

सेवा में,

वन संरक्षक/क्षेत्रीय निदेशक,
बुन्देलखण्ड वृत्त,
झांसी।

विषय:- जनपद-झांसी में जल जीवन मिशन के अंतर्गत ग्राम-गुलारा, तिलैथा एवं बचावली ग्राम समूह पेयजल योजना हेतु पाइप लाइन बिछाये जाने में प्रभावित 6.2793 हे० संरक्षित वनभूमि एवं 0.408 हे० आरक्षित वनभूमि अर्थात् कुल 6.6873 हे० वनभूमि के बिना वृक्ष पातन के गैर वानिकी प्रयोग की अनुमति के संबंध में।

संदर्भ:- आपका पत्रांक-3668/33-1, दिनांक 23.05.2022
महोदय,

उपरोक्त संदर्भित पत्र का अवलोकन करने का कष्ट करें। आपके उपरोक्त संदर्भित पत्र के द्वारा विषयगत प्रस्ताव इस कार्यालय को प्रेषित किया गया है, जिसमें क्षतिपूरक वृक्षारोपण के अंतर्गत प्रभावित संरक्षित वनभूमि के सापेक्ष दुगने अवनत वनभूमि पर 10 वर्षों का अनुक्षण सहित प्राक्कलन, उपयुक्तता प्रमाण पत्र, Geo Referenced Digital Map, SoI Toposheet & kml file संलग्न किया गया है।

उक्त के क्रम में अवगत कराना है कि Laying of Drinking Water supply pipeline के संबंध में वन (संरक्षण) अधिनियम 1980 के अंतर्गत भारत सरकार, नई दिल्ली द्वारा दिनांक 28.03.2019 को निर्गत Handbook of Forest (Conservation) Act, 1980 and Forest Conservation Rules, 2003 (Guidelines & Clarifications) के चैप्टर-4 पैरा-4.2 में निम्नलिखित प्राविधान दिये गये हैं:-

“4.2 Laying of Under Ground Optical Fiber Cables (OFC), telephone lines, drinking water supply pipelines, electricity cables, CNG/PNG and Slurry pipelines.

General approval is accorded for the above listed projects along the roads within existing RoWs (trench size not more than two meter in depth and one meter in width) not falling in National Parks and Wildlife Sanctuaries' without felling of trees. Approval, in addition to general conditions mentioned above under para 4.1, is subject to the following specific conditions:

- No tree felling is involved for the proposed work.*
- After completion of the project the area under RoW should be reclaimed suitably.*
- UA agrees to make good any loss to Forest/Environment.*
- The UA will seek permission from the local FD for carrying out any maintenance.*
- In case, the proposed area falls in the RoW of the road passing through National Parks and Wildlife Sanctuaries, General Approval is subject to requisite permissions from the State Board for Wildlife shall be obtained.*
- In case, the proposed area falls in the RoW of the road passing through Tiger Reserves, General Approval is subject to requisite permissions from the National Board for Wildlife/NTCA shall be obtained.”*

उपरोक्त के क्रम में भारत सरकार, नई दिल्ली के पत्रांक-FC-11/165/2019-FC, दिनांक 27.07.2020 के द्वारा Clarification जारी किया गया है, जिसमें निम्न स्थितियों में ही क्षतिपूरक वृक्षारोपण लिये जाने अथवा न लिये जाने के प्राविधान दिये गये हैं:-

“Laying of Under Ground Optical Fiber Cables (OFC), telephone lines, drinking water supply pipelines, electricity cables, CNG/PNG and Slurry pipelines.

General approval is accorded for taking up these projects within RoW of existing roads (trench size not more than two meter in depth and one meter in width) not falling in National Parks and Wildlife Sanctuaries' without felling of trees. Approval, in addition to general conditions mentioned above under para 4.1(except condition “f”), subject to the following specific conditions:

- a-No tree felling is involved for the proposed work*
- b-After completion of the project the area under RoW should be reclaimed suitably.*
- c-UA agrees to make good of any loss to Forest/Environment.*

d-The UA will seek permission from the local FD for carrying out any maintenance.

e-In case, the proposed area falls in the RoW of the road passing through National Parks and Wildlife Sanctuaries, General Approval is subject to prior permissions from the State Board for Wildlife.

f-In case of project involve tree felling, ten trees for each tree marked for removal shall be planted at the cost of user agency in consultaion with the local forest department."

इसी क्रम में भारत सरकार, नई दिल्ली के पत्रांक-FC-11/250/2019-FC-Part(1), दिनांक 03.11.2021 के द्वारा प्रभावित वनभूमि की सीमा के संबंध में Clarification जारी किया गया है, जोकि निम्न प्रकार है:-

".....the guidelines issued by MoEF&CC vide letter no. FC-11/165/2019-FC, dated 27.07.2020 do not refer to any restriction on the maximum area."

अतः विषयगत प्रकरण में उपरोक्त आदेशों की छायाप्रतियाँ इस अनुरोध के साथ संलग्न कर प्रेषित है कि कृपया विषयगत प्रकरण में उपरोक्त प्राविधानों के अंतर्गत संशोधित प्रस्ताव एवं संशोधित पी0डी0एफ0 फाइल प्रेषित करने का कष्ट करें।

संलग्नक: उपरोक्तानुसार।

भवदीय,

¹⁸
(अनुपम गुप्ता)

मुख्य वन संरक्षक/नोडल अधिकारी,
उ0प्र0, लखनऊ।

पत्रांक:- 3349 /11-सी-FP/UP/water/150514/2021, दिनांकित।

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

1. प्रभागीय वनाधिकारी, झांसी वन प्रभाग, झांसी।
2. अधिशासी अभियन्ता, निर्माण खण्ड, उ0प्र0 जल निगम ग्रामीण, झांसी।

¹⁸
(अनुपम गुप्ता)

मुख्य वन संरक्षक/नोडल अधिकारी,
उ0प्र0, लखनऊ।

o/c

Chapter 4

General Approval under Section 2(ii) of FCA – Critical Public & Strategic Defence Infrastructure

4.1 The Forest (Conservation) Act, 1980 and the Forest (Conservation) Rules, 2003, provide the regulatory procedures for prior approval of the Central Government for diversion of forest land for non-forest use required by various User Agencies including the Central/State Government Departments and PSUs. However, the Central Government has granted General Approvals for diversion of forest land for the specified area in each case and for specified public utility services and critical/strategic defence infrastructure as detailed below, subject to the following:

- (a) User Agency shall apply, online, in the "Form A" of the Forest (Conservation) Rules, 2003.
- (b) The procedure for processing of the applications as stipulated in the Forest (Conservation) Rules 2003 as amended up to date will be strictly followed. However, in view of General Approval granted by the Central Government the decision for diversion of the forest land or rejection thereof will be taken by the respective State/UT Government and a copy of the decision will be forwarded to the MoEF&CC and the its concerned Regional Office.
- (c) The forest area involved is not within a National Park and/or a Wild Life Sanctuary.
- (d) User Agency (UA) shall explore all feasible alternatives to minimize use of forest land.
- (e) Forest land to be used shall be restricted to the bare minimum and shall be used only when it is unavoidable.
- (f) The UA will submit scheme for Compensatory Afforestation as per extant guidelines in the matter.
- (g) The UA shall pay the applicable NPV in pursuance of the orders of the Hon'ble Supreme Court.
- (h) In addition to monthly report of diversions of forest land under General Approval accorded by MoEF&CC, each State/UT Government shall submit half yearly reports for the period ending June 30 and December 31 containing details of all forest lands diverted under the General Approval along with the actual status of actual utilization of the forest lands so diverted for the stated purpose, to the MoEF&CC and its concerned Regional Office.
- (i) The diversions and compliance to the conditions will be monitored by the concerned Regional Office, MoEF&CC.

4.2 Laying of Under Ground Optical Fiber Cables (OFC), telephone lines, drinking water supply pipelines, electricity cables, CNG/PNG and Slurry pipelines.

General approval is accorded for the above listed projects along the roads within existing RoWs (trench size not more than two meter in depth and one meter in width) not falling in National Parks and Wildlife Sanctuaries' without felling of trees. Approval, in addition to general conditions mentioned above under para 4.1, is subject to the following specific conditions:

- No tree felling is involved for the proposed work
- After completion of the project the area under RoW should be reclaimed suitably.
- UA agrees to make good any loss to Forest/Environment.
- The UA will seek permission from the local FD for carrying out any maintenance.
- In case, the proposed area falls in the RoW of the road passing through National Parks and Wildlife Sanctuaries, General Approval is subject to requisite permissions from the State Board for Wildlife shall be obtained.
- In case, the proposed area falls in the RoW of the road passing through Tiger Reserves, General Approval is subject to requisite permissions from the National Board for Wildlife/NTCA shall be obtained.

4.3 Critical development initiatives for public

General approval for diversion of forest area for the development of following critical public utility and welfare projects:

- a. Schools/Educational Institutes;
- b. Dispensary/hospital;
- c. Electric and telecommunication lines;
- d. Drinking water;
- e. Water/rainwater harvesting structures;
- f. ~~Minor irrigation canal;~~
- g. Non-conventional sources of energy;
- h. Skill up-gradation / vocational training center;
- i. Power sub stations;
- j. Communication posts;
- k. Construction/widening of roads including approach road to roadside establishments
- l. Upgradation/strengthening/widening of existing bridges by BRO
- m. Police establishments like police stations /outposts /border outposts /towers in sensitive areas (identified by Ministry of Home Affairs)
- n. Government approved community toilets partly or fully in forest lands involving not more than one-hectare subject to approval by GP in rural areas and urban bodies in urban areas, and
- o. Water mills

4.3.1 This approval, (in addition to general conditions mentioned above in para – 4.1) is subject to following conditions:

- (a) Area not more than one hectare, in each case.
- (b) The area shall not involve felling of more than 50 trees per/ha. In case the area to be diverted is less than 1 ha, then permissible tree felling limit, within the area to be diverted, shall be worked out proportionately. In any case, if the number of trees to be felled is less than 10, irrespective of the area to be diverted, within the limit of 1 ha,

3909

ccF (Hoclat)

Government of India
Ministry of Environment Forests & Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan
Jor Bagh Road, Aliganj
5th Floor, Agni Wing
New Delhi-110003
Dated: 27th July, 2020

The Principal Secretary (Forests)
All States/UTs

Ad 50/100
Sub: Clarification regarding guidelines for diversion of forest land for non-forest purpose as per the general approval, under Section-2 of the Forest (Conservation) Act, 1980, for laying of underground CNG/PNG and Slurry pipelines-reg.

Sir,

I am directed to refer to the representation received from the Government of Punjab through Regional Office Chandigarh vide letter no. 1-2Misc/2019-ROC dated 08.01.2020 on the above mentioned subject and to inform that the matter was considered by the Forest Advisory Committee (FAC) in its meeting held on 23.04.2020.

2. FAC observed that as per existing guidelines dated 28.03.2019, condition mentioned in Para 4.1 (f) is also applicable on the proposals mentioned in Para 4.2. It further observed that laying of underground CNG/PNG and Slurry pipelines in RoW of the existing road is an activity being taken up in forest area which is already under non forest use.

3. After thorough deliberation on the issue, FAC recommended that CA may not be levied in case of laying of underground Optical Fiber Cables (OFC), telephone lines, drinking water supply pipelines, electricity cables, CNG/PNG and Slurry pipelines within the RoW of existing roads (trench size not more than two meter in depth and one meter in width) not falling in National Parks and Wildlife Sanctuaries without felling of trees.

4. In view of the above, Para 4.2 of the Comprehensive Guidelines issued on 28.03.2019 may be read as:

Laying of Underground Optical Fiber Cables (OFC), telephone lines, drinking water supply pipelines, electricity cables, CNG/PNG and Slurry pipelines. General approval is accorded for taking up these projects within RoW of existing roads (trench size not more than two meter in depth and one meter in width) not falling in National Parks and Wildlife Sanctuaries' without felling of trees. Approval, in addition to general conditions mentioned above under para 4.1 (except condition "f"), subject to the following specific conditions:

- No tree felling is involved for the proposed work
- After completion of the project the area under RoW should be reclaimed suitably.
- UA agrees to make good of any loss to Forest/Environment.

- d. The UA will seek permission from the local FD for carrying out any maintenance.
- e. In case, the proposed area falls in the RoW of the road passing through National Parks and Wildlife Sanctuaries, General Approval is subject to prior permissions from the State Board for Wildlife.
- f. In case of project involve tree felling, ten trees for each tree marked for removal shall be planted at the cost of user agency in consultation with the local forest department.

This issues with the approval of the competent authority.

Your faithfully,

(Sandeep Sharma)
Asst. inspector General of Forests

Copy to:

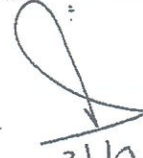
1. The PCCF (HoFF), Department of Forest, All States/UTs.
2. The DDGFs(Central), MoEF&CC, All Regional Offices.
3. The Nodal officer (FCA), Department of Forest, All states/UTs.
4. Monitoring cell of FC Division with request to upload on PARIVESH portal

केवल ई-मेल द्वारा

कार्यालय, मुख्य वन संरक्षक/नोडल अधिकारी, उत्तर प्रदेश, लखनऊ।
पत्रांक- 233 /11-सी-गाइडलाइन, लखनऊ, दिनांक: जुलाई 31, 2020

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

1. समस्त मण्डलीय मुख्य वन संरक्षक, उ०प्र०।
2. समस्त वन संरक्षक/क्षेत्रीय निदेशक, उ०प्र०।
3. समस्त प्रभागीय वनाधिकारी/निदेशक, उ०प्र०।


317
(पंकज मिश्र)
मुख्य वन संरक्षक/नोडल अधिकारी,
उ०प्र०, लखनऊ।

Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Jor Bag Road, Aliganj,
New Delhi - 110003.

Dated: 28th October, 2021

03rd November

To

The Regional Officer,
Integrated Regional Office,
MoEF&CC,
Lucknow.

Sub: Clarification regarding guidelines for diversion of forest land for non-forest purpose as per the general approval, under Section-2 of the Forest (Conservation) Act, 1980, for laying of underground CNG/PNG and Slurry pipelines - reg.

Madam/Sir,

I am directed to refer to your letter no. 618/2010-17/3000/194 dated 17/8/2021 and inform that the para 4.2 of the comprehensive guidelines dated 28.03.2019 and the guidelines issued by the MoEF&CC vide letter no. 11/165/2019-FC dated 27.07.2020 do not refer to any restriction on the maximum area.~

This issue with the approval of competent authority.

Yours sincerely,

Sd/-

(Suneet Bhardwaj)

Asst. Inspector General of Forests

Copy to:

1. The Principal Secretary (Forests), Department of Environment, Forest & Climate Change, Government of Uttar Pradesh, Lucknow.
2. The PCCF & HoFF, Department of Forest and Wildlife, Government of Uttar Pradesh, Lucknow;
3. The Nodal Officer, (FCA), O/o PCCF, Government of Uttar Pradesh, Lucknow;
4. The Manager, Torrent Gas, 14 km Milestone, NH-24, Moradabad, Uttar Pradesh-244001.

कार्यालय मुख्य वन संरक्षक/नोडल अधिकारी, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, उ०प्र०, लखनऊ।

पत्रांक- 1458 /11-सी-गाइडलाइन, लखनऊ, दिनांक: नवम्बर 08, 2021

प्रतिलिपि- निम्नलिखित अधिकारियों को उपरोक्तानुसार सूचनार्थ एवं आवश्यक अग्रेत्तर कार्यवाही हेतु प्रेषित है:-

1. समस्त मण्डलीय/जोनल मुख्य वन संरक्षक, उ०प्र०।
2. समस्त वन संरक्षक/क्षेत्रीय निदेशक, उ०प्र०।
3. समस्त प्रभागीय वनाधिकारी/निदेशक, उ०प्र०।

(अनुपम गुप्ता)

मुख्य वन संरक्षक/नोडल अधिकारी,
उ०प्र०, लखनऊ।



भारत सरकार

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय

एकीकृत क्षेत्रीय कार्यालय, लखनऊ

Ministry of Environment, Forest & Climate Change

Integrated Regional Office, Lucknow

केन्द्रीय भवन, पंचम गंग, मेनदर-गंग, अलीगंज, लखनऊ-226024
Email: roez.lko-mef@gov.in, goimofrelko@gmail.com



पत्रावली सं० II विविध/818/2010-17/उ०प्र० 1194

दिनांक : 17.08.2021

सेवा में,

अतिरिक्त वन महानिदेशक,
पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय,
इन्दिरा पर्यावरण भवन, जोरबाग रोड,
अलीगंज, नयी दिल्ली -110003

विषय : भारत सरकार द्वारा वन भूमि के गैर वानिकी प्रयोग हेतु सामान्य स्वीकृति आदेश में आच्छादित प्रकरणों को वन संरक्षण अधिनियम, 1980 के अन्तर्गत जारी दिशा निर्देशों के अध्याय-4 के प्रस्तर 4.2 के सम्बन्ध में दिशा निर्देश।

सन्दर्भ : उत्तर प्रदेश शासन का पत्र संख्या- 1004/81-2-2021-800(81)/2021, दिनांक 04.08.2021।

महोदय,

भारत सरकार द्वारा वन संरक्षण अधिनियम, 1980 के अन्तर्गत जारी दिशा निर्देशों की हैण्डबुक में अंकित अध्याय 4 के अन्तर्गत "General Approval" से अतिच्छादित विभिन्न श्रेणियों के प्रस्तावों जिनमें 1.00 हे० तक की वन भूमि शामिल है, के प्रस्तावों को राज्य सरकार द्वारा अनुमोदित किया जाता है। भारत सरकार द्वारा वन संरक्षण अधिनियम, 1980 के अन्तर्गत जारी दिशा निर्देशों की हैण्डबुक के अध्याय-4 के प्रस्तर 4.2 एवं भारत सरकार द्वारा जारी दिशा-निर्देश दिनांक 27.07.2020 को लेकर राज्य सरकार भ्रम की स्थिति में है।

राज्य सरकार के अनुसार उक्त हैण्डबुक के अध्याय-4 के प्रस्तर 4.2 के अनुसार अनुमोदित किए जाने वाले विभिन्न श्रेणियों के प्रस्तावों के साथ साथ सी०एन०जी०/पी०एन०जी० पाईप लाईन विधाय जाने वाले प्रस्तावों में प्रत्यावर्तित वन भूमि के अधिकतम क्षेत्रफल की जानकारी नहीं दी गयी है। अतः इस सम्बन्ध में कृपया स्थिति स्पष्ट करें ताकि राज्य सरकार को तदनुसार प्रस्ताव में आगामी प्रक्रिया करने के आदेश निर्गत किये जा सकें।

Adso/M.C.

secf/moda
A.O.
24/08/21

संलग्नक (उपरोक्तानुसार)

प्रतिलिपि (अणु डाक द्वारा)

1. सचिव, उ०प्र० शासन, लखनऊ, अणु डाक का पता- secforest-up@nic.in
2. नोडल अधिकारी, उ०प्र० लखनऊ, अणु डाक का पता- ccfnodalup@gmail.com
3. महानिरीक्षक, एफ०सी० डिवाजन, नयी दिल्ली, अणु डाक का पता- igrc-mef@nic.in
4. आदेश पत्रावली।

भवदीया:

17.08.2021

(डा० प्राची गंगवार)
उप वन महानिरीक्षक (के०)

(डा० प्राची गंगवार)
उप वन महानिरीक्षक (के०)