



कार्यालय-प्रमुख वन संरक्षक एवं नोडल अधिकारी, वन संरक्षण,
इन्दिरानगर फॉरेस्ट कालोनी, उत्तराखण्ड, देहरादून।



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प्रकृति संरक्षण
JAL SATHI - ONE FAMILY - ONE NATURE

पत्रांक:- 133 / 12-1 दिनांक: देहरादून 19 जुलाई, 2025

सेवा में,

उप वन महानिदेशक (के०),
भारत सरकार, पर्यावरण,
वन एवं जलवायु परिवर्तन मंत्रालय,
क्षेत्रीय कार्यालय, देहरादून।

विषय:- जनपद- नैनीताल में राजकीय मेडिकल कालेज हल्द्वानी के नियंत्रणाधीन स्वामी राम कैंसर चिकित्सालय एवं अनुसंधान संस्थान हल्द्वानी का विस्तारीकरण करते हुए "राज्य कैंसर संस्थान" तथा संक्रमण रोग चिकित्सालय की स्थापना किये जाने हेतु 2.64 है० (पूर्व में 4.25 है०) वन भूमि के हस्तान्तरण प्रस्ताव।
(प्रस्ताव संख्या- FP/UK/DISP/114282/2020)

सन्दर्भ:- भारत सरकार वन एवं जलवायु परिवर्तन मंत्रालय क्षेत्रीय कार्यालय, उत्तराखण्ड, देहरादून का पत्रांक 08बी/यू०सी०पी०/०९/२१/२०२१/एफ०सी० दिनांक 08.05.2025।

महोदय,

विषयांकित प्रकरण पर भारत सरकार द्वारा उपरोक्त सन्दर्भित पत्र के माध्यम से EDS आपत्तियां निर्गत की गयी थी, जिसकी अनुपालन आख्या/सूचना वन संरक्षक, पश्चिमी वृत्त, उत्तराखण्ड, हल्द्वानी के पत्रांक 2386/12-1 दिनांक 30.06.2025 (प्रति संलग्न) से प्राप्त हुयी हैं, जिसे निम्नानुसार संलग्न कर प्रेषित की जा रही है :-

क्र० सं०	आपत्ति	उत्तरालेख
1	Total 7.452 ha of forest land has already diverted in past for the hospital and other activities, justification shall be provided for adding the more area for extension.	उक्त बिन्दु के सापेक्ष वन संरक्षक के उपरोक्त पत्र के माध्यम से प्रयोक्ता अभिकरण द्वारा अवगत कराया गया है कि राजकीय मेडिकल कालेज हल्द्वानी द्वारा प्रस्तुत ऑनलाईन प्रस्ताव संख्या-FP/UK/DISP/48848/2020 के सापेक्ष दिनांक 27 अक्टूबर 2023 (संलग्नक:- 01) को आहूत आर०ई०सी० की बैठक के एजेन्डा आईटम संख्या- 81.2 (U.K.) पर लिये गये निर्णय की प्रति संलग्न की जा रही है, जिसमें कुल 7.452 है० वन भूमि के नियमितिकरण किये जाने का विस्तृत विवरण अंकित है। अवगत करना है कि कुल 7.452 है० क्षेत्रफल के सापेक्ष पृथक-पृथक भू-भाग पर 4.00 है० क्षेत्रफल में डॉ० सुषीला तिवारी चिकित्सालय, 1.702 है० क्षेत्रफल में रामपुर रोड-आई०टी०आई० मार्ग, तथा 1.75 है० क्षेत्रफल में स्वामी राम कैंसर चिकित्सालय निर्मित है। स्वामी राम कैंसर चिकित्सालय से समन्वित ऊपर वर्णित 1.75 है० भूमि पर भारत सरकार द्वारा स्वीकृत परियोजना "राज्य कैंसर संस्थान" की स्थापना के प्रथम चरण में वार्ड ब्लॉक एवं सर्विस ब्लॉक निर्माणाधीन है। इसके अतिरिक्त राज्य कैंसर संस्थान परियोजना के द्वितीय चरण में प्रस्तावित भवनों के निर्माण हेतु उक्त 7.452 है० प्रत्यावर्तित वन भूमि में रिक्त भूमि उपलब्ध नहीं है। उक्त 1.75 है० भू-भाग से सटी हुई रिक्त 2.64 है० वन भूमि में ही राज्य कैंसर संस्थान परियोजना के द्वितीय चरण में प्रस्तावित भवनों के निर्माण किये जाने को नितान्त आवश्यक हैं, ताकि कैंसर रोगियों को सम्पूर्ण इलाज एकीकृत परिसर में उपलब्ध हो सके। अन्य भूमि पर द्वितीय चरण के प्रस्तावित निर्माण का औचित्य ही नहीं है, अतः अन्य किसी वैकल्पिक भूमि पर विचार नहीं किया जा सकता है।
2	The compliance status of previous proposals shall be submitted.	उक्त बिन्दु के सापेक्ष वन संरक्षक के उपरोक्त पत्र के माध्यम से प्रयोक्ता अभिकरण द्वारा अवगत कराया गया है कि पूर्व के कुल निम्नलिखित 03 प्रस्तावों हेतु विधिवत् स्वीकृति प्राप्त है :-

		1. 4.0 हेक्टेयर वन भूमि का निदेशक राज्य कैंसर संस्थान, हल्द्वानी को प्रत्यावर्तन (राजकीय मेडिकल कॉलेज हल्द्वानी टीचिंग चिकित्सालय, डॉ० शुशीला तिवारी चिकित्सालय परिसर की 4.00 है० वन भूमि के नियमितीकरण हेतु प्रत्यावर्तन)। (FP/UK/DISP/48845/2020) विधिवत स्वीकृति की दिनांक-22.09.2022 2. राजकीय मेडिकल कॉलेज हल्द्वानी के अधीन पूर्व से निर्मित स्वामी राम कैंसर चिकित्सालय एवं अनुसंधान केंद्र परिसर की 1.75 है० वन भूमि के नियमितीकरण हेतु राजकीय मेडिकल कॉलेज, हल्द्वानी को प्रत्यावर्तन)। (FP/UK/DISP/48848/2020) विधिवत स्वीकृति की दिनांक-22.09.2022 3. राजकीय मेडिकल कॉलेज हल्द्वानी के सम्बद्ध चिकित्सालयों एवं अन्य स्थापित संस्थानों को एकीकृत परिसर बनाये जाने हेतु पूर्व से निर्मित सड़क की 1.702 है० वन भूमि के नियमितीकरण हेतु राजकीय मेडिकल कॉलेज, हल्द्वानी को प्रत्यावर्तन। (FP/UK/ROAD/48706/2020) विधिवत स्वीकृति की दिनांक-14.12.2022 उपरोक्त तीनों प्रस्तावों में प्रदत्त विधिवत स्वीकृति की भारत सरकार को प्रेषित अनुपालना भी वर्तमान प्रस्ताव के साथ संलग्न कर प्रेषित की जा रही है, जिन्हें ऑनलाईन भी अतिरिक्त सूचना के रूप में अपलोड किया गया है।
3	Proper KML files of all diverted areas (7.452 ha) and their CA areas shall be submitted.	उक्त बिन्दु के सापेक्ष वन संरक्षक के उपरोक्त पत्र के माध्यम से प्रयोक्ता अभिकरण द्वारा अवगत कराया गया है कि हस्तान्तरित भूमि 7.452 है० तथा क्षतिपूर्क वृक्षारोपण स्थलों की के०एम०एल० फाईलें ऑनलाईन अपलोड कर दी गयी हैं।
4	As per layout plan, there is a transit hostel proposed by User Agency. As per the Van (S&S) Rules, 2023 the residential activity is not permitted in forest area. A proper justification in this regard shall be submitted.	उक्त बिन्दु के सापेक्ष प्रयोक्ता अभिकरण द्वारा अवगत कराया गया है कि निर्माणाधीन राज्य कैंसर संस्थान सम्पूर्ण उत्तराखण्ड राज्य का एकमात्र राजकीय कैंसर संस्थान है, जहां पर विभिन्न प्रकार के कैंसर रोगों का परामर्श, निदान, उपचार, एवं शल्य-क्रिया इत्यादि के लिए आवश्यकतानुसार अतिविशिष्ट चिकित्सकों को संस्थान में नियुक्त किया जायेगा। साथ ही संस्थान में कैंसर केस-बेसेस पर उपरोक्त सेवाएँ प्रदान करने हेतु अतिविशिष्ट चिकित्सकों को अनुरोध पर बुलाकर ट्रांजिट की व्यवस्था की जानी अति-आवश्यक होगी। ट्रांजिट हॉस्टल के अभाव में अतिविशिष्ट चिकित्सकों को इस संस्थान में ट्रांजिट किये बिना उनसे विभिन्न प्रकार के कैंसर रोगों का निदान व सम्पूर्ण उपचार करवाया जाना संभव नहीं हो पायेगा। संस्थान के अनुरोध पर कैंसर केस-बेसेस पर अल्प अवधि हेतु बुलाये जाने वाले अतिविशिष्ट चिकित्सकों द्वारा इस भवन का उपयोग छात्रावास के रूप में किया जायेगा। यद्यपि आवासीय गतिविधि हेतु वन अधिनियम के अनुसार वन भूमि आवंटित नहीं की जाती है, तथापि जनहित में एकमात्र राज्य स्तरीय कैंसर संस्थान के सुचारू संचालन हेतु ट्रांजिट छात्रावास का निर्माण किये जाने की नितान्त आवश्यकता के परिपेक्ष्य में इसके निर्माण की स्वीकृति दिया जाना औचित्यपूर्ण रहेगा।

अतः उपरोक्तानुसार प्रभागीय वनाधिकारी/प्रस्तावक के अनुरोध के दृष्टिगत प्रकरण पर वन (संरक्षण एवं संवर्धन) अधिनियम, 1980 यथासंशोधित-2023 के अन्तर्गत प्रकरण पर सैद्धान्तिक स्वीकृति निर्गत करने का कष्ट करें।

संलग्नक-यथोपरि।

भवदीय

(आर०के० मिश्र)

प्रमुख वन संरक्षक एवं
नोडल अधिकारी, वन संरक्षण।

संख्या 133 / 12-1 तददिनांकित।

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-

1. प्रमुख सचिव, वन एवं पर्यावरण, उत्तराखण्ड शासन।
2. वन संरक्षक, पश्चिमी वृत्त, उत्तराखण्ड, हल्द्वानी।
3. प्रभागीय वनाधिकारी, तराई केन्द्रीय वन प्रभाग, रुद्रपुर।
4. प्राचार्य, राजकीय मेडिकल कालेज, उत्तराखण्ड, हल्द्वानी (नैनीताल)

(आर०के० मिश्र)

प्रमुख वन संरक्षक एवं
नोडल अधिकारी, वन संरक्षण।

कार्यालय वन संरक्षक, पश्चिमी वृत्त, उत्तराखण्ड, हल्द्वानी (नैनीताल)

अरण्य भवन, रामपुर रोड, हल्द्वानी (नैनीताल) दूरभाष/फैक्स: 05946-220003 ई-मेल: cfwkum-forest-uk@nic.in

पत्र संख्या: 2386 / 12-1

हल्द्वानी, दिनांक 30 जून 2025

सेवा में,

प्रमुख वन संरक्षक एवं नोडल अधिकारी, वन संरक्षण,
इन्दिरानगर फॉरेस्ट कालोनी, उत्तराखण्ड, देहरादून।

विषय: जनपद नैनीताल में राजकीय मेडिकल कालेज हल्द्वानी के नियंत्रणाधीन स्वामी राम कैंसर चिकित्सालय एवं अनुसंधान संस्थान हल्द्वानी का विस्तारीकरण करते हुए "राज्य कैंसर संस्थान" तथा संक्रमण रोग चिकित्सालय की स्थापना किये जाने हेतु 2.64 है० (पूर्व में 4.25 है०) वन भूमि के हस्तान्तरण प्रस्ताव।

संदर्भ: भारत सरकार वन एवं जलवायु परिवर्तन मंत्रालय, क्षेत्रीय कार्यालय, उत्तराखण्ड, देहरादून का पत्रांक 08बी/यू०सी०पी०/०९/२१/२०२१/एफ०सी० दिनांक 08.05.2025।

महोदय,

संदर्भित पत्र के माध्यम से भारत सरकार वन एवं जलवायु परिवर्तन मंत्रालय, क्षेत्रीय कार्यालय, उत्तराखण्ड, देहरादून द्वारा विषयांकित प्रकरण में कतिपय आपत्ति लगायी गयी, जिसके क्रम में प्रभागीय वनाधिकारी तराई केन्द्रीय वन प्रभाग, रुद्रपुर द्वारा अपनी पत्र संख्या 5269/12-1 दिनांक 21.06.2025 से उक्त आपत्तियों का निराकरण कर बिन्दुवार उत्तरालेख इस कार्यालय को प्रेषित किया गया है। अतः प्रभागीय वनाधिकारी तराई केन्द्रीय वन प्रभाग, रुद्रपुर द्वारा प्रेषित उत्तरालेख संस्तुति सहित अग्रेत्तर कार्यवाही हेतु सादर प्रेषित किया जा रहा है।

(संलग्न: उपरोक्तानुसार।)

भवदीय,

(डा० विनय भार्गव)

वन संरक्षक,

पश्चिमी वृत्त, उत्तराखण्ड, हल्द्वानी।

पत्रांक: 2386 / 12-1 तददिनांकित।

प्रतिलिपि: प्रभागीय वनाधिकारी, तराई केन्द्रीय वन प्रभाग, रुद्रपुर को उनकी पत्र संख्या 5269/12-1 दिनांक 21.06.2025 के क्रम में सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

(डा० विनय भार्गव)

वन संरक्षक,

पश्चिमी वृत्त, उत्तराखण्ड, हल्द्वानी।

**कार्यालय-प्रभागीय वनाधिकारी,
तराई केन्द्रीय वन प्रभाग, रुद्रपुर (ऊधमसिंहनगर)**

निकट विकास भवन रुद्रपुर, कोवागर, रुद्रपुर, उत्तराखण्ड। फोन व फैक्स-05944 250060, Email-dfotaraicentral@rediffmail.com

पत्रांक 5269 / 12-1 रुद्रपुर,

दिनांक 21/05/2025

सेवा में,

वन संरक्षक,
पश्चिमी वृत्त,
उत्तराखण्ड, हल्द्वानी।

वषय :- जनपद- नैनीताल में राजकीय मेडिकल कालेज हल्द्वानी के नियंत्रणाधीन स्वामी राम कैंसर चिकित्सालय एवं अनुसंधान संस्थान हल्द्वानी का विस्तारीकरण करते हुए "राज्य कैंसर संस्थान" तथा संक्रमण रोग चिकित्सालय की स्थापना किये जाने हेतु 2.64 है० (पूर्व में 4.25 है०) वन भूमि के हस्तान्तरण प्रस्ताव। (Online Proposal No.-FP/UK/DISP/114282/2020)

संदर्भ :- भारत सरकार वन एवं जलवायु परिवर्तन मंत्रालय क्षेत्रीय कार्यालय, उत्तराखण्ड, देहरादून का पत्रांक 08बी/यू०सी०पी०/०९/२१/२०२१/एफ०सी० दिनांक 08.05.2025 एवं प्राचार्य, राजकीय मेडिकल कॉलेज उत्तराखण्ड, हल्द्वानी (नैनीताल) का पत्रांक 10852/जीएमसी/एल-1/भूमि दिनांक 19.05.2025।

महोदय,

उपरोक्त विषयक में जनपद नैनीताल के राजकीय मेडिकल कालेज हल्द्वानी के नियंत्रणाधीन स्वामी राम कैंसर चिकित्सालय एवं अनुसंधान संस्थान हल्द्वानी का विस्तारीकरण करते हुए "राज्य कैंसर संस्थान" तथा संक्रमण रोग चिकित्सालय की स्थापना किये जाने हेतु 2.64 है० (पूर्व में 4.25 है०) वन भूमि हस्तान्तरण प्रस्ताव में भारत सरकार के पत्र संदर्भित पत्र में उल्लेखित आपत्ति उत्तरालेख निम्न प्रकार प्रेषित किया जा रहा है:-

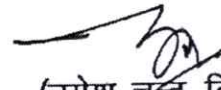
क्र० सं०	आपत्ति	उत्तरालेख
1	Total 7.452 ha of forest land has already diverted in past for the hospital and other activities, justification shall be provided for adding the more area for extension.	उक्त बिन्दु के सापेक्ष प्रयोक्ता अभिकरण द्वारा अवगत कराया गया है कि राजकीय मेडिकल कालेज हल्द्वानी द्वारा प्रस्तुत ऑनलाईन प्रस्ताव संख्या-FP/UK/DISP/48848/2020 के सापेक्ष दिनांक 27 अक्टूबर 2023 (संलग्नक:- 01) को आहूत आर०ई०सी० की बैठक के एजेन्डा आईटम संख्या- 81.2 (U.K.) पर लिये गये निर्णय की प्रति संलग्न की जा रही है, जिसमें कुल 7.452 है० वन भूमि के नियमितिकरण किये जाने का विस्तृत विवरण अंकित है। अवगत करना है कि कुल 7.452 है० क्षेत्रफल के सापेक्ष पृथक-पृथक भू-भाग पर 4.00 है० क्षेत्रफल में डॉ० सुशीला तिवारी चिकित्सालय, 1.702 है० क्षेत्रफल में

		रामपुर रोड-आई0टी0आई0 मार्ग, तथा 1.75 है0 क्षेत्रफल में स्वामी राम कैंसर चिकित्सालय निर्मित है। स्वामी राम कैंसर चिकित्सालय से समन्वित ऊपर वर्णित 1.75 है0 भूमि पर भारत सरकार द्वारा स्वीकृत परियोजना "राज्य कैंसर संस्थान" की स्थापना के प्रथम चरण में वार्ड ब्लॉक एवं सर्विस ब्लॉक निर्माणाधीन है। इसके अतिरिक्त राज्य कैंसर संस्थान परियोजना के द्वितीय चरण में प्रस्तावित भवनों के निर्माण हेतु उक्त 7.452 है0 प्रत्यावर्तित वन भूमि में रिक्त भूमि उपलब्ध नहीं है। उक्त 1.75 है0 भू-भाग से सटी हुई रिक्त 2.64 है0 वन भूमि में ही राज्य कैंसर संस्थान परियोजना के द्वितीय चरण में प्रस्तावित भवनों के निर्माण किये जाने को नितान्त आवश्यक हैं, ताकि कैंसर रोगियों को सम्पूर्ण इलाज एकीकृत परिसर में उपलब्ध हो सके। अन्य भूमि पर द्वितीय चरण के प्रस्तावित निर्माण का औचित्य ही नहीं है, अतः अन्य किसी वैकल्पिक भूमि पर विचार नहीं किया जा सकता है।
2	The compliance status of previous proposals shall be submitted.	उक्त बिन्दु के सापेक्ष प्रयोक्ता अभिकरण द्वारा अवगत कराया गया है कि पूर्व के कुल 03 प्रस्तावों हेतु विधिवत् स्वीकृति प्राप्त है। विधिवत् स्वीकृति को शर्तों की अनुपालन स्थिति ऑनलाईन अपलोड कर दी गयी है। हार्डकॉपी संलग्न कर प्रस्तुत है। (संलग्नक:- 02)
3	Proper KML files of all diverted areas (7.452 ha) and their CA areas shall be submitted.	उक्त बिन्दु के सापेक्ष प्रयोक्ता अभिकरण द्वारा अवगत कराया गया है कि हस्तान्तरित भूमि 7.452 है0 तथा क्षतिपूरक वृक्षारोपण स्थलों की के0एम0एल0 फाईलें हार्ड एवं सॉफ्ट कॉपी में संलग्न की जा रही हैं। (संलग्नक:- 03)
4	As per layout plan, there is a transit hostel proposed by User Agency, As per the Van (S&S) Rules, 2023 the residential activity is not permitted in forest area. A proper justification in this regard shall be submitted.	उक्त बिन्दु के सापेक्ष प्रयोक्ता अभिकरण द्वारा अवगत कराया गया है कि निर्माणाधीन राज्य कैंसर संस्थान सम्पूर्ण उत्तराखण्ड राज्य का एकमात्र राजकीय कैंसर संस्थान है, जहां पर विभिन्न प्रकार के कैंसर रोगों का परामर्श, निदान, उपचार, एवं शल्य-क्रिया इत्यादि के लिए आवश्यकतानुसार अतिविशिष्ट चिकित्सकों को संस्थान में नियुक्त किया जायेगा। साथ ही

संस्थान में कैंसर केस-वेसेस पर उपरोक्त सेवाएँ प्रदान करने हेतु अतिविशिष्ट चिकित्सकों को अनुरोध पर बुलाकर ट्रांजिट की व्यवस्था की जानी अति-आवश्यक होगी। ट्रांजिट हॉस्टल के अभाव में अतिविशिष्ट चिकित्सकों को इस संस्थान में ट्रांजिट किये बिना उनसे विभिन्न प्रकार के कैंसर रोगों का निदान व सम्पूर्ण उपचार करवाया जाना संभव नहीं हो पायेगा। संस्थान के अनुरोध पर कैंसर केस-वेसेस पर अल्प अवधि हेतु बुलाये जाने वाले अतिविशिष्ट चिकित्सकों द्वारा इस भवन का उपयोग छात्रावास के रूप में किया जायेगा। यद्यपि आवासीय गतिविधि हेतु वन अधिनियम के अनुसार वन भूमि आवंटित नहीं की जाती है, तथापि जनहित में एकमात्र राज्य स्तरीय कैंसर संस्थान के सुचारु संचालन हेतु ट्रांजिट छात्रावास का निर्माण किये जाने की नितान्त आवश्यकता के परिपेक्ष्य में इसके निर्माण की स्वीकृति दिया जाना औचित्यपूर्ण रहेगा।

अतः सूचना सेवा में सादर प्रेषित है।
संलग्नक:- उपरोक्तानुसार।

भवदीय,



(उमेश चन्द्र तिवारी)

प्रभागीय वनाधिकारी,

तराई केन्द्रीय वन प्रभाग, रुद्रपुर

सं०: 5269 / 12-1 उक्तदिनांकित।

प्रतिलिपि:- प्राचार्य, राजकीय मेडिकल कालेज, उत्तराखण्ड, हल्द्वानी (नैनीताल) को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है।



(उमेश चन्द्र तिवारी)

प्रभागीय वनाधिकारी,

तराई केन्द्रीय वन प्रभाग, रुद्रपुर

कार्यालय प्राचार्य, राजकीय मेडिकल कॉलेज हल्द्वानी (नैनीताल)

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पत्रांक-10852/जीएमसी/एल-1/भूमि

दिनांक- 19.05.2025

सेवा में,

प्रभागीय वनाधिकारी,
तराई केन्द्रीय वन प्रभाग
रुद्रपुर (जिला-उधम सिंह नगर)

तराई केन्द्रीय वन प्रभाग
पत्रांक सं. 9363
पत्रावली सं. 12
दिनांक 24/05/2025

विषय: जनपद- नैनीताल में स्थापित राजकीय मेडिकल कॉलेज हल्द्वानी के नियंत्रणाधीन स्वामी राम कैंसर चिकित्सालय एवं अनुसंधान संस्थान हल्द्वानी का विस्तारीकरण करते हुए "राज्य कैंसर संस्थान" हल्द्वानी की स्थापना किये जाने हेतु 2.64 हे० (पूर्व में 4.25 हे०) वन भूमि के हस्तान्तरण प्रस्ताव संख्या- FP/UK/DISP/114282/2020 में त्रुटियों के निराकरण/सूचना उपलब्ध कराये जाने के संबंध में।

संदर्भ: एम०ओ०ई०एफ०सी०सी०, क्षेत्रीय कार्यालय, देहरादून के पत्रांक-8बी/यू.सी.पी./09/21/2021/एफ.सी., दिनांकित 08.05.2025 के क्रम में।

राजकीय मेडिकल कॉलेज हल्द्वानी द्वारा प्रस्तुत 2.64 हे. (पूर्व में 4.25 हे०) वन भूमि हस्तान्तरण प्रस्ताव पर क्षेत्रीय कार्यालय, एम०ओ०ई०एफ०सी०सी०, देहरादून द्वारा उपरोक्त संदर्भित पत्र के माध्यम से वांछित त्रुटियों/सूचनाओं का बिन्दुवार निराकरण निम्नवत् प्रस्तुत है-

क्र०सं०	आपत्ति का विवरण	आपत्ति का निराकरण
1	Total 7.452 ha of forest land has already diverted in past for the hospital and other activities, justification shall be provided for adding the more area for extension.	राजकीय मेडिकल कॉलेज हल्द्वानी द्वारा प्रस्तुत ऑनलाईन प्रस्ताव संख्या- FP/UK/DISP/48848/2020 के सापेक्ष दिनांक 27 अक्टूबर 2023 को आहूत आर०ई०सी० की बैठक के एजेन्डा आईटम संख्या- 81.2 (U.K.) पर लिये गये निर्णय की प्रति संलग्न की जा रही है, जिसमें कुल 7.452 हे० वन भूमि के नियमितिकरण किये जाने का विस्तृत विवरण अंकित है (संलग्नक-1 बिन्दु संख्या-16 a, b, एवं c)। अवगत करना है कि कुल 7.452 हे० क्षेत्रफल के सापेक्ष पृथक-पृथक भू-भाग पर 4.00 हे० क्षेत्रफल में डॉ० सुशीला तिवारी चिकित्सालय, 1.702 हे० क्षेत्रफल में रामपुर रोड-आई०टी०आई० मार्ग, तथा 1.75 हे० क्षेत्रफल में स्वामी राम कैंसर चिकित्सालय निर्मित है। इसी 1.75 हे० भूमि पर भारत सरकार द्वारा स्वीकृत परियोजना "राज्य कैंसर संस्थान" की स्थापना के प्रथम चरण में वार्ड ब्लॉक एवं सर्विस ब्लॉक निर्माणाधीन है। परियोजना के द्वितीय चरण में प्रस्तावित भवनों के निर्माण हेतु उक्त 1.75 हे० प्रत्यावर्तित वन भूमि में रिक्त भूमि उपलब्ध नहीं है। उक्त 1.75 हे० भू-भाग से सटी हुई रिक्त 2.64 हे० वन भूमि में ही राज्य कैंसर संस्थान परियोजना के द्वितीय चरण में प्रस्तावित भवनों के निर्माण किये जाने नितान्त आवश्यक हैं, ताकि कैंसर रोगियों को सम्पूर्ण इलाज एकीकृत परिसर में उपलब्ध हो सके। अन्य भूमि पर द्वितीय चरण के प्रस्तावित निर्माण का औचित्य ही नहीं है, अतः अन्य किसी वैकल्पिक भूमि पर विचार नहीं किया जा सकता है।
2	The compliance status of previous proposals shall be submitted.	पूर्व के कुल 03 प्रस्तावों पर प्राप्त विधिवत स्वीकृति के सापेक्ष अनुपालन स्थिति ऑनलाईन अपलोड कर दी गयी है।
3	Proper KML files of all diverted areas (7.452 ha) and their CA areas shall be submitted.	हस्तान्तरित भूमि 7.452 तथा क्षतिपूर्क वृक्षारोपण स्थलों की के०एम०एल० फाईलें हार्ड एवं सॉफ्ट कॉपी में संलग्न की जा रही हैं।

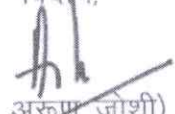
As per layout plan, there is a transit hostel proposed by User Agency, As per the Van (S&S) Rules, 2023 the residential activity is not permitted in forest area. A proper justification in this regard shall be submitted.

निर्माणाधीन राज्य कैंसर संस्थान सम्पूर्ण उत्तराखण्ड राज्य का एकमात्र राजकीय कैंसर संस्थान है, जहां पर विभिन्न प्रकार के कैंसर रोगों का परामर्श, निदान, उपचार, एवं शल्य-क्रिया इत्यादि के लिए आवश्यकतानुसार अतिविशिष्ट चिकित्सकों को संस्थान में नियुक्त किया जायेगा। साथ ही इस संस्थान में कैंसर केस-बेसेस पर उपरोक्त सेवाएँ प्रदान करने हेतु अन्य राज्यों/संस्थानों यथा- टाटा मैमोरियल कैंसर संस्थान, एम्स इत्यादि संस्थानों तथा विदेशों से अतिविशिष्ट चिकित्सकों को अनुरोध पर बुलाकर मरीजों के उपचार हेतु अल्प अवधि के लिए बुलाये गये विशिष्ट/अति-विशिष्ट चिकित्सकों द्वारा अल्प अवधि में प्रयोग करने हेतु चिकित्सक हॉस्टल भवन बनाया जायेगा। जिसके अभाव में सुपरस्पेशलिस्ट चिकित्सकों को इस संस्थान में हॉस्टल सुविधा दिये बिना उनसे विभिन्न प्रकार के कैंसर रोगों का निदान व सम्पूर्ण उपचार करवाया जाना संभव नहीं हो पायेगा।

यद्यपि आवासीय गतिविधि हेतु वन अधिनियम के अनुसार वन भूमि आबंटित नहीं की जाती है, तथापि जनहित में एकमात्र राज्य स्तरीय कैंसर संस्थान के सुचारु संचालन हेतु ट्रांजिट छात्रावास का निर्माण किये जाने की नितान्त आवश्यकता के परिपेक्ष्य में इसके निर्माण की स्वीकृति दिया जाना औचित्यपूर्ण रहेगा।

उक्त स्वीकृति के क्रम में आपसे विनम्र अनुरोध है कि राज्य कैंसर संस्थान के द्वितीय चरण के निर्माण कार्य हेतु 2.64 हे० वन भूमि हस्तान्तरण की अग्रेत्तर कार्यवाही शीघ्रातिशीघ्र पूर्ण करने की कृपा करेंगे।
सधन्यवाद।

संलग्नक: यथोपरि।

भवदीय,

(डॉ० अरुण जोशी)
प्राचार्य,

राजकीय मेडिकल कालेज, हल्द्वानी।

पत्रांक: 10852 / (1) उक्त दिनांकित।

प्रतिलिपि: निम्नलिखित को सूचनार्थ प्रेषित—

1. निदेशक, चिकित्सा शिक्षा निदेशालय, 107, चन्दर नगर, देहरादून।
2. निदेशक, राज्य कैंसर संस्थान, हल्द्वानी।
3. परियोजना प्रबन्धक ब्रिडकुल, हल्द्वानी को इस आशय से प्रेषित कि कृपया प्रकरण में वन विभाग से समन्वय स्थापित कर अग्रेत्तर कार्यवाही पूर्ण करवायेंगे।


(डॉ० अरुण जोशी)
प्राचार्य,

राजकीय मेडिकल कालेज, हल्द्वानी।



भारत सरकार / GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय /
Ministry of Environment, Forest & Climate Change
क्षेत्रीय कार्यालय, देहरादून /
Regional Office, Dehradun



25 सुभाष रोड, देहरादून-248001/ 25 SUBHASH ROAD, DEHRADUN-248001
दूरभाष/ PHONE-0135-2650809, ईमेल/ E-mail-moef.ddn@gov.in

File No.: Ro-DDN/REC/1-2014/VOL-6/1057

Dated: 16/11/2023

To,

1. The Addl. Chief Secretary (Rev.),
Govt. of Uttarakhand, Dehradun
2. The APCCF-cum-Nodal Officer,
Forest Conservation,
Govt. of Uttarakhand,
Indira Nagar Forest Colony,
Dehradun.

Sub: Minutes of 81st meeting of the Regional Empowered Committee (REC) of the
Regional Office, Dehradun, MoEF & CC, Government of India- reg.

Sir,

With reference to the subject cited above, this is to inform you that the Minutes of REC meeting held on 27th October, 2023 has been confirmed by the members of REC and is enclosed herewith for circulation. The Nodal Office is requested to take action on the decisions taken in the REC meeting (Project wise) & ensure submission of compliance to this office for further necessary action.

This is for your information and further necessary action please.

Encl: As above.

Yours faithfully,

(Signature)
(Dr. Yogesh Gairola)
Technical Officer (Forestry)

Distribution:

1. Dr. R. S. Bisht, Retd. IFS (Member, REC), Green Street, Uttaranchal colony, Gas Godam Road, Kusum Kheda, Haldwani-263 139 (Uttarakhand)
2. Dr. S. D. Bhardwaj, (Member, REC), 33-Sai Niwas, Scientist Colony, Post Office Shanti, Tehsil & Distt. Solan- 173 212 (Himachal Pradesh). Email: shrwander@yahoo.co.in

(Signature)
(Dr. Yogesh Gairola)
Technical Officer (Forestry)



**MINUTES OF 81st MEETING OF THE REGIONAL EMPOWERED COMMITTEE OF
MoEF&CC, REGIONAL OFFICE, DEHRADUN
HELD ON 27 OCTOBER, 2023**

The 81st meeting of the Regional Empowered Committee (REC) of the Regional Office, Dehradun was held on 27th October, 2023 under the Chairpersonship of Shri. Gobind Sagar Bhardwaj, IFS, DDG, MoEF&CC, Regional Office, Dehradun to discuss the FCA proposals pertaining to the State of Uttarakhand.

Following official/non-official members & the special invitees were present in the meeting either in person or through video conferencing.

S.No.	Name	Designation
1.	Shri Gobind Sagar Bhardwaj, IFS, DDG, MoEF&CC, Regional Office, Dehradun. (In-charge)	Chairperson (REC)
2.	Dr. R. S. Bisht, Retd. IFS	Non-official Member
3.	Prof. S. D. Bhardwaj	Non-official Member
4.	Shri. Shri. Ranjan Kumar Mishra, IFS, APCCF-cum- Nodal Officer (Uttarakhand)	Special Invitee
5.	Shri. Gajendra Prakash Narwane, IFS, DIGF, Regional Office, Dehradun.	Member
6.	Representatives of the User Agencies and State Forest Department	

At the outset, the Chairman of the Committee welcomed all the members present in the meeting or connected through Video-Conference.

Following proposals pertaining to the state of Uttarakhand were discussed in detail and the case wise decision taken by REC is as under:

Online No.: FP/UK/ROAD/31090/2017

Agenda item 8L1 (U. K.)

8B/UCP/06/112/2018/FC:

Diversion of 8.94 ha of forest land for construction of Champawat bypass in Tanakpur Pithoragarh NH 125 (New 09) under Chardham Project in favour of Public Works Department, within the jurisdiction of Champawat Forest Division, Distt. Champawat, Uttarakhand.

The details of the proposal are as under:

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 the proposed forest land any violation of Forest (Conservation) Act, 1980 is not reported.

3. As per part II of the proposal, the proposed forest patch is not a part of National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Reserve, Wildlife Migration Corridor etc. The proposed area also does not fall within eco-sensitive zone of any protected area.
4. As per part II of the proposal, the proposed forest patches are not located in the area/s having protected archaeological/heritage site/defence establishment or any other important monument.
5. Rare/endangered/unique species of flora and fauna is not found in the area.
6. The justification for the requirement of forest land and for locating the project in forest area has been provided.
7. The detail of forest area and number of trees, NPV and compensatory afforestation is as under:

Trees Detail

Sl. No	Administrative Unit	Area proposed for diversion (in hectare)				Details of tree proposed for felling
	Forest Division/District	Revenue land	Village Forest area	Reserve Forest area	Total Area	No. of plants proposed to be affected (As per Part-II)
1.	Champawat Forest Division	3.84	3.7	1.4	8.94	1975
Total:		3.84	3.7	1.4	8.94	1975

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.	Champawat Forest Division	8.94	9,39,000/-	0.6	V	83,94,660/-
Total:-						83,94,660/-
(Rupees Eighty-Three Lakh Ninety-Four Thousand Six Hundred Sixty only)						

Compensatory Afforestation

Sl. No.	Details of CA	Area proposed for CA (in ha)	Name of Forest Division	Total Financial Outlay for CAScheme (Rs.)
1.	East Kanteshwar Comptt no. 11a (6 ha) and East Devidhura, Dhunaghat Comt. No. 22 & 25 (12.5 ha)	18.5	Champawat Forest Division	83,02,634/-
Total:		18.5		83,02,634/-
(Rupees Eighty-Three Lakh, Two Thousand, Six Hundred Thirty -Four only.)				

8. The certificate of District Magistrate w.r.t Forest Right Act, 2006 is provided.
9. As per DSS analysis of CA area, the area found suitable for raising CA.
10. The details of employment generation as provided at para E in Part I is as under:
 - a. Permanent: 0
 - b. Temporary: 36500 mandays

11. The cost benefit analysis is required.
12. The proposal was previously discussed in the FRCM held on 27.03.2023 wherein the information on few point was sought. After which the reply submitted by the State Government vide letter dt. 28.06.2023. On perusal of the same few observations were also made and the same were conveyed vide letter dt. 27.07.2023.
13. The reply to this office EDS letter dt. 27.07.2023 has been submitted by the APCCF cum Nodal Officer, U.K. vide letter dt.08.09.2023, details are given as under:

Sr. No.	Information sought	Reply Received
1.	As per the DSS analysis, 4.60 ha area of patch no. 3 of the proposed CA area is found overlapping with CA area of online proposal no. FP/UK/ROAD/38399/2019 and FP/UK/ROAD/42256/2019. The State Government is requested to submit clarification in this regard and provide the area for CA having no overlapping.	वन संरक्षक के उपरोक्त पत्र द्वारा अवगत कराया गया है कि उक्त परियोजना में क्षतिपूर्क रोपण हेतु नये क्षेत्र चयनित कर लिये गये हैं। नये क्षेत्रों के Map KML File स्थल उपयुक्ता प्रमाण पत्र 1 प्राक्कलन Online Part II Para 13 में अपलोड कर दिये गये हैं। जिनका विवरण निम्न प्रकार है:- 1- पूर्वी क्रान्तेश्वर क० सं० 11 अ - 6.0 है० 2-पूर्वी देवीधूरा धूनाघाट क० सं० 22 व 25 -5.5 है० 3-पूर्वी देवीधूरा धूनाघाट क० सं० 22 व 25 -7.5 है० कुल योग - 18.5 है०
2.	It is seen that three CA area patches are uploaded in online Part-II at para-13. As per the DSS analysis, the area for CA comes to 45.12 ha instead of proposed 17.88 ha and out of 45.12 ha, 2 ha is found in VDF and 16 ha in MDF. The State Government is requested to submit clarification in this regard.	वन संरक्षक के उपरोक्त पत्र द्वारा अवगत कराया गया है कि - उपरोक्तानुसार चयनित क्षेत्रों का क्षेत्रफल 18.5 है जो कि हस्तान्तरित की जा रही वन भूमि 8.94 के दोगुने क्षेत्र के अनुरूप है ।
3.	The detail of compartment number of CA polygons mentioned in State Government letter referred above is not matching with the details of compartment number uploaded in PARIVESH portal. State Government is requested to remove this discrepancy in the details of compartment number of CA area.	वन संरक्षक के उपरोक्त पत्र द्वारा अवगत कराया गया है कि क्षतिपूर्क वृक्षारोपण हेतु उपरोक्तानुसार वर्णित क्षेत्र परिवेश पोर्टल में भी संशोधित कर दिये गये हैं।
4	It is also seen that point No. 4 is still not attended in accordance to the discussion held for this case in FRCM on 27.03.2023, which is as follows and required to be attended: "The clarification submitted by	प्रस्तावक विभाग द्वारा अवगत कराया गया है कि : 1- भारत सरकार सड़क परिवहन राजमार्ग मंत्रालय के आदेश दिनांकित 15.12.2020 (प्रति संलग्न) के बिन्दु संख्या 3 पर निम्नानुसार उल्लिखित है :-

Sr. No.	Information sought	Reply Received
	Project Proponent to justify the 24m width of the road was not found to be as per the rules issued by MORTH in its letter dated 23rd March, 2018 and in the order dated 15th December, 2020 regarding the width of the road in hilly and mountainous terrain which act as feeder roads to the Indo-China border or are of strategic importance for national security. Therefore, the State Government was asked to submit necessary document to the effect that the proposed road acts as feeder roads to the Indo-China border or is of strategic importance for national security and also ensure that the width proposed for the taken for the road is in accordance with the above orders."	"For roads in hilly and mountainous terrain which act as feeder roads to the Indo-China border or are of strategic importance for national security, the carriageway width should be 7m with 1.5m paved shoulder on either side" चम्पावत बाईपास हेतु डी०पी०आर० में उपरोक्तानुसार 10 मीटर कैरिजवे का ही प्राविधान किया गया है। IRC : 52-2019 के Fig 6.3 में Road Land दर्शाया गया है। (प्रति संलग्न), जिसमें स्पष्ट है कि कैरिजवे से अधिक roadway (formation width) होती है एवं उससे अधिक road land होती है। IRC : 52-2019 के Table 6.1 (प्रति संलग्न) के अनुसार National & State Highway double lane हेतु hilly and mountainous terrain में 24 मीटर चौड़ाई में land की आवश्यकता होती है, तदनुसार ही वन भूमि प्रस्ताव बनाया गया है। 2- माननीय सर्वोच्च न्यायालय के अपील सं० 10930/2018 के निर्णय दि० 14.12.2021 के बिन्दु सं० 14 पृष्ठ संख्या 14 पर स्पष्ट उल्लेख किया गया है कि टनकपुर पिथौरागढ़ राष्ट्रीय राजमार्ग एक सामरिक महत्व की सड़क है एवं बिन्दु संख्या 68 पृष्ठ संख्या 59 पर उल्लिखित है कि सामरिक महत्व की सड़कों का 2 lane with paved shoulder से कम न बनाया जाये (माननीय सर्वोच्च न्यायालय के निर्णय की प्रति उत्तर के साथ संलग्न कर प्रेषित की गई है।)

14. The reply was examined and the proposal was discussed with the project proponent and the concerned DFO on following points:
- The second observation in the above-mentioned EDS letter dt. 27.07.2023 was regarding justification of the requirement of 24m width of land for the construction of the road in the hilly area and the necessary guidelines substantiating requirement of the said width. The reply submitted by the State Government states that IRC:52-2019 provides for a standard width of 24m in hilly areas of Mountainous and Steep Terrain which includes total formation width of the road. However, the rules/ guidelines of the MoRTH (dt. 15.12.2020) state that for roads in hilly and mountainous terrain which act as feeder roads to the Indo-China border & are of strategic importance for national security, the carriage way width should be 7m and 1.5m paved shoulder on either side.
 - It is mentioned in the EDS reply that the court order states that the proposed road is of strategic importance and its width should not be less than 2 lane with paved shoulders. However, the court order submitted is incomplete and the above inference cannot be drawn from the documents submitted in reply to the EDS.

Discussion:-

The proposal was discussed in detail with the User Agency and the concerned DFO. The committee was apprised that the proposal was earlier discussed in the meeting of FRCM held on 27.03.2023 wherein it was desired to submit information on few points. It was noted that the reply has now been submitted by the State Government and one of the observations was regarding the width of proposed road which has been taken as 24 m, to which the project proponent justified the requirement of width and submitted that the proposed road has strategic importance and in this regard an order of Hon'ble Supreme Court has also been provided as documentary proof. The justification for the width was accepted by the REC based on technical requirement for the construction of road and available provisions in the IRC norms. The KML file of the proposal was observed in detail in the meeting and it was noticed that the locations of the muck dumping sites were not marked on KML. However, the proposal was accompanied with detailed muck dumping plan. Further, it was noted that for muck dumping for 1.351 ha area is taken in non-forest land and only 0.54 ha forest land is proposed to be used for muck dumping. Further, it was also seen from the KML file that there is a steep slope in the area regarding which it was informed by the user agency that the slope is around 60 % in the area and all technical measures will be taken while road cutting work and construction of road.

Decision of REC:

After detailed discussion on various aspects of the proposal, the committee decided to accord in-principle approval for diversion of forest land subject to submission of following documents/ information / clarifications:

1. Location of muck dumping site is also required to be marked in the KML file of the proposal.
2. Submission of separate enumeration of trees for muck dumping sites to the Regional Office and no tree felling should be carried out in the area proposed for muck dumping.
3. It shall be ensured that once the muck dumping is carried out, the area of muck dumping proposed in forest land should be stabilized and returned to the forest department for which detailed reclamation plan will be provided.

8B/UCP/09/130/2020/FC

Diversion of 1.75 hectare of forest land for regularization (Swami Ram Cancer Hospital and Research Center Haldwani) in favour of Government Medical College, Rampur, Haldwani within the jurisdiction of Tarai Central Forest Division District Nainital, Uttarakhand.

The details of the proposal are as under:

1. The proposal has been signed and recommended by all the concerned authorities in the part I, II, III, IV & V of the proposal. In the part II, III, IV and V of the proposal, **no specific** comments have been recorded by the concerned authorities.
2. As per the site inspection report of the concerned DCF having territorial jurisdiction over the proposed forest land violation of Forest (Conservation) Act, 1980 **is reported**. Penal NPV has also been charged.
3. As per the part II of the proposal, the proposed forest patch is not a **part** of any National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Reserve, Wildlife Migration Corridor etc. The proposed area **does not fall** within eco-sensitive zone of any Protected Area.
4. Rare/endangered/unique species of flora and fauna are not found in the area.
5. As per the 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.
6. The justification for the requirement of forest land for locating the project in forest area has been provided.
7. The detail of forest area and number of trees affected is as under:

Sl. No	Administrative Unit	Area proposed for diversion				Details of tree proposed for affected	
	Forest Division/ District	Civil Soyam land (ha.)	Reserve Forest area (ha.)	Village Forest (ha.)	Total Area (ha.)	Crown density/ Eco Class of forest land	No. of plants required to be affected (As per Part-II)
1.	Tarai Central Forest Division (Haldwani)	-	1.75	-	1.75	0.4, III	34 trees including 5 saplings
Total:		-	1.75	-	1.75		34 trees including 5 saplings

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.	Tarai Central Forest Division (Haldwani)	1.75	8.03 lakh	0.4	III	14,05,250/-
Total:-						14,05,250/-
(Rupees Fourteen Lakh Five Thousand Two Hundred Fifty Only)						

Penal Net Present Value

Sl. No.	Name of Forest Division	Forest Area (in ha.)	Total (Rs.)
1.	Tarai Central Forest Division (Haldwani)	1.75	32,22,900/-
(Rupees Thirty-Two Lakh Twenty-Two Thousand Nine Hundred Only)			

Compensatory Afforestation

Sl. No.	Details of CA	CA proposed area (in ha)	Name of Forest Division	Total Financial Outlay for CA Scheme (Rs.)
1.	Charchum Khasra No. 873 and 1267	3.5	Pithoragarh Forest Division	73,67,000
Total:		3.5		73,67,000
(Rupees Seventy-Three Lakh Sixty-Seven Thousand Only.)				

8. The certificate of the District Magistrate w.r.t Forest Right Act, 2006 is provided.
9. As per GIS-DSS analysis of CA area the area found suitable for raising plantation.
10. The details of employment proposed to be generated: –
(a) Permanent/Regular -25
(b) Temporary-35.
11. The cost benefit analysis is not required.
12. The Stage-II approval has already been accorded in the proposal vide letter dt. 22.09.2022. After which the state government vide letter dt. 13.01.2023 asked for permission of felling 44 trees which was not sought initially. Later, the proposal was sent to the MoEFCC, New Delhi for further necessary direction in the matter. Afterwards, the Ministry asked for the compliance of exercise as per 3A and 3B under FC Act, 1980.
13. Vide this office letter dt. 06.07.2023, the information sought by the MoEFCC, New Delhi has been conveyed to the State Government. The reply has now been received from the State Government vide letter dt. 26.08.2023. Details of which are as under:

Information sought
उपर्युक्त प्रस्ताव को इस कार्यालय के पत्र दिनांक 06.03.2023 के जवाब में प्रस्तुत संदर्भित पत्र के अवलोकन उपरान्त अग्रिम कार्यवाही/ दिशा-निर्देश हेतु मंत्रालय भेजा गया था। मंत्रालय द्वारा प्रस्ताव पर ध्यानपूर्वक विचार एवं चर्चा करने के उपरान्त यह निर्णय लिया गया कि प्रस्ताव में वन (संरक्षण) अधिनियम, 1980 के प्रावधानों के तहत उल्लंघन के बावत 3A एवं 3B में उचित कार्यवाही की जाये। अतः आपसे अनुरोध है कि अमुख प्रस्ताव में वन (संरक्षण) अधिनियम, 1980 में वर्णित प्रावधानों के अनुसार उल्लंघन फलस्वरूप पैरा 3A एवं 3B में उचित कार्यवाही की जाये।
Reply received
वन संरक्षक के उपरोक्त पत्र के माध्यम से प्रभागीय वनाधिकारी द्वारा अवगत कराया गया है कि प्रकरण में भारत सरकार पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय क्षेत्रीय कार्यालय देहरादून के

पत्र सं० ८ बी/ यू.सी.पी./ ०९/१३०/- २०२० / एफ० सी०/२२१७ दिनांक २९.०१.२०२१ से सैद्धान्तिक स्वीकृति निर्गत की गयी। सैद्धान्तिक स्वीकृति की शर्तों का अनुपालन करते हुए सैद्धान्तिक स्वीकृति शर्त सं० ०६ में दिये गये निर्देशों के अनुसार निम्न धनराशि जमा की गयी:-

क्र० सं०	सैद्धान्तिक स्वीकृति की शर्त संख्या	धनराशि (रु० में)
१	३(क)	१२,९८,१५७.००
२	३(घ)	३२,२२,९००.००
३	४(क)	१४,०५,२५०.००

शर्त सं० ३ (घ) (राज्य सरकार निर्देशित guideline para 1.21 (ii) के अनुसार FCA, १९८० के उल्लंघन फलस्वरूप Penal NPV की निर्धारित राशि कैम्पा कोष में online web portal द्वारा प्रयोक्ता अभिकरण के माध्यम से जमा करेगी जिसमें १२ annual simple interest date/year of violation deposit किये जाने तक की तक calculate किया जायेगा। The Penal NPV will be calculated from the date when the area was handed over to the Health Department) में जमा की गयी धनराशि रु० ३२,२२,९००.०० प्रयोक्ता अभिकरण द्वारा पूर्व में किये गये उल्लंघन के सापेक्ष है। धनराशि जमा करने तथा सैद्धान्तिक स्वीकृति अनुपालन आख्या उच्च स्तर को प्रेषित करने के पश्चात् प्रकरण में भारत सरकार, पर्यावरण, वन एवं जलवायु, परिवहन मंत्रालय एकीकृत क्षेत्रीय कार्यालय, देहरादून की पत्र सं० ८बी / यू०सी०पी०/०९/१३०/२०२०/एफ.सी. ८६३ दिनांक २२.०९.२०२२ द्वारा विधिवत् स्वीकृति निर्गत की गयी।

प्रयोक्ता अभिकरण द्वारा पूर्व में किये गये कृत के लिये दंडात्मक एन०पी०वी० धनराशि जमा की जा चुकी है, तथा वर्तमान में प्रयोक्ता अभिकरण द्वारा किया गया कोई अन्य उल्लंघन प्रकाश में नहीं आया है। प्रभागीय वनाधिकारी द्वारा यह भी अवगत कराया गया है कि उक्त प्रकरण में अग्रिम दंडात्मक कार्यवाही किस उल्लंघन के संज्ञान में की जानी है, स्पष्ट नहीं होने के कारण से दंडात्मक कार्यवाही किया जाना सम्भव नहीं हो पा रहा है।

14. The decision for regularization of the said land has been already taken by the REC in its minutes dt 28.01.2021. To understand the views of the State Government, the matter is decided to be discussed in the REC meeting.

Discussion:-

The proposal was discussed in detail with the project proponent and the concerned DFO. The committee was apprised the brief summary of the facts which are relevant to the proposal as under:

1. Uttar Pradesh Forest Hospital Trust (UPFHT) was formed by the State Government on July 22, 1989.
2. In the first meeting of the Trust under the Chairmanship of Hon'ble Chief Minister, Uttar Pradesh it was decided that the necessary approvals should be taken for the construction of a hospital on 4.0 hectares of forest land from the Central Govt under the provision of FCA, 1980.

3. The proposal for diversion of 4.0 ha forest land for the construction of Hospital was formed vide 11.08.1989 and subsequently submitted under the provision of FCA 1980 to the Central Govt vide dated 20.10.1989.
4. The proposal was rejected by Central Govt vide letter dated 14.12.1989.
5. The proposal was again submitted for the reconsideration to the Central Govt vide letter dated 02.02.1990.
6. In the letter dt. 16.03.1990 of the MoEF&CC, New Delhi, it was quoted that "As reported by the Principal Chief Conservator of Forests vide his D.O.letter No.428/20-73 dated 5.03.1990, the forest hospital is proposed to be located in the campus of the Forest Training Institute (FTI) at Haldwani & will be used by the probationers of the Training Institute & forest employees & labours of the Forest Department & therefore it is a forest activity. Further, it is reported that no transfer of the forest land for non-forest activity is involved. In view of the position clarified by the Principal Chief Conservator of the Forests no clearance is required under the then Forest Conservation (amended) Act 1988. Care should however be taken that no trees are felled for undertaking this construction"
7. After this order, the Principal Chief Conservator of Forests, Uttar Pradesh, through his letter-2401/11-2 dated 30.03.1990, issued an order to start the construction work of the Hospital along with the direction that if any tree is cut during the construction work, then ten times the trees will be planted in their place.
8. Based on the above clarification of the Government of India by 16.03.1990, the State Government has also issued subsequent order of approval for establishment of the Swami Ram Cancer Hospital on 6.0 ha forest area, 250-bed Hospital on 4.19 ha forest area and the approach road on 1.702 ha forest area in the year 2002 and 2003. In this way, the State Government has occupied a total of 15.892 hectares of forest land for hospital and ancillary activities.
9. On April 30th, 2010, the UPFHT was dissolved through a notification. As a result, all of its assets, rights, liabilities, institutions, personnel, and taxes were transferred to the Uttarakhand Government. These were then handed over to the Medical Education Department.
10. No information of dissolution of the Committee/Trust was given to the Government of India.
11. The information of dissolution of the Trust came to notice only when the proposal for **expansion of hospitals** and other institutions associated with Government Medical College, Uttarakhand (Online proposal No. FP/UK/DISP/6879/2014) in already occupied 15.892 ha of forest land was submitted vide State Government letter dated 10.03.2015 to the Regional Office, Dehradun. The proposal comprised of four components:
 - i. Sushila Tiwari Hospital-4 ha
 - ii. Swami Ram Cancer Hospital-6 ha

iii. 250-Bed Hospital, Hostel and service block-4.19 ha

iv. Approach Road-1.702 ha

12. Afterwards, the proposal was discussed in the REC meeting held on 29.10.2018, wherein the REC decided to defer the case and desired that the State Govt will constitute a team headed by a CF or above rank officer to inspect the site and will submit the complete violation report within 15 days.

13. The report was submitted by the State Govt vide letter dt. 30.03.2019. The main points of the report are as under:

- a. The Hospital and other related structures are outside the premises of Forest Training Institute (FTI), Haldwani.
- b. Forest Hospital Trust was given permission by the Government of India stating that it is a forestry activity, it involved 4.0-hectare forest land, but permission for construction work in remaining 11.892 hectares of forest land was given by the State Government with reference to the same order.
- c. The felling of 197 trees was carried out for the construction of above structures for which as a part of compensatory afforestation the plantation of 4099 trees have been done in the same premises.
- d. The construction work over the area of 10.19 ha has not been carried out since the year 2011.
- e. For the employees & Labours of State Forest Department and probationers of FTI, medical facilities are exempted by the Hospital administration.

14. The case was discussed in the REC again in its meeting held on 22.08.2019, wherein the concerned Conservator of Forest gave detailed presentation before the committee and after discussion the REC took decision which is as follows:

- a. The State Government will submit separate proposal for the 4.00 ha area for regularization.
- b. The State Government will submit separate proposal for 1.702 ha area (construction of Road) for regularization.
- c. Out of the rest 10.19 ha area, the State Government will inform about the area in which construction has already been done and will return the rest of the area to Forest Department, Uttarakhand.

15. Since the State Government did not submit the information of administrative changes to the Government of India, the proposal was considered as a violation of the FCA 1980 and discussed as per the then guideline Para 1.21 (ii) for regularization of the already constructed area. The Penal NPV was calculated from the date when the area under consideration was handed over to the Health Department i.e. in the year of 2010.

16. Three proposals for total 7.452 ha area (4.0 ha+ 1.702 ha+ 1.75 ha) out of 15.892 ha area that has already been occupied by the trust, were submitted by the State Govt as per the direction of REC, for regularization as per guideline Para 1.21 under the provision of FCA 1980 and remaining 8.44 ha area has been surrendered to the Forest Department. The details of three cases are as follows:

- a. Diversion of 4.0 hec forest land for regularization (Dr Susheela Tiwari Govt Hospital, Haldwani) in favour of Govt Medical College, Haldwani, Tarai Central FD (FP/UK/DISP/48845/2020)
- b. Diversion of 1.702 hec forest land for regularization (existing road in between Hospitals and Medical College Campus) in favour of Govt Medical College, Haldwani, Tarai Central FD (FP/UK/ROAD/48706/2020)
- c. Diversion of 1.75 hec forest land for regularization (Swami Ram Cancer Hospital and Research Center) in favour of Govt Medical College, Haldwani, Tarai Central FD (FP/UK/ROAD/48848/2020)

17. The above proposals were discussed and approval accorded by the REC in the meeting held on 28th January 2021. The Stage-I and Stage-II approvals for regularization were issued.

State Government has requested for the construction of new ward/service block in the already diverted/regularized area of 1.75 ha with permission for felling 44 trees and requested to consider the construction of new ward/service block in already diverted/regularized area for partial modification for change-in layout only.

The committee was also apprised that the proposal was earlier sent to Ministry for clarification whether this proposal could be considered as an extension of earlier proposal? For which no clarification was provided by the Ministry. Further, the Ministry has directed for compliance of #A and 3B under FCA 1980 for violating the provisions of the FCA 1980 by transferring the forest land to the Health Department from the Hospital Trust without permission of the Central Government. However, The State Govt has submitted that since all penal provisions during the regularization process for the above mentioned violation has been taken under consideration by the REC and necessary approvals has already been accorded therefore it is unable to understand that what is the cause for which penal action is to be initiated afresh because no violation of FCA has been done afterwards.

Decision of REC:

After detailed discussion on various aspects of the proposal and in the context of the decisions taken earlier by the Committee, it was concluded that since the said proposal has been regularized with immediate rules and no violation has been found in it after regularization, the proposal can be recommended to the Ministry for change in layout and felling of 44 trees.

8B/UCP/06/80/2022/FC

Diversion of 18.405 ha of forest land for upgradation of existing road to 2 lane configuration of Rameswer-Gangolihat Berinag Chaukori Kanda Bageswer Takula Almora section of NH-309 A from km 171.00 to km206.00 (36.00km) in favour of PWD, within the jurisdiction of Almora Forest Division, District Almora, Uttarakhand.

The details of the proposal are as under:

1. The proposal has been signed and recommended by all the concerned authorities in the part I, II, III, IV & V of the proposal. In the part II, III, IV and V of the proposal, **no specific** comments have been recorded by the concerned authorities.
2. As per the site inspection report of the concerned DCF having territorial jurisdiction over the proposed forest land violation of Forest (Conservation) Act, 1980 is **not reported**.
3. As per the part II of the proposal, the proposed forest patch is **not a part** of any National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Reserve, Wildlife Migration Corridor etc. The proposed area does not fall within eco-sensitive zone of any protected area.
4. Rare/endangered/unique species of flora and fauna does not found in the area .
5. As per the 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.
6. The justification for the requirement of forest land for locating the project in forest area has been provided.
7. The detail of forest area and number of trees affected is as under:

Sl. No	Administrative Unit	Area proposed for diversion					Details of tree proposed for affected	
	Forest Division/ District	Civil Soyam land (ha.)	Reserve Forest area (ha.)	Village Forest (ha.)	Protected Forest (ha.)	Total Area (ha.)	Crown density/ EcoClass of forest land	No. of plants required to be affected (As per Part-II)
1.	Almora Forest Division	0.63	6.66	4.775	6.34	18.405	0.8, V	5981 trees including 3095 saplings
Total:		0.63	6.66	4.775	6.34	18.405		5981 trees including 3095 saplings

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.	Almora Forest Division	18.405	14,36,670/-	0.8	V	2,64,41,911/-
Total:-						2,64,41,911/-
(Rupees Two Crore Sixty-Four Lakh Forty-One Thousand Nine Hundred Eleven Only)						

Compensatory Afforestation

Sl. No.	Details of CA	CA proposed area (in ha)	Name of Forest Division	Total Financial Outlay for CA Scheme (Rs.)
1.	Lamgara Compt 11b (11 ha.), Bhateena Compt 11b (10 ha), Gailekh Compt 3a (5 ha) and Punarkot Compt 2 (10.81 ha) in Someshwar	36.81	Almora Forest Division	1,93,71,954/-
Total:		36.81		1,93,71,954/-
(Rupees One Crore Nienty-Three Lakh Seventy-One Thousand Nine Hundred Fifty-Four Only.)				

Additional CA Area in lieu of the area falling in VDF

Sl. No.	Details of CA	CA proposed area (in ha)	Name of Forest Division
1.	Lamgara Compt 2	6.00	Almora Forest Division
Total:		6.00	

8. The certificate of the District Magistrate w.r.t Forest Right Act, 2006 is provided.
9. As per GIS-DSS analysis the area proposed for CA, although the area is open forest but the same is having rare forest type and polygon touches "Mussoorie WLS".
10. The details of employment proposed to be generated:- Not provided
 - (a) Regular-
 - (b) Temporary-
11. The cost benefit analysis is not required.
12. The observation in the proposal was made by this office vide letter dt. 30.06.2023 reply which has been submitted by the APCCF-cum-Nodal Officer vide letter dt. 27.09.2023. Details of which are as under:

Sr. No.	Information sought by this office	Reply received
1	State Government is requested to replace the 6 ha. VDF area with some other suitable area and provide suitability certificate regarding the suitability of planning 1000/ha. trees area with remaining MDF.	As per objection the area 6.00 ha. which was found VDF has been replaced in same range and related map's and suitability certificate attached herewith.
2	State Government is requested to submit the documentary evidence to prove that the road was constructed before 1980.	User agency replied that the project has been constructed prior to the implementation of forest clearance Act, 1980. Road side land control act of 1970 is already attached. Existing road can be seen in Survey of India toposheet released prior to year 1980.

13. On perusal of the same it is seen that although additional 6 ha area has been submitted but the same is found in MDF as per the DSS analysis. An EDS letter covering this observation with

a request to submit the site suitability certificate of the concerned DFO for this additional 6 ha area to accommodate 1000 plants per hectare has been made vide this office letter dt. 20.10.2023.

Discussion:-

The proposal was discussed in detail with the User Agency and the concerned DFO. The committee was apprised that as per the DSS analysis of the area proposed for Compensatory afforestation, 6 hectares area was found in Very Dense Forest (VDF) and 30 hectares area in Moderately Dense Forest (MDF) category and this office also raised observation to replace VDF area and provide suitability certificate of planting 1000 trees per hectare for the area falling in MDF. The committee further apprised that, although in reply the State government has replaced the area falling in VDF and submitted additional 6 hectares for CA but the same also found in MDF as per the DSS analysis. The KML file of the CA area was seen in the meeting and found considerably dense and it appears that it would not be possible to accommodate 1000 trees per hectare in this MDF patch. However, the DFO informed that the area has been inspected by the Range officer and found suitable but the committee desired that the area is required to be inspected by the DFO himself and submit the report to Regional Office.

Decision of REC:

After detailed discussion on various aspects of the proposal, the committee decided to accord in-principle approval for diversion of forest land subject to submission of following documents/information / clarifications:

1. The DFO, Almora Forest Division is required to inspect the CA area and submit the detailed report of suitability of the area for raising plantation @ 1000 trees per hectare. If the same is not found suitable, the same is required to be replaced with some other area or additional area may be proposed to accommodate the remaining trees.
2. Since the proposal is affecting huge number of trees i.e. 5981 trees (including 3095 saplings), it is requested to minimize the number of tree to be felled in the proposal. A committee shall be constituted under the chairmanship of concerned DFO and representative of the Project Authority who will assess the requirement of felling during the construction and order to cut the trees accordingly in order to avoid blanket felling. The same may also be communicated to the Regional Office.
3. State Government is also requested to submit the Wildlife Mitigation Plan in the proposal.

8B/UCP/06/174/2020/FC

Diversion of 11.115 ha of forest land for construction of Kotgaon (Naitwar) to Kalap Motor Road (total length 15.00 KM) in favour of PMGSY, within the jurisdiction of Govind Pashu Vihar, Purola Forest Division, District Uttarkashi, Uttarakhand.

The details of the proposal are as under:

1. The proposal has been signed and recommended by all the concerned authorities in the part I, II, III, IV & V of the proposal. In the part II, III, IV and V of the proposal, no specific comments have been recorded by the concerned authorities.
2. As per the site inspection report of the concerned DCF having territorial jurisdiction over the proposed forest land violation of Forest (Conservation) Act, 1980 is not reported.
3. As per the part II of the proposal, the proposed forest patch is a part of protected area i.e Govind Wildlife Sanctuary / National Park, Purola.
4. Rare/endangered/unique species such as Snow Leopard, Musk Deer, Asian Black Bear, etc are found in the park.
5. As per the 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.
6. The justification for the requirement of forest land for locating the project in forest area has been provided.
7. The detail of forest area and number of trees affected is as under:

Sl. No	Administrative Unit	Area proposed for diversion				Details of tree proposed for affected	
	Forest Division/ District	Civil Soyam land (ha.)	Reserve Forest area (ha.)	Village Forest (ha.)	Total Area (ha.)	Crown density/ Eco Class of forest land	No. of plants required to be affected (As per Part-II)
1.	Govind Pashu Vihar, Purola (Uttarkashi)	8.55	2.565	-	11.115	0.5, V	346 trees and 32 saplings
	Total:	8.55	2.565	-	11.115		346 trees and 32 saplings

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.	Govind Pashu Vihar, Purola (Uttarkashi)	11.115	8,45,000/-	0.5	V	4,69,60,875/- (The area falls in Govind Wildlife Sanctuary, therefore the NPV is calculated 5 times)
	Total:-					4,69,60,875/-
Rupees Four crore sixty nine lakh sixty thousand eight hundred seventy five only)						

Compensatory Afforestation

Sl. No.	Details of CA	CA proposed area (in ha)	Name of Forest Division	Total Financial Outlay for CA Scheme (Rs.)
1.	Kalap comp. no. 10, Range-Supin	22.23	Govind Wildlife Sanctuary / National Park, Purola (Uttarkashi)	78,32,784.32
Total:		22.23		78,32,784.32
(Rupees Seventy eight lakh thirty thousand seven hundred eighty four and thirty two paise only.)				

8. The certificate of the District Magistrate w.r.t Forest Right Act, 2006 is provided.
9. As per GIS-DSS analysis the area proposed for diversion is 11.115 ha and the area proposed for CA is 22.23 ha.
10. The details of employment proposed to be generated:-
 - (a) Regular-0 mandays
 - (b) Temporary-5466 man days.
11. The cost benefit analysis is required.
12. The proposal was previously discussed in the REC meeting held on 28-01-2021 wherein the committee decided to accord in-principle approval in the proposal. The in-principle approval has been accorded in the proposal vide letter dt. 18-02-2021 compliance to which was also received. On perusal, irregular muck dumping was noticed in the proposal and afterwards the proposal was discussed in the REC meeting held on 27.04.2023.
13. The reply to the information sought by the REC as per the minutes of REC meeting has now been received vide letter dt. 24.08.2023. Details of which are as under:

been received vide letter dt. 27.05.2023.

Sr. No.	Information sought	Reply received								
1.	NPV calculated @ five times of the violated area is required to be submitted and amount should be deposited by the project proponent.	निदेशक / वन संरक्षक, राजाजी टाइगर रिजर्व के द्वारा अवगत कराया गया है कि प्रयोक्ता विभाग, राजस्व विभाग, एवं वन क्षेत्राधिकारी सुपिन रैज, नैटवाड ने दिनांक-14 मई 2023 को प्रश्नगत कार्य से प्रभावित हुये क्षेत्र का संयुक्त निरीक्षण, सर्वेक्षण किया है। प्रश्नगत कार्य से संरक्षित क्षेत्र को कुल 0.7185 है० क्षेत्र प्रभावित हुआ है, जिसका विवरण निम्नानुसार है:- <table><tr><th>कक्ष संख्या</th><th>प्रभावित वन भूमि का क्षेत्रफल (है० में)</th></tr><tr><td>कलाप बीट कक्ष सं०-1</td><td>0.07</td></tr><tr><td>कलाप बीट कक्ष सं०-2</td><td>0.05</td></tr><tr><td>कलाप बीट कक्ष सं०-3</td><td>0.5985</td></tr></table>	कक्ष संख्या	प्रभावित वन भूमि का क्षेत्रफल (है० में)	कलाप बीट कक्ष सं०-1	0.07	कलाप बीट कक्ष सं०-2	0.05	कलाप बीट कक्ष सं०-3	0.5985
कक्ष संख्या	प्रभावित वन भूमि का क्षेत्रफल (है० में)									
कलाप बीट कक्ष सं०-1	0.07									
कलाप बीट कक्ष सं०-2	0.05									
कलाप बीट कक्ष सं०-3	0.5985									

Sr. No.	Information sought	Reply received		
		<table><tr><td>कुल योग</td><td>0.7185</td></tr></table> अतः उपरोक्तानुसार प्रभावित क्षेत्र की कुल एन०पी०वी० की देयता:- 0.7185 एन०पी०वी० की दर प्रति है०- 8,45,000.00 प्रभावित वन भूमि का क्षेत्रफल- कुल देय एन०पी०वी० की धनराशि - 0.7185X ₹8,45,000.00X 5 =30,35,662.50 या ₹30,35,663.00 लाख Gov. of India Ministry of Environment, forests and Climate Change की फाइल नं०-5-2/2017- Date-28 March 2019 द्वारा जारी दिशा निर्देश पुस्तिका में Part B Chapter 1 के 1.21 (ii) page-43 के अनुसार:- b) In case of public utility projects of the government the penalty shall be 20% of the penalty proposed in para (a) above. अतः उपरोक्तानुसार कुल देय एन०पी०वी० की धनराशि का 20 प्रतिशत:- 30,35,663.00 X 20 % 6,07,132.60 Or Say ₹ 6,07,133.00	कुल योग	0.7185
कुल योग	0.7185			
2.	Compensatory Afforestation scheme for five times of the violated area is required to be submitted and the amount should be deposited by the project proponent.	निदेशक / वन संरक्षक, राजाजी टाइगर रिजर्व के द्वारा अवगत कराया गया है कि चूंकि प्रश्नगत कार्य से प्रभावित होने वाला कुल क्षेत्र 0.7185 है० है। अतः क्षतिपूरक वृक्षारोपण क्षेत्रफल एवं धनराशि का विवरण निम्नानुसार है:- क्षतिपूरकर वृक्षारोपण हेतु पांच गुना भूमि का क्षेत्रफल (है०) में 0.7185 X 5 = 3.5925 ha क्षतिपूरकर वृक्षारोपण की दर (प्रति है०) में Rs. 4,48,791.00 (दर) का निर्धारण प्रमुख वन संरक्षक (HOFF) उत्तराखण्ड के पत्रांक-क-40/3-5-2 दिनांक-13 फरवरी 2021 के अनुसार निर्धारित की गई है। अतः कुल धनराशि की मांग:- 3.5925 X 4,48,791 = ₹1,612,281.67 लाख Gov. of India Ministry of Environment, forests and Climate Change की फाइल नं०-5-2/2017- Date-28 March 2019 द्वारा जारी दिशा निर्देश		

Sr. No.	Information sought	Reply received
		पुस्तिका में कई भी क्षतिपूर्क वृक्षारोपण के रूप में दण्ड नहीं लगाया गया है। प्रयोक्ता विभाग द्वारा अपने पत्र से अनुरोध किया है कि "अनियमित मलबा। डम्पिंग से प्रभावित भाग की सफाई हेतु एवं भविष्य में इसकी पुनरावृत्ति न हो इस हेतु पूर्व में ही सम्बन्धित ठेकेदार को निर्देशित किया है, साथ ही प्रयोक्ता विभाग उक्त कृत हेतु माफी (क्षमा याचना) चाहता है"।
3.	Rehabilitation plan of the damaged area is required to be submitted and the amount required for the same shall be deposited by the project proponent.	निदेशक / वन संरक्षक, राजाजी टाइगर रिजर्व के द्वारा अवगत कराया गया है। कि Rehabilitation plan के सम्बन्ध में अवगत कराना है कि कुल ₹ 6.25 लाख की धनराशि का भुगतान करने हेतु प्रयोक्ता विभाग सहमत है।
4.	The action taken by the Forest Department against the officers/ staff whose negligence has caused the illegal muck dumping to happen.	निदेशक/वन संरक्षक, राजाजी टाइगर रिजर्व के द्वारा अवगत कराया गया है कि उक्त के सम्बन्ध में अवगत कराना है कि अवैध मलबा निस्तारण के कारण वनस्पतियों और वनों को हुए नुकसान के सम्बन्ध में वन क्षेत्राधिकारी सुपिन द्वारा सम्बन्धित ठेकेदार के विरुद्ध भारतीय वन अधिनियम-1927 की सुसंगत धाराओं में रेंज केस सं०-15/ सुपिन / 2022-23 दिनांक-05 जून 2023 (जुर्माना - ₹2.00 लाख) तथा रेंज केस सं०-16 (1)/2022-23 दिनांक-20 जून 2022 (जुर्माना - ₹ 1.10 लाख) जारी किये गये हैं। इस प्रकार प्रश्नगत प्रकरण में कुल ₹3.10 लाख (तीन लाख दस हजार रु० मात्र) का जुर्माना सम्बन्धित ठेकेदार से वसूल किया गया है। अधिशासी अभियन्ता पी०एम०जी०एस०वाई०. मोरी को भविष्य में इसकी पुनरावृत्ति ना हो बाबत लिखा गया है। प्रयोक्ता विभाग ने अपने कार्यालय केपत्रांक-429 / मोरी-वाप्कोस/पी०एम०जी०एस०वाई०/2022-23 दिनांक-24 फरवरी 2023 से प्रश्नगत प्रकरण पर की गई कार्यवाही से इस कार्यालय को अवगत कराया है, जिसे संलग्न कर प्रेषित की जा रही है।

14. With reference reply submitted by the State Government to the MoM of REC, partial compliance is submitted by the State Government and relief is sought by the State

Government w.r.t to point no. 1&2 in view of the existing guidelines. The matter relates to the decision taken by the REC. The points for discussion are given below:

- i. With respect to the point no. 1 forest department has calculated the penalty amount to be Rs. 30,35,663.00. However, the State Government has requested that the penalty may be imposed in accordance with the para 1.219(ii) of the guidelines which would amount to Rs. 6,07,132.60 Rs.
- ii. W.r.t point no.2 amount required for CA scheme of 5 times the violated area is Rs. 16,12,281.67 Rs. However, the State Government has submitted that there is no provision for penalty in the form of CA scheme. Further the request of the contractor is also submitted for consideration.
- iii. W.r.t point no.3 it has been mentioned that the user agency is ready to deposit the amount of Rs. 6.25 lakh for rehabilitation plan.
- iv. W.r.t point no. 4 it has been submitted by the State Government that Rs. 3,10,000/- has been charged against the contractor and a letter has been issued to the Executive Engineer PMGSY to avoid recurrence of further such instances. However, the action taken against the erring officials has not been provided.

Discussion:-

The proposal was discussed in details with the project proponent and the concerned DFO. The committee was apprised that the 'in-principle' approval has already been accorded in the proposal vide this office letter dt. 18.02.2021 after getting recommended by the REC in its meeting dt. 28.01.2021. The compliance was also submitted by the State Govt. and on examination of the same irregular muck dumping was noticed in the proposed area. The committee was informed that with this observation the proposal was then discussed in the REC meeting held on 27.04.2023 and REC desired the information/ documents on few points. The reply to the same has been submitted by the State Government, and penalty has been calculated.

Decision of REC:

After detailed discussion on various aspects of the proposal, the REC directed for submission of following documents/ information / clarifications before issuing approval:

1. Amount for penal NPV which is Rs. 6,07,132 as per guideline is required to be deposited in CAMPA fund.
2. Amount for Stabilization/Rehabilitation plan i.e. 6.25 lakh is required to be deposited in CAMPA fund.

8B/UCP/06/64/2022/FC:

Diversion of 23.467 ha (instead of 42.076 ha) of forest Land for construction of Kotdwara-Satpuli-Jwalpa-Srinagar section (from Km 139.000 to 276.000) of NH -119 in the state of Uttarakhand and Section Form km 139.000 to 196.600 in favour of MoRTH within the jurisdiction of Lansdowne Forest Division, District Pauri Garhwal, Uttarakhand.

The details of the proposal are as under:

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 the proposed forest land any violation of Forest (Conservation) Act, 1980 is not reported.
3. As per part II of the proposal, the proposed forest patch is not part of any National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Reserve, Wildlife Migration Corridor etc. The proposed area also does not fall within eco-sensitive zone of any protected area.
4. As per part II of the proposal, the proposed forest patches are not located in the area/s having protected archaeological/heritage site/defence establishment or any other important monument.
5. Rare/endangered/unique species of flora and fauna is not found in the area.
6. The justification for the requirement of forest land and for locating the project in forest area has been provided.
7. The detail of forest area and number of trees, NPV and compensatory afforestation is as under:

Trees Detail

Sl. No	Administrative Unit	Area proposed for diversion (in hectare)				No. of trees proposed to be affected (As per Part-II)
	Forest Division/District	Reserve land	Civil Soyam Forest area	Village Forest area	Total Area	
1.	Lansdowne Forest Division	13.147	9.15	1.17	23.467	8745 (including 2375 saplings)
Total:		13.147	9.15	1.17	23.467	8745 (including 2375 saplings)

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.	Lansdowne Forest Division	23.467	10,05,210/-	0.3	V	2,35,89,263.07
Total:-						2,35,89,263.07
(Rupees Two Crore Thirty-five Lakh Eighty-Nine Thousand Two Hundred Sixty-Three and Seven Paise only)						

Compensatory Afforestation

Sl. No.	Details of CA	Area proposed for CA (in ha)	Name of Forest Division	Total Financial Outlay for CAScheme (Rs.)
1.	Pauri Comptt. No., 6a, 6b, 7 & 8 and East Ameli Comptt. No. 25	48.35	Garhwal Forest Division	2,16,99,045/-
Total:		48.35		2,16,99,045/-
(Rupees Two Crore Sixteen Lakh Ninety-Nine Thousand Forty-Five only.)				

8. The certificate of District Magistrate w.r.t Forest Right Act, 2006 is provided.
9. The details of employment generation as provided at para E in Part I is as under:
 - b. Permanent: 55
 - b. Temporary: 4500 mandays
10. The cost benefit analysis is submitted.
11. The proposal was previously discussed in the FRCM held on 23.12.2022 wherein the information on few points was sought. After which the reply submitted by the State Government vide letter dt. 27.05.2023. On perusal of the same few observations were also made and the same were conveyed vide letter dt. 14.06.2023.
12. The reply to this office EDS letter dt. 14.06.2023 has been submitted by the APCCF cum Nodal Officer, U.K. vide letter dt. 22.09.2023 and 04.10.2023, details are given as under:

Sr. No.	Information sought	Reply Received															
1.	In compliance to the point no. 3 of the EDS although the area required for muck dumping has now been reduced to 8.5 ha from 18.609 ha. However, the same appears to be on a very higher side. Hence, it is requested to minimize the requirement of the forest area and select non-forest land for the purpose of muck dumping. Also, the details of the total muck likely to be generated and the details of the muck dumping sites in non-forest area where the muck would be deposited after reduction of forest area for muck dumping is required to be provided by the State Government.	प्रयोक्ता एजेन्सी द्वारा मलवा निस्तान्तरण हेतु चयनित वन क्षेत्र 18.609 हे० को शून्य करते हुये उक्त प्रयोजन हेतु गैर वन भूमि का चयन किया गया है। संशोधित प्रस्तावित विवरण निम्नानुसार है:- <table border="1" style="margin: 10px auto;"> <thead> <tr> <th>कं० सं०</th><th>वन का प्रकार</th><th>संशोधित क्षेत्रफल</th></tr> </thead> <tbody> <tr> <td>1</td><td>आरक्षित वन</td><td>13.147</td></tr> <tr> <td>2</td><td>सिविल सोयम</td><td>9.150</td></tr> <tr> <td>3</td><td>वन पंचायत</td><td>1.17</td></tr> <tr> <td colspan="2">कुल योग</td><td>23.467 हे०</td></tr> </tbody> </table> उक्त के अतिरिक्त हस्तान्तरित की जाने वाली वन भूमि 23.467 हे० की एवज में क्षतिपूर्क वृक्षारोपण हेतु आवश्यक 48.35 हे० अवनत वन भूमि की वृक्षारोपण योजना संलग्न कर प्रेषित है।	कं० सं०	वन का प्रकार	संशोधित क्षेत्रफल	1	आरक्षित वन	13.147	2	सिविल सोयम	9.150	3	वन पंचायत	1.17	कुल योग		23.467 हे०
कं० सं०	वन का प्रकार	संशोधित क्षेत्रफल															
1	आरक्षित वन	13.147															
2	सिविल सोयम	9.150															
3	वन पंचायत	1.17															
कुल योग		23.467 हे०															
2.	The reclamation plan provided in response to the point no. 4 of the EDS is incomplete as it provides details of only one measure i.e plantation. Hence the State	बिन्दु संख्या 02 के क्रम में वन संरक्षक, शिवालिक वृत्त के उपरोक्त पत्र द्वारा अवगत कराया गया है कि Bio Engineering Measures के अनुसार मलवा निस्तारण															

Sr. No.	Information sought	Reply Received
	Government is requested to submit the reclamation plan with all necessary bio-engineering measures for phase wise reclamation and stabilization of the muck disposal sites.	हेतु चयनित स्थल का चरणबद्ध पुनर्ग्रहण योजना (Reclamation Plan) तैयार कर प्रेषित है।

13. Vide APCCF cum Nodal Officer, U.K. letter dt.22.09.2023 and 04.10.2023, it is submitted that earlier the muck dumping was proposed in forest area which has now been removed and non-forest land for this purpose has been selected. The detail of revised area after removing the forest area which was proposed for muck dumping are as under:

क्र० सं०	भूमि का प्रकार	क्षेत्रफल	कुल वन प्रस्ताव क्षेत्रफल हे० में
1	आरक्षित वन	13.147	13.147
2	सिविल सोयम	9.18	9.18
3	वन पंचायत	1.170	1.170
	कुल योग		23.467 हे०

14. The area in the proposal has been revised by reducing it to 23.467 ha instead of previously proposed 42.076 ha. The proposal is decided to be discussed in the REC meeting.

Discussion:-

The proposal was discussed in detail in the meeting. The committee was apprised that the case was earlier discussed in the meeting of FRCM held on 23.12.2022, wherein the major observation was raised to remove 18.609 ha forest area selected for muck dumping and select non-forest land for this purpose. Now the reply has been submitted that the area has been replaced by non-forest land and accordingly revised proposal has been submitted. It is noted that now 23.467 hectares of forest land is proposed for diversion instead of previously proposed 42.076 hectares forest area. In light of the details of revised proposal submitted by the State Government, the committee reviewed the proposal in all aspect and found justifiable.

Decision of REC:

After detailed discussion on various aspects of the proposal, the REC decided to accord in-principle approval for diversion of forest land with additional condition that felling of trees will be minimized as per the actual requirement out of total trees falling in RoW.

8B/UCP/06/76/2022/FC

Diversion of 4.22 ha of forest land for construction of Sahastradhara to Naliwala new Motor Road in favour of PMGSY, within the jurisdiction of Mussoorie Forest Division, District Dehradun, Uttarakhand.

The details of the proposal are as under:

1. The proposal has been signed and recommended by all the concerned authorities in the part I, II, III, IV & V of the proposal. In the part II, III, IV and V of the proposal, **no specific** comments have been recorded by the concerned authorities.
2. As per the site inspection report of the concerned DCF having territorial jurisdiction over the proposed forest land violation of Forest (Conservation) Act, 1980 **is not reported**.
3. As per the part II of the proposal, the proposed forest patch is **not a part** of any National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Reserve, Wildlife Migration Corridor etc. The proposed area **falls** within eco-sensitive zone of any protected area.
4. Rare/endangered/unique species of flora and fauna does not found in the area.
5. As per the 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.
6. The justification for the requirement of forest land for locating the project in forest area has been provided.
7. The detail of forest area and number of trees affected is as under:

Sl. No	Administrative Unit	Area proposed for diversion				Details of tree proposed for affected	
	Forest Division/ District	Civil Soyam land (ha.)	Reserve Forest area (ha.)	Village Forest (ha.)	Total Area (ha.)	Crown density/ Eco Class of forest land	No. of plants required to be affected (As per Part-II)
1.	Mussoorie Forest Division	-	4.22	-	4.22	0.5, V	688 trees including 56 saplings
Total:		-	4.22	-	4.22		688 trees including 56 saplings

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.	Mussoorie Forest Division	4.22	12,92,850/-	0.5	V	54,55,827/-
Total:-						54,55,827/-
(Rupees Fifty-Four Lakh Fifty-Five Thousand Eight Hundred Twenty-Seven Only)						

Compensatory Afforestation

Sl. No.	Details of CA	CA proposed area (in ha)	Name of Forest Division	Total Financial Outlay for CA Scheme (Rs.)
1.	Motidhar Compartment No. 5A	8.44	Mussoorie Forest Division	34,43,453/-
Total:		8.44		34,43,453/-
(Rupees Thirty-Four Lakh Forty-Three Thousand Four Hundred Fifty-Three Only.)				

8. The certificate of the District Magistrate w.r.t Forest Right Act, 2006 is provided.
9. As per GIS-DSS analysis the area proposed for CA, although the area is open forest but the same is having rare forest type and polygon touches "Mussoorie WLS".
10. The details of employment proposed to be generated:-
 - (a) Regular-0 mandays
 - (b) Temporary-10000 man days.
11. The cost benefit analysis is not required.
12. Earlier a proposal (FP/UK/Road/13657/2015) for diversion of 9.194 ha area to connect village Naliwala was submitted by the State Govt. The proposal was discussed in the REC meeting held on 26.11.2020. As per minutes of the meeting "DFO Mussoorie informed that there is no such need for the construction of the road from Sahastradhara to Naliwala as the village Naliwala can easily be connected from the upper side in 2-3 km length with an already existing road. As these types of proposals are potentially disturbing the aquifers of the vicinity, therefore should be avoided. After detailed discussion on various aspects of the proposal, the REC decided to reject the proposal and directed DFO to inspect and explore the alternate to connect villages from already existing road on the upper side with shorter distance and accordingly user agency will upload the revised proposal".
13. The reply to the information sought vide letter dt. 09.12.2022 has been submitted by the APCCF-cum-Nodal Officer vide letter dt. 08.09.2023. Details of which are as under:

Information sought by this office
पूर्व में राज्य सरकार द्वारा ग्राम नालीवाला को जोड़ने हेतु 9.194 हेक्टेयर वन भूमि के डायवर्जन हेतु प्रस्ताव संख्या FP/UK / ROAD/13657/2015 प्रस्तुत किया गया था, जिस पर दिनांक 25.11.2020 को आयोजित आर.ई.सी. की बैठक में चर्चा की गई थी। बैठक में डीएफओ मसूरी द्वारा सूचित किया गया था कि सहस्रधारा से नालीवाला तक सड़क निर्माण की आवश्यकता नहीं है क्योंकि पहले से मौजूद सड़क से 2-3 किमी लंबाई में ग्राम नालीवाला को ऊपरी तरफ से आसानी से जोड़ा जा सकता है। इसलिए, आर.ई.सी. ने प्रस्ताव को अस्वीकार /

निरस्त करने का निर्णय लिया और ग्राम को पहले से मौजूद सड़क से जोड़ने के लिए वैकल्पिक निरीक्षण खोजने का निर्देश दिया तथा तदनुसार संशोधित) प्रस्ताव अपलोड करने का निर्देशित किया।

अब, संशोधित प्रस्ताव प्रस्तुत किया गया है परन्तु अस्वीकृत प्रस्ताव और आर०ई०सी० निर्देश के मद्देनजर इस प्रस्ताव के औचित्य के बारे में जानकारी प्रस्तुत नहीं की गई है। और KML फाइल के अवलोकन पर यह ज्ञात हुआ है कि 688 वृक्षों की कटाई की अनुमति के साथ घने आरक्षित वन क्षेत्र को खंडित करते हुए पूर्णतः नए संरक्षण के लिए संशोधित प्रस्ताव प्रस्तुत किया गया है। ग्राम के पास मौजूदा सड़क स्पष्ट रूप से दिखाई दे रही है परन्तु आर०ई०सी० द्वारा निर्देशानुसार उसका उपयोग नहीं किया गया है।

राज्य सरकार से अनुरोध है कि आर०ई०सी० की बैठक दिनांक 26.11.2020 में आर०ई०सी० द्वारा दिये गये निर्देशानुसार पहले से मौजूद मार्ग (जो कि के०एमएल फाइल में स्पष्ट है) से जोड़ने हेतु संशोधित प्रस्ताव इस कार्यालय में प्रस्तुत करने का कष्ट करें।

Reply received

भारत सरकार के उपर्युक्त सन्दर्भित पत्र ग्राम नालीवाला के पास मौजूदा सड़क का उपयोग कर संशोधित प्रस्ताव उपलब्ध कराने के निर्देश दिये गये हैं। भारत सरकार के निर्देशों के अनुपालन में प्रस्ताव विभाग द्वारा नालीवाला ग्राम को फॉरेस्ट चौकी नाली से होते हुए ऊपरी मार्ग होते नये संरक्षण तैयार किया गया जिसकी लम्बाई 4.10 कि०मी० आ रही है। प्रस्तावित संरक्षण (संरक्षण 1) एवं भारत सरकार द्वारा सुझाये गये संरक्षण (संरक्षण 2) की तुलनात्मक सूचना निम्नवत है-

क्र०सं०	विवरण	संरक्षण-1	संरक्षण - 2
1.	मोटर मार्ग की लम्बाई	5.5 कि०मी०.	4.1 कि०मी०
2.	मोटर मार्ग के निर्माण हेतु वांछित क्षेत्रफल		
	आरक्षित वन भूमि	4.22 हे०	2.31 हे०
	नाप भूमि	0.36 हे०	0.80 हे०
	कुल योग	4.58 हे०	3.10 हे०
3.	प्रभावित होने वाले वृक्षों की संख्या	688, जिसमें 101 बांज प्रजाति के वृक्ष हैं।	918, जिसमें 614 बांज प्रजाति के वृक्ष हैं।

प्रभागीय वनाधिकारी द्वारा अवगत कराया गया है कि उनके द्वारा स्वयं उक्त संरक्षण का स्थलीय निरीक्षण किया गया, जिसमें पाया गया है कि समरेखण 2 में अधिक सघन वन है, जिसमें मूलतः बाज प्रजाति के वृक्ष हैं। साथ ही उपरोक्त तुलनात्मक विवरण से भी स्पष्ट है कि समरेखण 2 में बहुत अधिक वृक्ष प्रभावित हो रहे हैं, जो कि पर्यावरणीय दृष्टिकोण से उचित प्रतीत नहीं होता है।

अतः वन संरक्षक, यमुना वृत्त, देहरादून द्वारा प्रेषित आख्या के क्रम में प्रश्नगत प्रकरण पर वन संरक्षण अधिनियम, 1980 के तहत यथोचित कार्यवाही किये जाने पर विचार करने का कष्ट करें।

14. As the proposal is part of actual proposal of 9.194 ha which was rejected by the REC and the current proposal is prepared as per the direction of REC, the reply submitted by the State Government the proposal is decided to be discussed before the REC.

Discussion:-

The proposal was discussed in detail in the meeting. Earlier, a proposal seeking approval under FC Act, 1980 for construction of Shastradhara(Karligad) to Naliwala motor road (online no. FP/UK/Road/13657/2015) for diversion of 9.194 hectares of forest land affecting 1890 trees (879 saplings included) was submitted which was discussed in the REC meeting held on 26.11.2020. The committee was further apprised that in that REC meeting the DFO Mussoorie informed that there is no such need for the construction of the road from Sahastradhara to Naliwala as the village Naliwala can easily be connected from the upper side in 2-3 km length with an already existing road, as these types of proposals are potentially disturbing the aquifers of the vicinity, therefore should be avoided. Therefore, the REC rejected the proposal and directed DFO to inspect and explore the alternate to connect villages from already existing road on the upper side with shorter distance and accordingly user agency was directed to upload the revised proposal. It was noted that as per the directions given by the REC, the proposal for "Shastradharato Naliwala motor road" has now been revised and now diversion area has been reduced to 4.22 hectares of forest land affecting 688 trees (56 saplings included). The committee reviewed the proposal in detail and found much feasible and justifiable.

Decision of REC:

After detailed discussion on various aspects of the proposal, the REC decided to accord in-principle approval for diversion of forest land with additional condition that felling of trees will be minimized as per the actual requirement out of total trees falling in RoW.

OTHER: Additional Agenda

The Chief Conservator of Forest, Kumaon Division apprised that irregular muck dumping in the hilly terrain adversely affecting the vegetation and the river valleys is a serious issue.

Irregular muck dumping to the extent of 50-60% is observed in river valleys, adversely affecting the vegetation and ecology of the areas.

To solve the problem CCF Kumaon proposed that a committee may be constituted at the level of DFO. The committee shall consist of the concerned ACF and the officer from the user agency. The mandate of the committee shall be:

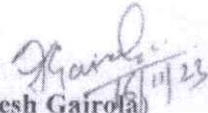
- (i) To check the feasibility of Muck Dumping plan prior to submission to the State Government.
- (ii) To prepare muck stabilization plan.
- (iii) To monitor the muck dumping and take quick action to prevent irregular muck dumping.

The CCF Kumaon also suggested the proposals in sensitive areas shall have plans for soil and moisture conservation and Wild Life Mitigation.

Decision of REC:

The REC accepted the suggestion and it was decided that the State Government shall make institutional mechanism as per the suggestions mentioned above.

The meeting ended with thanks to the members and other participants.


(Dr. Yogesh Gairola)
Technical Officer (Forestry)