संख्या–242 / 14–2–2017–800(195) / 2016

प्रेषक,

आशीष तिवारी,
विशेष सचिव,
उ0प्र0 शासन।

सेवा में,

सहायक वन महानिरीक्षक,
भारत सरकार पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय,
इन्दिरा पर्यावरण भवन जोरबाग, अलीगंज,
नई दिल्ली–110003

वन एवं वन्यजीव अनुभाग–2 **लखनऊ, दिनांक 20 फरवरी, 2018**

विषय :– जनपद ललितपुर में भौंरट बांध निर्माण हेतु 209.807 हे0 आरक्षित वनभूमि के गैरवानिकी प्रयोग एवं बाधक 25326 वृक्षों के पातन की अनुमति के सम्बन्ध में।

महोदय,

उपर्युक्त विषयक कृपया अपने कार्यालय संख्या–एफ नं0–8–24 / 2017–एफ0सी0 दिनांक 25.09.2017 का सन्दर्भ ग्रहण करें, जिसके माध्यम से विषयगत प्रकरण में की गई कतिपय आपत्तियों का निराकरण कर संशोधित सूचना उपलब्ध कराये जाने की अपेक्षा की गई है। तत्क्रम में मुख्य वन संरक्षक / नोडल अधिकारी, उ0प्र0 लखनऊ के पत्र सं0–2143 / 11–सी–एफपी / यूपी / 17563 / 2016 दिनांक 12.01.2018 द्वारा कमियों का निराकरण कर संशोधित सूचना 01 प्रतियों में शासन को उपलब्ध करायी गई है, जो इस प्रकार है :–

क0	आपत्ति	निराकरण
1	The CAT plan with cost structure duly approved by the competent authority is not given.	CAT plan is enclosed in the proposal from Page No.119 to 136. A cost estimate as desired is enclosed Page No.18 para 1.1.15.3 to 33, which is to be approved by competent authority of forest department.
2	It is mentioned is the part-I of form A that there is a displacement of 311 families, but approved R&R plan is not given with teh proposal.	There is displacement of 311 families. The details of families is provided at Page No.43 of the proposal. As desired the approved R&R plan is enclosed for your kind perusal.(Page no 34 to 35)
3	Two cost benefit ratios are given. The revised cost benefit analysis are required as per Ministry's guideline No.7-69/2011-FC(Pt) date 01-08-2017.	The revised benefit cost analysis as per latest guideline of ministry is enclosed (Page no 36 to 38).

4	The then CCF (Central Zone) regional office, Moef & CC, Lucknow vide his letter No.8A/UP/01/1168/2013/402 Dt 09-09-13 informed about violation of FCA 1980 to Principal Secretary (Forest) indicating that 90% of construction work of Bhaunrat Dam which is proposed on non-forest land has been completed and the user agency has not submitted forest diversion proposal of 209.926 ha after passing of more than 5 year. The factual report in this regard is required to consider the proposal.	Regarding violation of forest (Conservation) Act 1980. In this regard the site inspection was done by Mr. Brijendra Swaroop, CF (Central) regional office Ministry of environment, forest & climate change lucknow on 26 Agust 2017 along with DFO, Lalitpur. The minutes, of inspection is being drawn (enclosed page no 39 to 41) at point No 4 it is mentioned, that construction activities has not been started yet. Which is also being enclosed in the site inspection report. Presently construction activities has not been started at site, so the previous report of CCF dated 9 September 2013 is without merit.
5	The compliance on Scheduled Tribes and other traditional forest dwellers (Recognition of Forest Rights) Act, 2006 does not contain the gram sabha resolutions duly signed by the respective villagers.	The compliance of Scheduled Tribes and other traditional forest dwellers (Recognition of Forest Rights) act 2006 was illigible so it was not in corporated in the said proposal. As desired the copy of gram sabha ressolution is enclosed. (Page no. 42 to 51)
6	The compensatory afforestation has been proposed over 209.807 ha, equivlent to extent forest land proposed for diversion, in community land (Gram sabha). It may be clarified whether this land shall be transferred and mutated in favour of state forest department.	Regarding equivalent non forest land proposal for diversion in lieu of compensatory afforestation, the certificate regarding transfer/mutation in favor of state forest department has been provided by the District Magistrate, Lalitpur, which is enclosed at Page no. 137 of the proposal.
7	The shap file provided for proposed diversion and sites for CA following shortcomings.	
7 A	All proposed CA site are found characterized with human encroachment like road, settlements, agricultural land etc.	All the proposed compensatory afforestation sites are free from encroachment which has been inspected time and again by forest officers. And a certificate regarding encrochment free CA sites is being issued by them (certificates enclosed in the proposal Page No. 140, 146., 152 & 158). However the land shall be transferred encroachment free.
7 B	The legal status of proposed CA land can not be ascertained through DSS portal due to unavailability of Recorded forest boundary for the Uttar Pradesh State.	-
7 C	The instant proposal meant for diversion of 209.807 ha forest land but area found through software calculation is 214.18 ha on submitted KML.Shapefile. Therefore there is discrepancy of 4.38 ha area observed between forest land proposed for diversion and submitted KML.Shapefile of forest land proposed for divertion.	The revised KML file is enclosed. The proposal is only for 209.807 ha of forest land.

2— अतएव मुख्य वन संरक्षक/नोडल अधिकारी, उ0प्र0 लखनऊ के पत्र दिनांक 12.01.2018 द्वारा उपलब्ध कराये गये प्रस्ताव की एक प्रति संलग्नकर प्रेषित करते हुए मुझे यह कहने का निदेश हुआ है कि कृपया विषयगत प्रकरण में अग्रेतर कार्यवाही कराने का कष्ट करें।

संलग्नक : यथोक्त।

भवदीय,

(आशीष तिवारी)
विशेष सचिव।

संख्या—242(1)/14—2—2018—तददिनांक।

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

1. मुख्य वन संरक्षक/नोडल अधिकारी, उ0प्र0 लखनऊ।
2. गार्ड फाइल।

आज्ञा से,

(मनोज कुमार सिंह)
अनु सचिव।