

F. No. 8-24/2017-FC  
Government of India  
Ministry of Environment, Forests and Climate Change  
(FC Section)

Indira Paryavaran Bhawan,  
Aliganj, Jor Bag Road,  
New Delhi - 110003.  
Dated: 25<sup>th</sup> September, 2017

To,

The Principal Secretary (Forests),  
Government of Uttar Pradesh,  
Lucknow.

**Sub: Diversion of 209.807 ha of reserved forest land for construction Bhaunrat Dam in Lalitpur District, Uttar Pradesh.**

Sir,

I am directed to refer to the Government of Uttar Pradesh letter No. P-187/14-2-2016-800(195)/2016 dated 20.01.2017 on the above subject seeking prior approval of the Central Government under Section- 2 of the Forest (Conservation) Act, 1980. After examination of the proposal and the Site Inspection Report done by Regional Office, Lucknow, following observation revealed:

- (i) The CAT Plan with cost structure duly approved by the competent authority is not given.
- (ii) It is mentioned in the part-I of Form A that there is a displacement of 311 families, but approved R&R plan is not given with the proposal.
- (iii) Two cost benefit ratios are given. The revised cost benefit analysis are required as per Ministry's guideline no. 7-69/2011-FC (Pt.) dated 01.08.2017.
- (iv) The then CCF (Central Zone), Regional Office, MoEF&CC, Lucknow vide his letter no. 8A/UP/01/1168/2013/402 dated 9<sup>th</sup> September 2013 informed about violation of FCA 1980 to Principal Secretary (Forest) indicating that 90% of construction work of Bhairat Dam which is proposed on non- forest land has been completed and the user agency has not submitted forest diversion proposal of 200.926 ha after passing of more than 5 years. The factual report in this regard is required to consider the proposal.
- (v) The compliance on Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 does not contain the gram sabha resolutions duly signed by the respective villagers. /
- (vi) The compensatory afforestation has been proposed over 209.807 ha, equivalent to extent forest land proposed for diversion, in community land (gram sabha). It may be clarified whether this land shall be transferred and mutated in favour of State Forest, Department.
- (vii) The Shape file provided for proposed diversion and sites for CA purpose has been examined through DSS cell and found following shortcomings:
  - (a) All proposed CA sites are found characterized with Human encroachment like Road, Settlements, Agricultural land etc.

(b) The legal status of proposed CA land cannot be ascertained through DSS portal due to unavailability of Recorded forest boundary for the Uttar Pradesh state.

(c) The instant proposal meant for diversion of 209.807 ha of forest land but area found through software calculation is 214.18 ha on submitted KML/ Shapefile. Therefore, there is discrepancy of 4.38 ha area observed between forest land applied for diversion and submitted KML/shapefile of forest land proposed for diversion.

In view of above, the State Government is requested to submit the information/documents/ clarification as indicated above for further consideration of the proposal.

Yours faithfully,



(Sandeep Sharma) 25.9.17

Assistant Inspector General of Forests (FC)

Copy to:-

1. The Principal Chief Conservator of Forest, Government of Uttar Pradesh, Lucknow
2. The Nodal Officer, O/o of the PCCF, Government of Uttar Pradesh, Lucknow.
3. The Addl. Principal Chief Conservator of Forests (Central), Regional Office, Lucknow.
4. User Agency.
5. Monitoring Cell, FC Division, MoEF, New Delhi.
6. Guard File.



(Sandeep Sharma) 25.9.17

Assistant Inspector General of Forests (FC)