

Government of Delhi

Online Proposal No.:
FP/DL/ROAD/409016/2022



Dated: 03/07/2023

To,

The Executive Engineer CD-I
Irrigation and Flood Control Department
Govt. of NCT of Delhi
Basaidarapur office complex
New Delhi-110027

Subject: Proposal for diversion of 0.0719 ha deemed forest land for construction of six lane RCC bridge on downstream of existing bridge on Chhawla Najafgarh Road by I&FCD under West Forest Division. reg. Proposal No: FP/DL/ROAD/409016/2023

Sir/Madam,

I am directed to refer to the online proposal no. FP/DL/ROAD/409016/2023 dated 06.01.2023 on the above-mentioned subject seeking prior approval of the Government of NCT of Delhi under section 2 of the Forest (Conservation) Act, 1980. After careful consideration of the proposal, I am directed to convey that the “In-Principle” approval of the Government of NCT of Delhi under section-2 of the Forest (Conservation) Act, 1980, as per “General Approval of MoEF&CC vide 4.3(k) of the handbook of guidelines under FCA, 1980”, is granted for diversion of diversion of 0.0719 ha deemed forest land for construction of six lane RCC bridge on downstream of existing bridge for road widening on Chhawla Najafgarh Road by I&FCD under West Forest Division by Irrigation and Flood Control Department, subject to the fulfillment of the following conditions:

1. General Conditions

Sr. No	Conditions
1.1	Legal status of the diverted forest land shall remain unchanged
1.2	The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required
1.3	No labour camp shall be established on the forest land
1.4	The forest land shall not be used for any purpose other than that specified in the proposal
1.5	The layout plan of the proposal shall not be changed without the prior approval of the Central Government
1.6	The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government

Sr. No	Conditions
1.7	No damage to the flora and fauna of the adjoining area shall be caused
1.8	The State Government shall complete settlement of rights, in terms of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any, on the forest land to be diverted in accordance with the relevant guidelines issued by the MoEF
1.9	The User Agency shall submit six monthly self-compliance reports as on 1st January and 1st July of every year to this office as well as to the Nodal Officer of the State
1.10	Any other condition that the concerned Regional Office of this Ministry may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife
1.11	The User Agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project
1.12	Grant of working permission to the extant proposal may be considered by the State Government in accordance with the provisions as contained in the MoEF&CC's Guidelines dated 28.08.2015
1.13	Forest land will be handed over only after compensatory levies are deposited by the User Agency in the CAMPA fund.
1.14	Compensatory afforestation of 100 saplings shall be taken up by the Forest Department over forest land at Khasra No. 48/14, Village-Ujjwa at the cost of the user agency. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided.
1.15	The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of fence if required on the CA land shall be deposited in advance with the Forest Department by the project authority. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.
1.16	The User Agency shall deposit the Net Present Value (NPV) for the 0.0719 ha forest area to be diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 30/10/2002, 01/08/2003, 28/03/2008, 24/04/2008 and 09/05/2008 in IA No. 566 in WP (C) No. 202/1995 and as per the guidelines issued by the Ministry vide letters No. 5-1/1998-FC (Pt.II) dated 18/09/2003, as well as letter No. 5-2/2006-FC dated 03/10/2006 and 5-3/2007-FC dated 05/02/2009 in this regard.
1.17	Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect.
1.18	The felling of trees shall be restricted to 08 nos., as listed in the proposal.
1.19	All the funds received from the user agency under the project shall be transferred/ deposited to CAMPA fund only through e-portal.
1.20	Sufficient alternate fuel, shall be provided by the User Agency to the labourers if required.

Sr. No	Conditions
1.21	The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Dy. Conservator of Forests.
1.22	No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
1.23	Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF&CC Guideline F. No. 11-42/2017-FC dt 29/01/2018.
1.24	Any other condition that the Ministry of Environment, Forests & Climate Change/ Department of Forests & Wildlife, Govt. of NCT of Delhi may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.
1.25	The working permission may be granted by the concerned Dy. Conservator of Forests/ Competent Authority as per para 11.2 of the guidelines under Forest (Conservation) Act, 1980.
1.26	The compliance report shall be uploaded on e-portal (https://parivesh.nic.in/).

2. Standard conditions

3. Specific Conditions

After receipt of the compliance report on the fulfillment of the conditions mentioned above, the proposal shall be considered for final approval under section 2 of the Forest (Conservation) Act, 1980. Transfer of forest land shall not be affected till final approval is granted by the Government in this regard.

Copy To

1. PS to Pr. Secretary, Govt. of NCT of Delhi, Delhi Secretariat, New Delhi-02.
2. PS to PCCF, Department of Forests & Wildlife, Govt. of NCT of Delhi.
3. DCF (West), Department of Forests & Wildlife, Govt. of NCT of Delhi.