



सत्यमेव जयते

भारत सरकार  
GOVERNMENT OF INDIA  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE  
CHANGE



एकीकृत क्षेत्रीय कार्यालय, जयपुर / Integrated Regional Office,  
Jaipur

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File No. 8 बी/दिल्ली/07/7/2021/FC/79

Date: 14<sup>th</sup> October, 2021

सेवामें,  
प्रमुख सचिव (वन एवं पर्यावरण)  
राष्ट्रीय राजधानी क्षेत्र, दिल्ली सरकार  
आई० पी० इस्टेट,  
दिल्ली।

(Online Proposal No: FP/DLI/Rail/145310/2021)

**विषय:** Diversion of 2.396 ha forest land for raising of guide bund over river Yamuna by Northern Railways-reg.

सन्दर्भ: पर्यावरण, वन एवं जलवायु परिवर्तन, नई दिल्ली का पत्रांक-14/एफसीए/उत्तर रेलवे/2021 -22/5792,  
दिनांक-11.10.2021.

महोदय,  
कृपया उपरोक्त विषय का आशय ग्रहण करने का कष्ट करें। प्रश्नगत प्रकरण में राज्य सरकार/वन विभाग द्वारा विषयांकित प्रस्ताव पर केन्द्र सरकार से वन (संरक्षण) अधिनियम, 1980 की धारा-2 के तहत स्वीकृति माँगी गयी थी।

प्रकरण के परीक्षणोपरान्त इस कार्यालय के समसंख्यक पत्र दिनांक 06.10.2021 द्वारा कतिपय बिन्दुओं पर आवश्यक जानकारी चाही गयी थी जिसकी अनुपालना राज्य वन विभाग के पत्र संख्या 14/एफसीए/उत्तर रेलवे/2021-22/5792 दिनांक 11.10.2021 के माध्यम से इस कार्यालय में प्रेषित की गयी है। प्रस्तुत अनुपालना के अवलोकन के पश्चात् केन्द्र सरकार उपरोक्त विषयांकित परियोजना हेतु 2.396 हे० वनभूमि के प्रत्यावर्तन एवं 1339 वृक्षों (856 पोल्ट, 483 वृक्ष) के पातन की सैद्धान्तिक स्वीकृति (In-principle/Stage-I approval) निम्नलिखित शर्तों पर प्रदान करती है:

1. Legal status of the forest land shall remain unchanged.
2. Forest land will be handed over only after required non-forest land for the project is handed over to the user agency.
3. Compensatory Afforestation (CA) shall be taken up by the Forest Department over 2.11 ha non-forest land of Master Plan Green, Sector-29, Dwarka, Delhi 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.
4. The non-forest land proposed for CA shall be transferred and mutated in the name of Forest Department and notified as RF/PF prior to Stage-II approval. A copy of original notification declaring the non-forest land under Section-4 or Section-29 of the Indian Forest Act, 1927 or under the relevant section of the State Forest Act as the case may be, will be submitted by the State Government prior to Stage-II approval.
5. Forest land will be handed over only after required non-forest land for the project is made available to the user agency for plantation purpose.
6. The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars if required on the compensatory afforestation land shall be deposited in advance

*Amma*  
14/10/2021



- with the Forest Department by the project authority. The compensatory afforestation will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.
7. The State Government shall charge the Net Present Value (NPV) for the 2.396 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.
  8. 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.
  9. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
  10. No violation of FCA certificate from concerned DFO shall be provided.
  11. Speed regulating signage will be erected along the railway line at regular intervals in the Protected Areas/ Forest Areas.
  12. The user agency shall provide suitable under/over passes in Protected Area/ Forest Area as per recommendations of CWLW/NBWL/FAC/REC.
  13. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.
  14. The layout plan of the proposal shall not be changed without prior approval of Central Government.
  15. No labour camp shall be established on the forest land.
  16. Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.
  17. The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.
  18. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
  19. The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less.
  20. The forest land shall not be used for any purpose other than that specified in the project proposal.
  21. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India.
  22. The KML file of the area to be diverted, the CA areas, the proposed SMC work, the proposed Catchment Area Treatment area and the WLMP area shall be uploaded on the e-Green watch portal with all requisite details, before issuing working permission towards linear projects or submitting compliance report for seeking Stage-II approval, as the case may be.
  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.
  24. Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.
  25. All the funds received from the user agency under the project shall be transferred/ deposited to CAMPA fund only through e-portal (<https://parivesh.nic.in/>).
  26. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).

*[Signature]*  
14/10/2021

After receipt of compliance report on fulfilment of all of the above conditions from the State Government, proposal will be considered for final/Stage-II approval under Section-2 of the Forest (Conservation) Act, 1980, by this office.

The order for transfer of forest land to user agency shall not be issued by the State Government till final approval order for diversion of forest land is issued by Government of India.

(श्रवणकुमारवर्मा)  
उप वन महानिरीक्षक (केन्द्रीय)

प्रतिलिपि : ( ई-मेल द्वारा)

1. प्रधान मुख्य वन संरक्षक वन एवं वन्यजीव विभाग, ए-ब्लॉक, द्वितीय तल, विकास भवन, आई०पी० इस्टेट, नई दिल्ली-110002.
2. मुख्य वन संरक्षक एवं नोडल अधिकारी (वन संरक्षण) अधिनियम, 1980, वन एवं वन्यजीव विभाग, ए ब्लॉक, द्वितीय तल, विकास भवन, आई०पी० इस्टेट, नई दिल्ली-110002.
3. उप वन संरक्षक, मध्य, कमला नेहरू रिज, दिल्ली-110007 एवं उप वन संरक्षक (पश्चिम), मंदिर लेन दिल्ली-110060.
4. पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, क्षेत्रीय कार्यालय, लखनऊ को वेबसाइट पर अपलोडिंग हेतु/आदेश पत्रावली।