis has been submitted (c) Key coordinates of proposed land to be diverted has been provided.

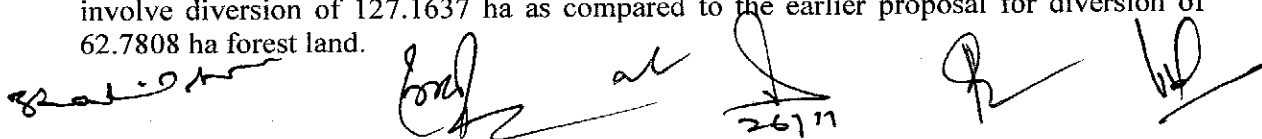
The Site inspection was carried out by CF (Central) on 24.05.2018 and following observation was sent to the state government-(a) proposed land for equivalent compensatory afforestation is in linear shape/form and is covered by standing trees and other vegetation which reduces the net area available for plantation. (b) It was also observed that proposed plantation is susceptible to submergence during flood etc. The concerned officials were advised to identify equivalent area of proposed plantation by including adjoining villages in such a way that area covered by vegetation is excluded and susceptibility to submergence is further reduced. The state government was accordingly asked to submit a revised CA scheme with minimum 1000 plants/hectare and 10 yrs. maintenance.

The compliance on above observation was submitted by the state government vide letter no.P-05/14-2-2019-800(12)/2019 dated 08th February, 2019. Additional non-forest land measuring 28.1482 hectare has been made available in village Kudari under Renukoot division.

The Proposal was placed before REC dated 05 th March, 2019 for consideration. REC observed that- "The proposal was discussed in details. During discussion Shri Brijendra Swarup, Member of the REC mentioned that this proposal was initially considered in the REC held on 28-05-2015 and the decision of the REC was conveyed to State Government vide this office letter number 8B/UP.02/14/2015/FC/297 dated 26-06-2015. This fact was not mentioned in the present proposal. The REC decided that the proposal is deferred and the State Government should comply with the decision of the REC held on 28-05-2015 and the orders of Hon'ble NGT, dated 30-08-2018. The proposal should be submitted accordingly."

The compliance of the above observation of REC has been submitted by the State Government vide letter number 1332/14-2-2019-800(118)/2017 dated 20.06.2019 as follows:

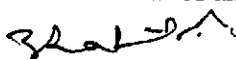
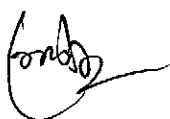
- a) In view of the comments of REC dated 28.05.2015 the proposal for diversion of forest land pertaining to Kanhar Irrigation Project has been revised to include forest land required for the main canal as well as other subsidiary canals. Now the revised proposal involve diversion of 127.1637 ha as compared to the earlier proposal for diversion of 62.7808 ha forest land.

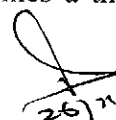


- b) The compliance of the order issued by Hon'ble National Green Tribunal, New Delhi has been made available.
- c) Compensatory afforestation has been proposed over 28.1482 ha of additional non-forest land in village Kudri under Renukoot forest division against 132.6126 ha non-forest land made available earlier in Korachi and Bhisur villages under Renukoot Forest Division. Thus all together 160.7608 ha non-forest land is being made available for compensatory afforestation against proposed diversion of 127.1637 ha of forest land. Site suitability certificate has been enclosed.

Important Facts about the Project which is evident from the records are:

1. Kanhar Irrigation Project is an inter-state project which had been sanctioned in the year 1976 and the Environmental Clearance was accorded on 14<sup>th</sup> April 1980.
2. The Forest Department vide letter dated 27<sup>th</sup> Feb 1982 had transferred 2422.593 i.e. 980.40 ha of forest land to Irrigation Department State of Uttar Pradesh for the purpose of said irrigation project for which the compensation of Rs. 41,27,211.93 was paid.
3. An application was filed before the National Green Tribunal, Principal Branch, New Delhi praying for interim stay on the further progress on the construction of the project on the ground that Forest clearance as well as Environmental clearance have not been accorded by the central government. Hon'ble National Green Tribunal while disposing off O.A. No. 521 of 2014 & MA No. 902 of 2014 & 14 of 2015 in the matter of Om Dutt Singh & others v/s State of Uttar Pradesh & others passed judgement and various orders dated 07.05.2015, 06.10.2015 and 14.12.2015. The Hon'ble Court refused to pass Stay order as prayed above and instead constituted a committee to examine the various aspects of Kanhar Irrigation Project and its impacts on environment ecology, hydrology and surrounding forest etc. An officer of the Regional Office was also nominated in the committee as a representative of Ministry of Environment, Forest and Climate Change, Govt. of India. The committee observed that:-
  - i) The compensatory afforestation works was carried out in the year 1984, 1985 and 1986 to the extent of 666 ha in forest blocks and 80 km of linear patch.
  - ii) The survival percentage of the compensatory afforestation work after 30 years of planting on the basis of weighted average is 12.68%. 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. To compensate the low survival of plants enrichment planting was recommended.
  - iii) On issues regarding how to compensate the loss of 980.40 ha forest land already diverted the committee recommended carrying out compensatory afforestation on degraded forest land of equal to double the forest area diverted. Out of  $2 \times 980.40 = 1960.80$  ha required for compensatory afforestation, 666 ha has been planted and scheme for balance 1294.80 ha or 1295 ha was recommended by the committee.
  - iv) The committee also made an assessment of balance forest land required for completion of the project and as per the report 126.826 ha of forest land was tentatively required under State of Uttar Pradesh for the above project.
  - v) Regarding wildlife of the area it was reported that none of the animals are endemic to the project area. The area of the project is neither harbouring any elephants nor is the migratory corridor for the elephants. Thus the committee reported that 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.


The detailed committee's report has been submitted to Hon'ble NGT by the Principal Chief Conservator of Forests, U.P., Lucknow vide letter no.-1373/NGT (Kanhra) dated 31.12.2015 which is placed before the REC for consideration. Compliance on issues regarding raising CA on balance 1295 hectare and enrichment planting as recommended by Committee is still awaited.

A review application was filed before NGT seeking for a review of a judgement dated 07.05.2015 in original application No. 521 of 2014 which was rejected by Hon'ble NGT on 30<sup>th</sup> August, 2018. The Court observed that State Government and project proponent should ensure strict compliance of the various recommendations made in the report of the committee on different components of the Terms of Reference.

The proposal was discussed in REC on 2<sup>nd</sup> July, 2019 and it was observed that -

- (a) Detailed compliance of the conditions/recommendation of the committee on different components of the Terms of Reference for transfer of Forest land to the Irrigation Department for purpose of said Irrigation Project have not been submitted by the state government as well as Project Proponent.
- (b) Proposal of Compensatory Afforestation on equivalent Non-Forest land against diversion of proposed 127.1637 ha of forest land for canals and subsidiary canals have been submitted by the state government. However, Compliance on issues regarding raising CA on balance 1295 hectare and enrichment planting as regarding above said Irrigation project is still awaited.

In view of the above observation the proposal was deferred for the next meeting.

The state government vide it letter 1858/81-2-2019-800(118)/2017 dated 07.08.2019 has furnished reply as follows:

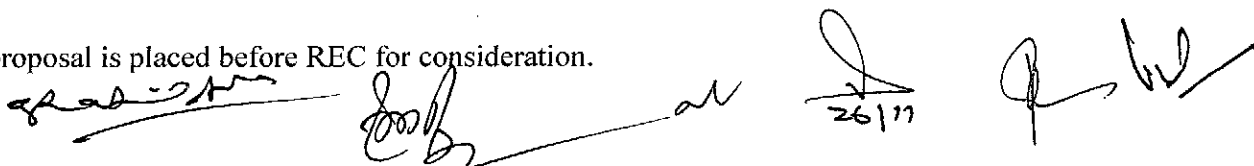
- i. Detailed compliance as required in (a) has been submitted earlier a copy of which has been enclosed.
- ii. The state government has enclosed undertakings submitted by the user agency regarding raising of compensatory afforestation over 1295 ha non-forest land and taking up enrichment plantation in compliance to above observation.

The matter was placed before REC on 08.08.2019 and it was deferred with following observation-

The state government should submit undertakings along with the detailed estimate for raising of compensatory afforestation over 1295 ha CA land and enrichment plantation as required along with KML files, Geo-referenced maps, toposheets and site suitability certificates of the selected sites from concerned DFO's. The proposal is accordingly deferred.

Compliance of the state government has been submitted vide letter no.2772/81-2-2019-800(18)/2017 dated 22.11.2019 (received in this office on 25.11.2019) wherein undertakings along with the detailed estimate for raising of compensatory afforestation over 1295 ha degraded forest land and enrichment plantation as required along with KML files, Geo-referenced maps, toposheets and site suitability certificates of the selected sites from concerned DFO's have been submitted.

The proposal is placed before REC for consideration.

The bottom of the page features several handwritten signatures and dates. From left to right, there is a signature, a date '26/11', and another signature. The text 'The proposal is placed before REC for consideration.' is printed above these marks.

**Decision of REC:**

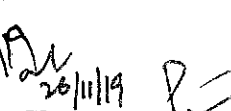
- a. The test check of KML files of degraded forest areas proposed for Compensatory afforestation reveals some discrepancies which must be sorted out after detailed analysis to ensure that total areas suitable for plantation does not fall below the total requirement of 1295 hectare.
- b. The submission of CAT Plan is a part of diversion of Forest land for Kanhar Irrigation Project sanctioned much earlier and it requires approval of the ministry which should be taken up separately by the state government.

The Proposal was deferred for the next meeting accordingly.

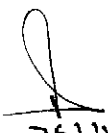
Date: 26<sup>th</sup> November, 2019


  
26/11/19  
Shri  
Kapil  
Arya,  
Member  
REC


  
26/11/19  
Shri Ramji  
Kesharwani,  
Member  
REC

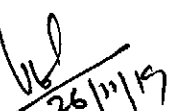
  
26/11/19  
Shri  
U.M.  
Sahai,  
Member  
REC

  
26.11.19  
Member  
Secretary,  
REC

  
26/11  
Secretary  
(Revenue)  
Government of  
Uttar  
Pradesh(Special  
Invitee)

  
26-11-19  
Nodal  
Officer,  
Department  
of Forests,  
UP(Special  
Invitee)

  
26-11-19  
DIG  
(Central)-  
Cum-  
Member,  
REC

  
26/11/19  
DDG(C)  
-Cum-  
Chairman,  
REC