

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH AT NEW DELHI  
(Under Section 16(e) National Green Tribunal Act, 2010 and  
Section 2A of the Forest (Conservation) Act, 1980)  
Appeal No. 29 of 2021**

**IN THE MATTER OF:**

**CITIZENS FOR GREEN DOON**

**...Appellant**

**VERSUS**

**UNION OF INDIA AND ORS.**

**...Respondents**

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Advocate for Respondent No- 01

  
Shri Gigi George  
ADVOCATE  
FOR

MINISTRY OF ENVIRONMENT  
FOREST AND CLIMATE CHANGE

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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
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**CITIZENS FOR GREEN DOON**

**...Appellant**

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**UNION OF INDIA AND ORS.**

**...Respondents**

**COUNTER AFFIDAVIT ON BEHALF OF RESPONDENT NO –  
01.**

**MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE  
CHANGE, (UNION OF INDIA).**

**MOST RESPECTFULLY SHOWETH:**

I, Abhijit Roy, aged about 55 years, S/o Shri B.R. Roy, working in the Ministry of Environment, Forest & Climate Change, Government of India, do hereby, solemnly affirm and state as follows: -

1. That I am working as Under Secretary, in the Ministry of Environment, Forest & Climate Change (MoEF&CC), New Delhi in the above mentioned matter, I am conversant with the facts and circumstances of the case on the basis of official records, and have been duly authorized to swear this affidavit on behalf of the RESPONDENT No- 01.



2. That I have perused the contents of the application filed by the applicant and I am duly authorized to depose by way of the present affidavit. At the outset, I deny all the allegations by the applicant against the Answering Respondent except those that are specifically admitted herein.

### STATEMENT OF FACTS

3. It is humbly submitted that 'land' is a subject matter of the State Government. The forest areas and the legal boundaries thereof are determined and maintained by the concerned State Government. That being the repository of land records, State Government has the primary responsibility to determine status of any parcel of land, giving due regard to the gazette notifications, provisions under State and Central Acts and judgements and directions of the Hon'ble Supreme Court.

4. That the prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 ("FC Act" for short) is required for carrying of any non-forestry activity in the forest land.

5. That the Integrated Regional Office, Lucknow of MoEF&CC received a proposal for the diversion of 47.7054 ha of forest land, which involves felling of 5354 trees and 3234 saplings, vide letter dated



23.11.2020 for widening of road and construction of elevated road in Saharanpur District from the Government of Uttar Pradesh. (The copy of letter dated 23.11.2020 is annexed as **Annexure. No. R-1**)

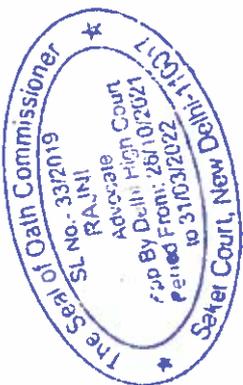
6. That while considering the proposal, certain information/query was sought by the Integrated Regional Office, Lucknow of MoEF&CC vide letter dated 26.11.2020 which needed to be resolved by the Government of Uttar Pradesh.

i. Area Statement/Land Schedule, cost benefit analysis and muck disposal scheme are not approved/certified by DFO (Divisional Forest Officer). Certified copies need to be submitted.

ii. Copy of NBWL (National Board for Wildlife) clearance is required to be submitted. (The copy of letter dated 26.11.2020 is annexed as **Annexure. No. R-2**)

7. That the Government of Uttar Pradesh vide letter dated 02.12.2020 complied the said information/queries which was sought by the MoEF&CC, IRO, Lucknow. (The copy of letter dated 02.12.2020 is annexed as **Annexure. No. R-3**)

8. That the proposal was placed before the Regional Empowered Committee ("REC" for short) of Integrated Regional Office, Lucknow of MoEF&CC on 23.12.2020 and the REC, after due deliberation, has



4.

accorded In- principle approval under the provisions of Forest (Conservation) Act, 1980 vide letter dated 24.12.2020. Moreover, an additional condition was imposed in the In-Principle Approval: “As far as possible maximum number of trees shall be translocated by the user agency, according to a detail scheme for translocation of suitable plants, prepared in consultation with State Forest Department and the cost for the same shall be borne by the user agency.” (Copy of letter dated 24.12.2020 is annexed as **Annexure. No. R-4**)

9. That the Government of Uttar Pradesh vide letter dated 24.06.2021 submitted the compliance of the In-principle approval to the MoEF&CC, IRO, Lucknow. (The copy of letter dated 24.06.2021 is annexed as **Annexure. No. R-5**)

10. Thereafter the compliance report submitted by the State Government was examined in the IRO Lucknow and after due deliberation, IRO Lucknow vide letter dated 20.07.2021 accorded Stage II Approval for diversion of 47.7054 ha. of forest land under the provisions of Forest (Conservation) Act, 1980. (The copy of letter dated 20.07.2021 is annexed as **Annexure. No. R-6**)

11. That the Integrated Regional Office, Dehradun of MoEF&CC received a proposal vide dated 31.08.2020 from Government of Uttarakhand seeking diversion of 9.6224 hectare of forest land in favor



of NHAI-PIU for the Improvement, upgradation and construction of Ganeshpur-Dehradun road (NH-72A) in the State Uttarakhand (Km 16.115 to Km 19.746) to 4 lane configuration in District Dehradun Uttarakhand. (The copy of Government of Uttarakhand letter dated 31.08.2020 is annexed as **Annexure-No. R -7.**)

12. That a joint inspection of the proposed area was carried out by the official of Forest Department Uttarakhand and Project Director, NHAI on 17.07.2020. According to the joint inspection report, the total numbers of 2572 trees will be felled on the proposed land for the project. (The copy of the joint inspection report dated 17.07.2020 is annexed as **Annexure-No. R-8.**)

13. That the IRO Dehradun vide letter dated 16.09.2020 has raised a query that whether the proposed area is part of Rajaji National Park/Protected Area. In response to this, the State Government vide letter dated 21.09.2020 submitted that the proposal in question is not part of Rajaji National Park. The proposed project falls in the Eco Sensitive Zone ('ESZ' for short) of Rajaji National Park and a separate proposal was sent by the State Government seeking clearance of NBWL (National Board for Wildlife) on the instructions of the Government of India, New Delhi. (The copy of letter dated 16.09.2020



& response letter dated 21.09.2020 is annexed as **Annexure-No. R-09**).

14. It is submitted that the above mentioned proposal was for the diversion of 9.6224 hectare of forest land for improvement, upgradation and construction of Ganeshpur-Dehradun (NH-72A) (Km 16.115 to Km 19.746) to 4 lane configuration in District Dehradun Uttarakhand. As per the Performa-13 enclosed with the proposal, submitted by NHAI/PIU- Dehradun, that in comparison to other two (02) alignment proposed for the said project, the Option 3, that is the instant proposal of road alignment will reduce length, avoid huge hill cutting and generate less muck & disposal. Further, it comparatively facilitates a smaller number of trees removal with minimum forest land diversion and enables safe passage of wild animals. (The copy of Performa-13 is annexed as **Annexure-No. R-10**).



15. It is pertinent to mention here that the proposal was discussed in the Regional Empowered Committee (REC) of Integrated Regional Office, Dehradun (Office of the answering respondent) held on 24.09.2020. During the discussion, the REC noted that in all 2572 trees including 24 saplings are proposed to be felled in the project. It is also noted that

the forest land proposed for diversion is located within 1 km of Protected Area but no rare and endangered species of flora and fauna have been reported in the area proposed for diversion. Regarding the movement of elephants in that area, it was informed that a sufficient passage plan has File No.10-37/2021-ROHQ already been provided in the proposal. It was informed that the proposed alignment had minimum number of affected trees which was meeting the requirement of the project. After detailed discussion and deliberation on various aspects of the proposal, the REC decided to accord Stage- I (In-Principle) approval for diversion of forest land. That the IRO, Dehradun vide letter dated 29.09.2020 had issued Stage-I (In-Principle) approval to the project subject to the fulfilment of conditions stipulated therein. The copy of the Stage-I (In-Principle) approval letter dated 29.09.2020 is annexed as **Annexure-No. R-11**).

16. That, according to the National Tiger Conservation Authority (NTCA) the road falls outside the Rajaji Tiger Reserve but the alignment passes along the western boundary of Rajaji Tiger Reserve. Further, the proposed road does not pass through any delineated Tiger Corridor. The recommendation under Section 38 (O) (1) (g) of the Wild Life (Protection) Act, 1972 is not mandatory in this case. Moreover, the user agency (NHAI) has been advised to take appropriate mitigation



measures for maintaining the habitat connectivity and animal passage as suggested by the Chief Wild Life Warden (CWLW), Uttarakhand. (The copy conditions imposed by the NTCA and CWLW, Uttarakhand are annexed as **Annexure-No. 12**).

17. It is pertinent to submit here that the proposal of improvement, upgradation and construction of Ganeshpur-Dehradun road (NH72A) in the State of Uttarakhand (km 16.115 to 19.746) to 4 lane configurations was also recommended by the Standing Committee of National Board for Wild Life in its 60th meeting held on 05th January 2021.

18. It is pertinent to mention here that on the similar issue, two writ petition (PILs) WPPIL No. 15 of 2021, titled Amit Kholia vs. Union of India 7 Ors. and WPPIL No. 79 of 2021, titled Reenu Paul vs. Ministry of Environment, Forest & Climate Change and Ors. are pending before the Hon'ble High Court of Uttarakhand at Nainital wherein, detailed counter affidavit has been filed by the answering respondent. Both the matters are pending for adjudication. In the latest order dated 08.09.2021 passed in WPPIL No. 79 of 2021, the Hon'ble High Court of Uttarakhand had issued direction to the State Forest Department Uttarakhand. (The latest order dated 08.09.2021 passed by the Hon'ble High Court of Uttarakhand is annexed as Annexure-No. R-13).



19. That the answering respondent craves liberty to file additional affidavit, if any, till pendent lite.

20. That in view of the aforementioned facts and circumstances, this Hon'ble Court may kindly be pleased to pass appropriate order(s).

*Abhijit Roy*

**DEPONENT**

(अभिजित राय)  
(ABHIJIT ROY)  
अवर सचिव/Under Secretary  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
M/o Environment, Forest and Climate Change  
भारत सरकार, नई दिल्ली  
Govt. of India, New Delhi

*Q*  
I Identify The Deponent who has Signed/Put His Presence  
The Seal of Oath  
Saket Court, New Delhi  
66 VERIFICATION

I, the above named deponent do hereby verify that the contents of the above affidavit are true and correct to my knowledge and are based on official records and nothing material is concealed therein.

Verified at New Delhi on this 30<sup>th</sup> Day of November, 2021.

30 NOV 2021

*Abhijit Roy*

**DEPONENT**

(अभिजित राय)  
(ABHIJIT ROY)  
अवर सचिव/Under Secretary  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
M/o Environment, Forest and Climate Change  
भारत सरकार, नई दिल्ली  
Govt. of India, New Delhi

CERTIFIED THAT THE DEPONENT  
Shri/Smt. *Abhijit Roy*  
Sic. W/o. Dio. Shri. *B.R. Ray*  
R/o.....  
Identified by Shri. *G.G.C. George*  
has solemnly affirmed that the contents of this affidavit  
on.....  
which has been read over to him and he has declared that the contents  
& correct to his knowledge.  
30 NOV 2021  
Oath Commissioner, New Delhi

30 NOV 2021

संख्या-पी-113/81-2-2020-800(120)/2020

प्रेषक,

आशीष तिवारी,  
विशेष सचिव,  
उ०प्र० शासन।

सेवा में,

उप वन महानिरीक्षक (केन्द्रीय),  
भारत सरकार पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय,  
क्षेत्रीय कार्यालय, केन्द्रीय भवन, पंचम तल,  
सेक्टर एच अलीगंज विस्तार,  
उ०प्र० लखनऊ।



पर्यावरण, वन एवं जलवायु परिवर्तन अनुभाग-2

लखनऊ, दिनांक 23 नवम्बर, 2020

विषय- जनपद सहारनपुर में शिवालिक वन प्रभाग, सहारनपुर के क्षेत्रान्तर्गत राष्ट्रीय राजमार्ग संख्या-72ए (गणेशपुर से डाट काली मन्दिर तक) किमी० 16.00 से 33.000 (नया चैनैज 0.000 से 16.180 तक) सड़क चौड़ीकरण एवं एलीवेटेड रोड़ निर्माण हेतु 47.7054 हे० वनभूमि (5.1893 हे० संरक्षित वनभूमि एवं 42.5161 हे० आरक्षित वनभूमि) का वन संरक्षण अधिनियम 1980 के अन्तर्गत गैरवाणिकी प्रयोग एवं 8588 बाघक वृक्षों एवं पौधों (5354 वृक्षों एवं 3234 पौधों) के पातन की अनुमति के सम्बन्ध में।

(प्रस्ताव संख्या-एफपी/यूपी/Road/45282/2020)

महोदय,

उपर्युक्त विषयक मुख्य वन संरक्षक/नोडल अधिकारी, उ०प्र० लखनऊ के पत्रांक-1179/11 सी-एफपी/यूपी/रोड/45282/2020, दिनांक 18.11.2020 (प्रति संलग्न) के सन्दर्भ में मुझे यह कहने का निदेश हुआ है जनपद सहारनपुर में शिवालिक वन प्रभाग, सहारनपुर के क्षेत्रान्तर्गत राष्ट्रीय राजमार्ग संख्या-72ए (गणेशपुर से डाट काली मन्दिर तक) किमी० 16.00 से 33.000 (नया चैनैज 0.000 से 16.180 तक) सड़क चौड़ीकरण एवं एलीवेटेड रोड़ निर्माण हेतु 47.7054 हे० वनभूमि (5.1893 हे० संरक्षित वनभूमि एवं 42.5161 हे० आरक्षित वनभूमि) का वन संरक्षण अधिनियम 1980 के अन्तर्गत गैरवाणिकी प्रयोग एवं 8588 बाघक वृक्षों एवं पौधों (5354 वृक्षों एवं 3234 पौधों) के पातन की अनुमति से सम्बन्धी प्रस्ताव वन (संरक्षण) अधिनियम, 1980 के प्राविधानों के अन्तर्गत उपलब्ध कराया गया है।

2- अतएव विषयगत प्रस्ताव मूलरूप में (एक प्रति) संलग्न कर प्रेषित करते हुए अनुरोध है कि कृपया वन (संरक्षण) अधिनियम, 180 के प्राविधानों के अन्तर्गत अग्रतर आवश्यक कार्यवाही करने का कष्ट करें।

संलग्नक : प्रस्ताव की मूलप्रति।

भवदीय,

(आशीष तिवारी)  
विशेष सचिव

संख्या एवं दिनांक तदैव

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

1. मुख्य वन संरक्षक/नोडल अधिकारी, उ०प्र० लखनऊ।
2. वन संरक्षक, सहारनपुर भूत, सहारनपुर।
3. प्रभागीय वनाधिकारी, शिवालिक वन प्रभाग, सहारनपुर।
4. परियोजना निदेशक, राष्ट्रीय राजमार्ग प्राधिकरण, परियोजना कियान्वयन इकाई (पी०आई०यू०), देहरादून, मकान नं० 5, लेन नं० 4, रोगबहादुर रोड, देहरादून (उत्तराखण्ड)
5. गार्ड फाइल।

24/11/2020

24/11

आज्ञा से,

(आशीष तिवारी)  
विशेष सचिव



भारत सरकार  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
एकीकृत क्षेत्रीय कार्यालय, लखनऊ  
Ministry of Environment, Forest & Climate Change  
Integrated Regional Office, Lucknow



केंद्रीय भवन, गणपति भवन, बफर-जुन, अलीगंज, लखनऊ-226024  
Kendriya Bhawan, 5<sup>th</sup> Floor, Sector-11, Aligarj, Lucknow-226024, Telefax-2326696  
Email: roc.lko-mef@gov.in, goimoflko@gmail.com

पत्र सं० ८बी/यूपी०/०६/१६०/२०२०/एफओसी०/१०५३

दिनांक : 26.11.2020

सेवा में,

प्रमुख सचिव,  
पर्यावरण, वन, पर्यावरण एवं जलवायु परिवर्तन विभाग,  
वापू भवन, उत्तर प्रदेश शासन,  
लखनऊ।

**Online Proposal No. FP/UP/Road/45282/2020**

विषय: जनपद सहारनपुर में शिवालिक वन प्रभाग, सहारनपुर के क्षेत्रान्तर्गत राष्ट्रीय राजमार्ग सं०-72ए, (गणेशपुर से डाट काली मन्दिर तक) किमी० 16.00 से 33.000 (नया चैनैज 0.000 से 16.160 तक) सड़क चौड़ीकरण एवं एलीवेटेड रोड निर्माण हेतु 47.7054 हे० वनभूमि (5.1893 हे० संरक्षित वनभूमि एवं 42.5161 हे० आरक्षित वनभूमि) का वन संरक्षण अधिनियम 1980 के अन्तर्गत गैरवाणिजी प्रयोग एवं 8588 बाघक वृक्षों एवं पौधों (6354 वृक्षों एवं 3234 पौधों) के घातन की अनुमति के सम्बन्ध में।

सन्दर्भ: विशेष सचिव(वन), उत्तर प्रदेश का पत्रांक सं०-113/81-2-2020-800(120)/2020 लखनऊ, दिनांक-23.11.2020.

महोदय,

उपरोक्त विषय का आशय ग्रहण करने का कष्ट करें। विषयवर्तित प्रकरण में राज्य सरकार द्वारा वन(संरक्षण) अधिनियम, 1980 की धारा (2) के अन्तर्गत भारत सरकार की स्वीकृति मांगी है।

प्रकरण में विचारोपरान्त मुझे आपको यह सूचित करने का निर्देश हुआ है कि निम्न बिन्दुओं पर आवश्यक सूचना इस कार्यालय को उपलब्ध कराए ताकि आगे की कार्रवाई सुनिश्चित की जा सके-

- 1- Area statement/land schedule, cost benefit analysis and muck disposal scheme are not approved/certified by DFO. Certified copies need to be submitted.
- 2- Copy of NBWL clearance is required to be submitted.

भवदीया,

*[Signature]*  
26.11.2020  
(प्रवीण गंगवार)  
उप वन महानिरीक्षक (केन्द्रीय)

प्रतिलिपि सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:

1. प्रधान मुख्य वन संरक्षक(हॉफ), वन विभाग, 17, राजा प्रताप मार्ग, लखनऊ, उ०प्र०।
2. मुख्य वन संरक्षक(वन संरक्षण) एवं नोडल अधिकारी, 17, राजा प्रताप मार्ग, लखनऊ, उ०प्र०।
3. प्रभागीय वनाधिकारी, शिवालिक वन प्रभाग, सहारनपुर।
4. परियोजना निदेशक, रा०रा०प्र०, परियोजना क्रियान्वयन इकाई (पी०आई०यू०), देहरादून, म०नं०-5, लेन नं०-4, तेगबहादुर रोड, देहरादून(उत्तराखण्ड)
5. पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, क्षेत्रीय कार्यालय, लखनऊ को वेबसाइट पर अपलोडिंग हेतु/आदेश पत्रवली।

*[Signature]*  
26.11.2020  
(प्रवीण गंगवार)  
उप वन महानिरीक्षक (केन्द्रीय)

5/c-12

संख्या-2518/81-2-2020-800(120)/2020

प्रेषक,

आशीष तिवारी,  
विशेष सचिव,  
उ०प्र० शासन।

सेवा में,

उप वन महानिरीक्षक (केन्द्रीय),  
भारत सरकार पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय,  
क्षेत्रीय कार्यालय, केन्द्रीय भवन, पंचम तल,  
सेक्टर एच अलीगंज विस्तार,  
उ०प्र० लखनऊ।



पर्यावरण, वन एवं जलवायु परिवर्तन अनुभाग-2

लखनऊ, दिनांक 02 दिसम्बर, 2020

विषय- जनपद सहारनपुर में शिवालिक वन भ्रमाग, सहारनपुर के क्षेत्रान्तर्गत राष्ट्रीय राजमार्ग संख्या-72ए, (गणेशपुर से डाट काली मन्दिर तक) किमी० 16.00 से 33.000 (नया चैनज 0.000 से 16.160 तक) सड़क चौड़ीकरण एवं एलीवेटेड रोड निर्माण हेतु 47.7054 हे० वनभूमि (5.1893 हे० संरक्षित वनभूमि एवं 42.5161 हे० आरक्षित वनभूमि) का वन संरक्षण अधिनियम 1980 के अन्तर्गत गैरवानिकी प्रयोग एवं 8588 बाघक वृक्षों एवं पौधों (5354 वृक्षों एवं 3234 पौधों) के पातन की अनुमति के सम्बन्ध में।

(प्रस्ताव संख्या-एफपी/यूपी/Road/45282/2020)

महोदय,

उपर्युक्त विषयक कृपया अपने पत्र संख्या-8वी/यूपी०/06/160/2020/एफ०सी०/1043, दिनांक 26.11.2020 का सन्दर्भ ग्रहण करें, जिसके माध्यम से आपत्तियों का निराकरण करते हुए सूचनायें उपलब्ध कराये जाने की अपेक्षा की गई है। तत्कम में मुख्य वन संरक्षक/नोडल अधिकारी, उ०प्र० लखनऊ के पत्र सं०-1281/11-सी-एफपी/यूपी/Road/45282/2020, दिनांक 01.12.2020 द्वारा आपत्तियों का निराकरण करते हुए सूचनाएं शासन को उपलब्ध करायी गई है।

2- अतएव मुख्य वन संरक्षक/नोडल अधिकारी, उ०प्र० लखनऊ के पत्र दिनांक 01.12.2020 द्वारा उपलब्ध करायी गई सूचना/अभिलेख संलग्नकर प्रेषित करते हुए मुझे यह भी कहने का निदेश हुआ है कि कृपया विषयगत प्रकरण में अग्रतर एवं आवश्यक कार्यवाही कराने का कष्ट करें।

संलग्नक : यथोक्त।

भवदीय,

(आशीष तिवारी)  
विशेष सचिव

संख्या एवं दिनांक तदैव

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

1. मुख्य वन संरक्षक/नोडल अधिकारी, उ०प्र० लखनऊ।
2. गार्ड फाइल।

आज्ञा से,

(आर० पी० सिंह)  
अनु सचिव

D.K.

6  
8/12

Forest  
9  
03/12

5323 ha

Online No.: FP/UP/ROAD/45282/2020

6-20

88/FP/06/160/2020/FC:  
 Diversion of 42.5161 Reserved Forest land and 5.1893 ha. of protected Forest Land for Improvement, upgradation and construction of Ganeshpur-Dehradun road (NH-72A) in the state of Uttar Pradesh (km.0.0 to km.16.160 and Uttarakhand (km.16.160 to km.19.785) to 4 lane configuration.

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 proposed forest land violation of Forest (Conservation) Act, 1980 is not reported (report provided at pages 248-250 of the proposal).
3. As per part II of the proposal, the proposed forest patch is not part of National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Reserve, Wildlife Migration Corridor etc.
4. As per part II of the proposal, the proposed forest patches are not located in the area having protected archaeological / heritage site / defense establishment or any other important monument and no rare endangered unique species of flora and fauna is found in the area.
5. The requirement of forest land and justification for locating the project in forest area has been provided on page No.78 of proposal.
6. The detail of forest area and number of trees is as under:

Sr. No	Administrative Unit	Area proposed for diversion			Details of tree felling	
		Details of Others Forest area (Ha.)	Details of Forest area	Total Area (Ha.)	Crown density/ Eco Class of forest land	No. of plants required to be felled
1-	Forest Division Saharanpur	42.5161	Reserved	42.5161	0.4 Eco-III	8588 (3234 poles, 5354 trees)
		5.1893	Protected	5.1893		
Total		47.7054		47.7054		3234 poles, 5354 trees Total = 8588

**Net Present Value**

Sr. No	Name of Forest Division	Forest Area (in Ha.)	NPV Rate (in Rs per ha)	Crown Density	Eco-Class	Total (Rs.)
1-	Forest Division Saharanpur	47.7054	803000/-	0.4	III	Rs. 38307436/-
Total:-						Rs. 38307436/-

Rs. 38307436/- (Rupees Three crore eighty three lakh seven thousand four hundred thirty six) only.

10000?ayypp?Ad00p?y?u000?A?A?y?A?Ayuu?Ad000p?A?A?~oupyyy?ppu?00y?A?00

The Proposal is placed before REC for consideration.

**Decision of REC:**  
 The proposal was approved on normal terms and conditions including following additional condition-  
 - As far as possible maximum number of trees shall be translocated by the user agency, according to a detailed scheme for translocation of suitable plants, prepared in consultation with the State Forest Department and the cost for the same shall be borne by the user agency.

Date:- 15.12.2020

*Approved by email*  
 Shri Kapil Arya  
 Member

*Approved by email*  
 Shri Ramji Kesarwani  
 Member

*Approved by email*  
 Shri U.M. Sahai  
 Member

Secretary (Revenue)  
 Govt. of U.P.  
 (Special Invitee)

*Approved by email*  
 Nodal Officer  
 Deptt. of Forests.  
 U.P.  
 (Special Invitee)

*[Signature]*  
 15-12-2020  
 DDC (Central)  
 Cum  
 Member Secretary  
 (REC)

*Blaryan*  
 DDC (Central) Cum  
 Chairman (REC) 23/12/2020

## Compensatory Afforestation

Sl. No.	Name of Forest Division	CA proposed in Area (Ha)	Details of CA	Total Financial Outlay for CA Scheme (Rs.)
1.	Mohanda Range Saharanpur/Shivalik FD	10 ha.	Buddhawan 1B FB	Rs.2360446/-
		10 ha.	Kaluwala FB 1B Par-I	Rs.2335168/-
		10 ha.	Kaluwala FB 1B Par-II	Rs.1898462/-
		7 ha.	Shahajahanpur 1B-p	Rs.3093332/-
		15 ha.	Shahajahanpur 1B-p	Rs.1616960/-
		5 ha.	Kaluwal comp.3B	Rs.2590500/-
		10.00	Shahajahanpur 3B	Rs.2530629/-
2.	Badkala- Range Saharanpur/Shivalik FD	18 ha.	Khairawali 2B(Gularia Soat)Part-I	Rs.4315498/-
		10 ha.	Khairawali 2B(Gularia Soat)Part-II	Rs. 2344465/-
<b>Total:-</b>		95.50 ha.		Rs. 23085460/-
<b>Total- Rs. 23085460/- (Rupees two crore thirty lakhs eighty five thousand four hundred sixty one) only.</b>				

7. The certificate of District Magistrate under Forest Right Act, 2006 is provided at page 79 of the proposal.
8. As per GIS-DSS analysis land proposed for CA is in 9 patches and net suitable area for plantation is 122.42 ha. (Page 2/c).
9. Total outlay of the proposal is Rs. 206000 Lakh
10. The details of employment generation through the proposal - Temporary-240000 mandays
11. The cost benefit analysis is provided at Page-23-29 of the proposal.

After careful examination of the proposal following clarification/additional information was sought by this office letter No 8B/UP/06/160/2020/1043 dated 26.11.2020.

- 1- Area statement/Land schedule, cost benefit analysis and muck disposal scheme are not approved /certified by DFO. Certified copies need to be submitted.
- 2- Copy of NBWL clearance is required to be submitted.
- 3- State Government by its letter No. 2518/81-2-2020 dated 02.12.2020, has submitted Area statement/Land schedule, cost benefit analysis and muck disposal scheme as certified by DFO. Regarding NBWL clearance it is informed, that the proposal has been forwarded by PCCF Wildlife to Principal Secretary, Forest UP. During the meeting, the user agency informed that clearance from State Board of Wildlife has been obtained.



भारत सरकार  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
एकीकृत क्षेत्रीय कार्यालय, लखनऊ  
Ministry of Environment, Forest & Climate Change  
Integrated Regional Office, Lucknow



केंद्रीय भवन, 5<sup>th</sup> Floor, Sector-H, Aliganj, Lucknow-226024  
Email: rocz.lko-mefca.gov.in, goimocfolkco@gmail.com

पत्र सं० 8वीं/यू0पी0/08/180/2020/एफ0सी0/1108

दिनांक : 23.12.2020

सेवा में

प्रमुख सचिव,  
पर्यावरण, वन, पर्यावरण एवं जलवायु परिवर्तन विभाग,  
वायु भवन, उत्तर प्रदेश शासन,  
लखनऊ।

**Online Proposal No. FP/UP/Road/45282/2020**

विषय: जनपद सहारनपुर में शिवालिक वन प्रभाग, सहारनपुर के क्षेत्रान्तर्गत राष्ट्रीय राजमार्ग सं०-72ए (गणेशपुर से डाट काली मन्दिर तक) किमी० 16.00 से 33.000 (नया चैनैज 0.000 से 16.180 तक) सड़क चौड़ीकरण एवं एलीवेटेड रोड निर्माण हेतु 47.7054 हे० वनभूमि (5.1893 हे० संरक्षित वनभूमि एवं 42.5161 हे० आरक्षित वनभूमि) का वन संरक्षण अधिनियम 1980 के अन्तर्गत गैरवानिकी प्रयोग एवं 8588 बाघक वृक्षों एवं पौधों (5354 वृक्षों एवं 3234 पौधों) के पातन की अनुमति के सम्बन्ध में।

सन्दर्भ: विशेष सचिव(वन), उत्तर प्रदेश का पत्रांक सं०-2518/81-2-2020-800(120)/2020 लखनऊ, दिनांक-02.12.2020.

महोदय,

उपरोक्त विषयक विशेष सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, उ०प्र० शासन के पत्रांक सं०-पी 113/81-2-2020-800(120)/2020, दिनांक 23.11.2020 का आशय ग्रहण करने का कष्ट करें जिसके द्वारा विषयवर्तित प्रकरण में वन (संरक्षण) अधिनियम, 1980 की धारा (2) के अन्तर्गत भारत सरकार की स्वीकृति मांगी थी।

प्रकरण को दिनांक 15.12.2020 को आहूत की गयी क्षेत्रीय सशक्त समिति (REC) की बैठक में (REC Agenda item 52.3-UP) शामिल किया गया था, बैठक में प्रकरण को स्वीकृति प्रदान की गयी है। क्षेत्रीय सशक्त समिति की स्वीकृति उपरान्त मुझे आपको यह सूचित करने का निर्देश हुआ है कि केन्द्र सरकार जनपद सहारनपुर में शिवालिक वन प्रभाग, सहारनपुर के क्षेत्रान्तर्गत राष्ट्रीय राजमार्ग सं०-72ए (गणेशपुर से डाट काली मन्दिर तक) किमी० 16.00 से 33.000 (नया चैनैज 0.000 से 16.160 तक) सड़क चौड़ीकरण एवं एलीवेटेड रोड निर्माण हेतु 47.7054 हे० वनभूमि (5.1893 हे० संरक्षित वनभूमि एवं 42.5161 हे० आरक्षित वनभूमि) का वन संरक्षण अधिनियम 1980 के अन्तर्गत गैरवानिकी प्रयोग एवं 8588 बाघक वृक्षों एवं पौधों (5354 वृक्षों एवं 3234 पौधों) के पातन की सैद्धान्तिक स्वीकृति निम्नलिखित शर्तों पर प्रदान करती है:-

1. Legal status of the forest land shall remain unchanged.
2. Compensatory afforestation shall be taken up by the Forest Department over 95.50 ha. degraded forest land (as detailed below) at the cost of the user agency.

Sl.No.	Name of Forest Division	CA proposed in Area (Ha.)	Details of CA
1	Mohaṇḍa Range Saharanpur/Shivalik FD	10 ha. 10 ha. 10 ha. 7 ha. 15 ha. 5 ha. 10.00	Buddhawan 1B FB Kaluwala FB 1B Par-I Kaluwala FB 1B Par-II Shahajahanpur 1B-part-I Shahajahanpur 1B-part-II Kaluwal comp.3B Shahajahanpur 3B
2	Badkala- Range Saharanpur/Shivalik FD	18 ha. 10 ha.	Khairawali 2B(Gularia Soat)Part-I Khairawali 2B(Gularia Soat)Part-II
	<b>Total</b>	<b>95.50 ha.</b>	

As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided.

*Puro*

1. 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 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.
4. The State Government shall charge the Net Present Value(NPV) for the 47.7054 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.
5. 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.
6. User agency shall restrict the felling of bare trees to minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the User Agency with the State Forest Department.
7. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
8. Strip plantation on both sides and central verge of the road shall be raised at the cost of user agency as per the IRC norms in compliance of order dated 16-11-2015 passed by Hon'ble NGT, Central zone, Bhopal in I.A. No. 27/2015(Babulal Jaju V/s Rajasthan Government).
9. Speed regulating signage will be erected along the road at regular intervals in the Protected Areas/ Forest Areas.
10. The user agency shall provide suitable under / over pass in Protected Area / Forest Area as per recommendations of CWLW / NBWL / FAC / REC.
11. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.
12. The layout plan of the proposal shall not be changed without prior approval of Central Government.
13. No labour camp shall be established on the forest land.
14. 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.
15. 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.
16. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
17. 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.
18. The forest land shall not be used for any purpose other than that specified in the project proposal.
19. 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.
20. 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.
21. 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.



As far as possible maximum number of trees shall be translocated according to a detailed scheme for translocation of suitable plants prepared in consultation with the State Forest Department and the cost for the same shall be borne by the user Agency.

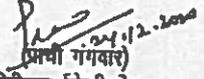
23. All the funds received from the user agency under the project shall be transferred/ deposited to CAMPA fund only through e-portal (<https://parivesh.nic.in/>).

24. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).

After receipt of compliance report on fulfillment of all of the above conditions from the State Government, proposal will be considered for final 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.

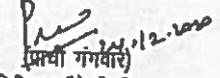
भवदीया,

  
(प्रवीण गंगुबर)

उप वन महानिरीक्षक (केन्द्रीय)

प्रतिलिपि सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:

1. प्रधान मुख्य वन संरक्षक(हॉफ), वन विभाग, 17, राणा प्रताप मार्ग, लखनऊ, उ०प्र०।
2. मुख्य वन संरक्षक(वन संरक्षण) एवं नोडल अधिकारी, 17, राणा प्रताप मार्ग, उ०प्र०, लखनऊ।
3. प्रभागीय वनाधिकारी, शिवालिक वन प्रभाग, सहारनपुर।
4. परियोजना निदेशक, रा०रा०प्र०, परियोजना क्रियान्वयन इकाई (पी०आई०यू०), देहरादून, फ०नं०-5, लेन नं०-4, तेगबहादुर रोड, देहरादून(उत्तराखण्ड)
5. पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, क्षेत्रीय कार्यालय, लखनऊ को अपलोडिंग हेतु/आदेश पत्रावली।

  
(प्रवीण गंगुबर)

उप वन महानिरीक्षक (केन्द्रीय)

554977/2021/ROHQ

554977/2021/ROHQ

संख्या-B14/81-2-2021-800(120)/2020

प्रेषक,

आशीष तिवारी,  
सचिव,  
JOPRO शासन।

सेवा में,

उप वन महानिरीक्षक (केन्द्रीय),  
भारत सरकार पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय,  
क्षेत्रीय कार्यालय, केन्द्रीय भवन, पथक ताल,  
रोक्टर एव अलीगंज विस्तार,  
JOPRO लखनऊ।



पर्यावरण, वन एवं जलवायु परिवर्तन अनुभाग-2 लखनऊ, दिनांक 24 जून, 2021  
विषय- जनपद सहारनपुर में शिवालिक वन प्रभाग, सहारनपुर के क्षेत्रान्तर्गत राष्ट्रीय राजमार्ग संख्या 72ए,  
(गणेशपुर रोड डाट काली मन्दिर तक) कि०मी० 16.000 से 33.000 (नया वेगेज 0.000 से 16.160  
तक) रोडक चौड़ीकरण एवं एलीमेंटेड रोड निर्माण हेतु 477054 हे० वन भूमि (51893 हे० सरक्षित  
वन भूमि एवं 425161 हे० आरक्षित वन भूमि) का वन संरक्षण अधिनियम 1980 के अन्तर्गत  
गैरवाणिकी प्रयोग एवं 8588 बाधक वृक्षों एवं पौधों (5354 वृक्षों एवं 3234 पौधों) के पातन की अनुमति  
के सम्बन्ध में।

(प्रस्ताव संख्या एफपी/यूपी/Road/45282/2020)

महोदय,

उपर्युक्त विषयक कृपया अपने पत्र संख्या 8बी/यूपी०/०६/१६०/२०२०/एफ०सी०/११०८,  
दिनांक 23.12.2020 का संदर्भ ग्रहण करें जिसके माध्यम से विषयगत प्रकरण में कतिपय शर्तों के साथ  
सैद्धांतिक स्वीकृति निर्गत की गई है। तत्कम में मुख्य वन संरक्षक/गोडल अधिकारी, JOPRO लखनऊ के पत्र  
सं० 2950/11 सी एफपी/यूपी/Road/45282/2020, दिनांक 15.06.2021 द्वारा सैद्धांतिक स्वीकृति की  
बिन्दुवार अनुपालन आख्या शासन जो उपलब्ध करायी गई है।

2 अतएव मुख्य वन संरक्षक/गोडल अधिकारी, JOPRO लखनऊ के पत्र दिनांक 15.06.2021 द्वारा  
उपलब्ध करायी गई सैद्धांतिक स्वीकृति की बिन्दुवार अनुपालन आख्या की प्रति प्रेषित करते हुए मुझे यह  
कहने का निर्देश हुआ है कि कृपया विषयगत प्रकरण में अग्रतार कार्यवाही कराने का कष्ट करें।  
संलग्नक : यथोक्त।

Atc.  
1  
b  
29/6

भवदीय,

(आशीष तिवारी)  
सचिव

संख्या एवं दिनांक तदैव

प्रतिलिपि निम्नलिखित को सूचनाार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित

- 1 मुख्य वन संरक्षक/गोडल अधिकारी, JOPRO लखनऊ।
- 2 गाड फाइल।

आज्ञा से,

(आर० पी० सिंह)  
अनु सचिव।



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 मंज, सेक्टर-II, अलीगंज, लखनऊ-226024  
Kendriya Bhawan, 5<sup>th</sup> Floor, Sector-II, Aliganj, Lucknow-226024, Tel/Fax-23264946  
Email: roc-lko-mef@gov.in, (ulmoefrllko@gmail.com)

पत्र सं० 8वीं/यू.पी./08/160/2020/एफ.सी./229

दिनांक: 23.07.2021

सोना में,

प्रमुख सचिव,  
वन, पर्यावरण एवं जलवायु परिवर्तन विभाग,  
बापू भवन, उत्तर प्रदेश शासन, लखनऊ।

**Online Proposal No. FP/UP/Road/45282/2020**

विषय जनपद सहारनपुर में शिवालिक वन प्रभाग, सहारनपुर के क्षेत्रान्तर्गत राष्ट्रीय राजमार्ग सं०-72ए (गणेशपुर से डाट काली मन्दिर तक) किमी० 16.00 से 33.000 (नया चैनैज 0.000 से 16.169 तक) सड़क चौड़ीकरण एवं एलीवेटेड रोड निर्माण हेतु 47.7054 हे० वनभूमि (5.1893 हे० संरक्षित वनभूमि एवं 42.5161 हे० आरक्षित वनभूमि) का वन संरक्षण अधिनियम 1980 के प्रावधानों के अन्तर्गत गैरवाणिज्यी प्रयोग एवं 8588 बाघक वृक्षों एवं पौधों (5354 वृक्षों एवं 3234 पौधों) के पतन की अनुमति के सम्बन्ध में।

सन्दर्भ विशेष सचिव, उत्तर प्रदेश का पत्रांक-814/81-2-2021-800(120)/2020, लखनऊ, दिनांक-24.06.2021

महोदय,

कृपया उपरोक्त विषय पर उत्तर प्रदेश शासन का पत्रांक-पी-113/81-2-2020-800(120)/2020, दिनांक - 23.11.2020 का आगम्य प्रहण करने का कष्ट करें जिसके द्वारा राज्य सरकार ने विषयसंबन्धित प्रस्ताव पर वन(विशेष) अधिनियम 1980 की धारा (2) के अन्तर्गत भारत सरकार की स्वीकृति माँगी थी।

प्रश्नगत प्रकरण में इस कार्यालय के सहायक पत्र दिनांक-23.12.2020 द्वारा प्रस्ताव में सैद्धांतिक स्वीकृति प्रदान की गयी थी जिसको उद्दिष्टिगत शर्तों की अनुपालना उत्तर प्रदेश शासन के उपरोक्त संदर्भित पत्र द्वारा प्रस्तुत की गयी है। प्रस्ताव अनुपालना पर विचारोपरान्त मूले आपकी यह सुचित करने का निर्देश हुआ है कि केन्द्र सरकार जनपद सहारनपुर में शिवालिक वन प्रभाग, सहारनपुर के क्षेत्रान्तर्गत राष्ट्रीय राजमार्ग सं०-72ए (गणेशपुर से डाट काली मन्दिर तक) किमी० 16.00 से 33.000 (नया चैनैज 0.000 से 16.169 तक) सड़क चौड़ीकरण एवं एलीवेटेड रोड निर्माण हेतु 47.7054 हे० वनभूमि (5.1893 हे० संरक्षित वनभूमि एवं 42.5161 हे० आरक्षित वनभूमि) का वन संरक्षण अधिनियम 1980 के प्रावधानों के अन्तर्गत गैरवाणिज्यी प्रयोग एवं 8588 बाघक वृक्षों एवं पौधों (5354 वृक्षों एवं 3234 पौधों) के पतन की विधिवत् स्वीकृति निम्नलिखित शर्तों पर प्रदान करनी है:-

1. Legal status of the forest land shall remain unchanged.
2. Compensatory afforestation shall be taken up by the Forest Department over 95.50 ha. degraded forest land (as detailed below) at the cost of the user agency

Sl.No	Name of Forest Division	CA proposed in Area (Ha.)	Details of CA
1	Mohanda Range Saharanpur/Shivalik FD	10 ha.	Buddhawan 1B FB
		10 ha.	Kaluwala 1A 1B Par-I
		10 ha.	Kaluwala FB 1B Par-II
		7 ha.	Shahajahanpur 1B-part I
		15 ha.	Shahajahanpur 1B-part-II
		5 ha.	Kaluwal comp.3B
		10.00	Shahajahanpur 3B
2	Fadhkula Range Saharanpur/Shivalik FD	18 ha.	Khairawali 2B(Gularia Soat)Part-I
		10 ha.	Khairawali 2B(Gularia Soat)Part-II
Total		95.50 ha.	

As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided.

3. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
4. User agency shall restrict the felling of trees to minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the User Agency with the State Forest Department.
5. The user agency shall undertake plantation on both side of the road and median (if available) according to IRC guidelines and order passed by NGT in OA no. 27/2015 in the matter of Babulal Jaju vs State of Rajasthan and others dated 16.11.2015.
6. Speed regulating signage will be erected along the road at regular intervals in the Protected Areas/ Forest Areas.
7. The user agency shall provide suitable under / over pass in Protected Area / Forest Area as per recommendations of CWI.W / NBWL / FAC / REC.
8. The User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.
9. The layout plan of the proposal shall not be changed without prior approval of Central Government.
10. No labour camp shall be established on the forest land.
11. 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.
12. 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.
13. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
14. 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.
15. The forest land shall not be used for any purpose other than that specified in the project proposal.
16. 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.
17. A detailed report on translocation shall be sent by the State Forest Department, once the process of translocation is completed.
18. 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 29/11/2018.

19 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.

भवदीया,

 20/7/2021  
प्रमुख वन प्रशासक (के०)

प्रतिलिपि (द्वि-भेद द्वारा) :-

1. प्रधान मूख्य वन संरक्षक(सीक), वन विभाग, 17, राजा प्रताप मार्ग, लखनऊ, ७०१०।
2. मुख्य वन संरक्षक(वन संरक्षण) एवं नोडल अधिकारी, 17, राजा प्रताप मार्ग, लखनऊ, ७०१०,
3. नोडल अधिकारी/मुख्य वन संरक्षक, कैम्पा, 17, राजा प्रताप मार्ग, लखनऊ, ७०१०।
4. प्रभारणीय पत्राधिकारी, शिवालयिक वन पत्राग, सहारनपुर।
5. परियोजना निदेशक, २४-२१०२२, परियोजना क्रिया-व्ययन इकाई (पी०आई०यू०), देहरादून, गाना-६, लेन न०-४, रोपनहापुर रोड, देहरादून(उत्तराखण्ड)
6. पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय, एकीकृत क्षेत्रीय कार्यालय, लखनऊ को वेबसाइट पर अपलोडिंग हेतु/अन्यत्र पत्रावली।

 20/7/2021  
प्रमुख वन प्रशासक (के०)

/ Number: 1054/X-3-20/1(118)/2020

From,

Satyaprakash Singh  
Deputy Secretary,  
Government of Uttarakhand.

To,

The Additional Principal Chief Conservator of Forest,  
Government of India,  
Ministry of Environment, Forest and Climate Change,  
Regional Office, 25 Subhash Road,  
Uttarakhand Dehradun.

Forest Section-03

Dehradun: Dated 31 August, 2020

**Sub: Diversion of 9.6224 hectare of forest land for non-forestry purpose for strengthening/ widening of 4 lane configuration of National Highway-72A Ganeshpur, Uttar Pradesh (Design 0.00 Km to 16.115 Km) and Uttarakhand (Design 16.115 Km to 19.746 Km) to Dehradun Road Section, in favour of NHAI-PIU-reg.**

Sir,

In inviting reference to the subject mentioned above, I am directed to inform that the proposal has already been submitted through online portal by the Addl. Principal Chief Conservator of Forest-cum-Nodal Officer, Forest Conservation, Indiranagar Forest Colony, Uttarakhand, Dehradun with ID No. FP/UK/ROAD/45283/2020 and the hard copy along with the documents related to the recommendation of the State Government is being enclosed herewith with a request to kindly grant the approval in the proposal under the provisions of Forest (Conservation) Act, 1980.

Enclosure: As above.

Yours faithfully,

(Satyaprakash Singh)  
Dy. Secretary

Number: (1)/X-3-20/1(118)/2020, dated.

Copy to for information and necessary action.

1. The Addl. Principal Chief Conservator of Forest-cum-Nodal Officer, Forest Conservation, Indiranagar Forest Colony, Uttarakhand, Dehradun, for information with reference to the letter No. 371/FP/UK/ROAD/45283/2020 dt. 07 Aug 2020.
2. District Magistrate, Distt. Dehraund.
3. Divisional Forest Officer, Dehradun Forest Division, Dehradun.
4. Regional Officer, NHAI-PIU, Dehradun.

(Satyaprakash Singh)  
Dy. Secretary

**Joint Inspection Report**

The Joint Inspection of the forest land proposed for construction of 16+115 Km to 19+746 Km 4 lane highway (Ganeshpur - Dehradun), NH 72A under National Highway Authority of Dehradun district has been carried out by Shri Raghav Kumar (Environment Specialist, Representative, National Highway Authority Dehradun) on 17-07-2020.

It is found in the Joint Inspection of the proposed forest land that requirement of 9.6224 hectare forest land for the said proposal is minimum and indispensable and there is no alternate exists for the purpose. Total 2572 number of trees (16 trees on right track and 2556 trees on left track) of various species are proposed to be affected in the proposal which is minimum and indispensable.

The counting of 9.6224 hectare forest land and the list of number of 2572 number of trees proposed to be affected is enclosed herewith.

(Udaynand Gaur)  
Forest Range Officer,  
Asarodi Range,  
Dehraudn Forest Division.

(Vibhav Mittal)  
Project Director,  
National Highway Authority,  
Dehradun.

परियोजना का नाम- उत्तर प्रदेश (डिजाईन कि०मी० 0.000 से कि०मी० 18.115) और उत्तराखण्ड (डिजाईन कि०मी० 18.115 से कि०मी० 19.746) स्थित राष्ट्रीय राजमार्ग-72ए (NH72A) गणेशपुर से देहरादून सड़क खंड तक के 4-सेन विन्यास का सृजनीकरण, चौड़ीकरण एवं निर्माण हेतु वन भूमि हस्तान्तरण प्रस्ताव।

प्रारूप-19

प्रभावित होने वाले वृक्षों का विवरण

प्रश्नगत परियोजना के निर्माण हेतु दिनांक 17/07/2020 को किये गये संयुक्त निरीक्षण के अनुसार आवेदित वन भूमि तथा नाप भूमि पर प्रभावित होने वाले वृक्षों की गणना की गई व निरीक्षण के दौरान प्रभावित होने वाले वृक्षों की निम्नानुसार गणना की गई

प्रस्तावित वन भूमि पर प्रभावित होने वाले वृक्षों का भूमिवार/प्रजातिवार/व्यास वार विवरण सलग्न है।

9.07/20  
परियोजना निदेशक  
एन.एच.ए.आई.पी.ओ.ए.ए.  
देहरादून क्षेत्रीय कार्यालय  
राजमार्ग प्राधिकरण  
National Highways Authority of India  
पी०आई०यू०/PIU-Dehradun

उप प्रभागीय वनाधिकारी  
देहरादून वन प्रभाग, देहरादून

वन क्षेत्राधिकारी  
आसारोड़ी रेंज  
देहरादून क्षेत्रीय कार्यालय देहरादून

प्रभागीय वनाधिकारी  
देहरादून वन प्रभाग देहरादून  
देहरादून

उप प्रभागीय वनाधिकारी  
कठिकेश्वर  
देहरादून वन प्रभाग देहरादून

## प्रपत्र-20

५४

कार्य का नाम:—गणेशपुर देहरादून राष्ट्रीय राजमार्ग-72ए के विस्तारीकरण परियोजना हेतु वन भूमि हस्तान्तरण प्रस्ताव।

राष्ट्रीय राजमार्ग विस्तारीकरण से प्रभावित होने वाली वृक्षों की मूल्यांकन सूची प्रपत्र।

आरक्षित वन भूमि आसारोड़ी रेंज के कक्ष लालढांग-11सी, 11बी, 11ए, चन्द्रयनी-1, 2 व मोहब्येवाला-1

क्र०सं०	प्रजाति	व्यास वर्ग	वृक्षों की संख्या	दर प्रति वृक्ष (रु० में)	मूल्य
01	साल	0-10	03	90.00	270.00
		10-20	279	330.00	92070.00
		20-30	375	4683.00	1756125.00
		30-40	357	11886.00	4243302.00
		40-50	259	23238.00	6018642.00
		50-60	188	38636.00	7263568.00
		60-70	97	70744.00	6862168.00
		70 से उपर	64	80899.00	5177536.00
		कुल	1622	—	3,14,13681.00
02	सैम	0-10	01	65.00	65.00
		10-20	06	263.00	1578.00
		20-30	26	1000.00	26000.00
		30-40	28	3250.00	91000.00
		40-50	14	6625.00	92750.00
		50-60	11	11500.00	126500.00
		60-70	06	18750.00	112500.00
		70 से उपर	13	26250.00	341250.00
		कुल	105	—	791643.00
03	बहेड़ा	10-20	04	90.00	360.00
		20-30	06	175.00	1050.00
		30-40	10	591.00	5910.00
		40-50	01	1192.00	1192.00
		70 से उपर	02	4813.00	9626.00
		कुल	23	—	18138.00

04	रोहिणी	0-10	02	30.00	60.00
		10-20	217	90.00	19530.00
		20-30	169	825.00	139425.00
		30-40	30	2624.00	78720.00
		40-50	07	4681.00	32767.00
		50-60	01	6843.00	6843.00
		कुल	426	—	277345.00
05	घोड़	10-20	05	150.00	750.00
		20-30	07	688.00	4816.00
		30-40	05	2270.00	11350.00
		40-50	06	5250.00	31500.00
		50-60	01	6155.00	6155.00
		कुल	24	—	54571.00
06	तुन	20-30	02	210.00	420.00
		कुल	02	—	420.00
07	चन्दना	10-20	01	315.00	315.00
		20-30	01	3608.00	3608.00
		60-70	01	52467.00	52467.00
		कुल	03	—	56390.00
08	कपूर	30-40	01	10470.00	10470.00
		कुल	01	—	10470.00
09	सांदन	10-20	02	315.00	630.00
		20-30	02	3508.00	7216.00
		कुल	04	—	7846.00
10	बाकली	10-20	04	150.00	600.00
		20-30	04	1125.00	4500.00
		50-60	01	11625.00	11625.00
		60-70	01	15747.00	15747.00
		कुल	10	—	32472.00

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11	झींगन	10-20	04	150.00	600.00
		20-30	05	750.00	3750.00
		30-40	04	1250.00	5000.00
		50-60	02	6000.00	12000.00
		60-70	01	6625.00	6625.00
		कुल	16	—	27975.00
12	आम	20-30	01	1160.00	1160.00
		40-50	01	6480.00	6480.00
		50-60	02	9840.00	19680.00
		60-70	01	16250.00	16250.00
		7 से ऊपर	05	20150.00	100750.00
		कुल	10	—	144320.00
13	चमरोड़ा	10-20	07	315.00	2205.00
		20-30	02	3608.00	7216.00
		30-40	02	10470.00	20940.00
		कुल	11	—	30361.00
14	खरपट	10-20	01	210.00	210.00
		30-40	01	3262.00	3262.00
		कुल	02	—	3472.00
15	सागौन	10-20	03	490.00	1470.00
		20-30	03	1571.00	4713.00
		30-40	01	5872.00	5872.00
		कुल	07	—	12055.00
16	घोड़ी	10-20	01	315.00	315.00
		20-30	02	3608.00	7216.00
		30-40	01	10470.00	10470.00
		60-70	01	52467.00	52467.00
		कुल	05	—	70468.00
17	कालातेन्दू	10-20	03	2535.00	7605.00
		20-30	03	3871.00	11613.00
		30-40	04	9032.00	36128.00
		60-70	01	35248.00	35248.00
		कुल	11	—	90594.00

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18	भलावा	10-20	01	315.00	315.00
		20-30	03	3608.00	10824.00
		कुल	04	—	11139.00
19	पीपल	30-40	01	10470.00	10470.00
		7 से ऊपर	02	73584.00	147168.00
		कुल	03	—	157638.00
20	पूला	10-20	01	100.00	100.00
		20-30	01	155.00	155.00
		कुल	02	—	255.00
21	जामुन	10-20	14	180.00	2520.00
		20-30	14	1160.00	16240.00
		30-40	10	3320.00	33200.00
		40-50	01	6480.00	6480.00
		60-70	02	16250.00	32500.00
		कुल	41	—	90940.00
22	गूलर	20-30	04	500.00	2000.00
		30-40	02	1125.00	2250.00
		40-50	03	2375.00	7125.00
		50-60	01	3750.00	3750.00
		कुल	10	—	15125.00
23	बकैन	20-30	01	3608.00	3608.00
		30-40	01	10470.00	10470.00
		कुल	02	—	14078.00
24	पिलखन	10-20	01	150.00	150.00
		कुल	01	—	150.00
25	लिसोड़ा	20-30	02	325.00	650.00
		50-60	02	6843.00	13686.00
		कुल	04	—	14336.00

S/



h.

26	कोकाट	0-10	04	30.00	120.00
		10-20	59	90.00	5310.00
		20-30	75	325.00	24375.00
		30-40	25	2624.00	65600.00
		40-50	13	4681.00	60853.00
		50-60	08	6843.00	41058.00
		60-70	30	9263.00	277890.00
		7 से ऊपर	01	12657.00	12657.00
		कुल	186	—	487863.00
27	अरुकरिया	40-50	01	20900.00	20900.00
		60-70	01	52467.00	52467.00
		कुल	02	—	73367.00
28	सिल्वरओक	40-50	01	20900.00	20900.00
		50-60	01	34899.00	34899.00
		कुल	02	—	55799.00
29	गुलमोहर	10-20	02	2535.00	5070.00
		कुल	02	—	5070.00
30	हरड़	30-40	01	10470.00	10470.00
		40-50	01	20900.00	20900.00
		50-60	01	34899.00	34899.00
		कुल	03	—	66269.00
31	बेल	10-20	01	315.00	315.00
		20-30	02	3608.00	7216.00
		40-50	01	20900.00	20900.00
		कुल	04	—	28431.00
32	सेमल	50-60	01	5280.00	5280.00
		कुल	01	—	5280.00
33	यूकेलिप्टस	0-5	01	32.00	32.00
		5-10	13	50.00	650.00
		10-15	07	200.00	1400.00
		15-20	01	450.00	450.00
		20-25	01	938.00	938.00
		कुल	23	—	3470.00
		कुल योग	2572	—	34071431.00

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परियोजना का नाम- उत्तर प्रदेश (डिजाईन कि०मी० 0.000 से कि०मी० 16.115) और उत्तराखण्ड (डिजाईन कि०मी० 16.115 से कि०मी० 19.746) स्थित राष्ट्रीय राजमार्ग-72ए (NH72A) गणेशपुर से देहरादून सड़क खंड तक के 4-लेन विन्यास का सुवर्दीकरण, चौड़ीकरण एवं निर्माण हेतु धन भूमि धरतान्तरण प्रस्ताव।

## प्रारूप-20.1

## प्रभावित होने वाले वृक्षों का सारांश

क्र० सं०	भूमि की प्रकार	व्यास वर्ग										
		10-20	20-30	30-40	40-50	50-60	60-70	70-80	80-90	90-से अधिक	योग	
1.	आरक्षित वन भूमि	11	629	717	495	310	218	115	39	18	30	2572
2.	सिंचित सायन	—	—	—	—	—	—	—	—	—	—	—
3.	वन पंथायत	—	—	—	—	—	—	—	—	—	—	—
4.	संरक्षित वन	—	—	—	—	—	—	—	—	—	—	—
योग- वन भूमि												
6.	नाप भूमि											
कुल योग						2572						
नोट:-	0-10 व्यास वर्ग के 11 वृक्ष है कुल वृक्ष 11 + 2561 = 2572 प्रभावित हो रही है।											

परियोजना निदेशक/Project Director  
एन.एच.ए.आर.टी.सी. राष्ट्रीय राजमार्ग प्राधिकरण  
देहरादून National Highways Authority of India  
पी.ओ.आई.ओ.यू./PIU-Dehradun

वन क्षेत्राधिकारी  
आर.एस.डी. कोरसही  
देहरादून वन प्रभाग, देहरादून

सप प्रभागीय यंत्राधिकारी  
सप प्रभागीय यंत्राधिकारी  
देहरादून वन प्रभाग, देहरादून

प्रभागीय यंत्राधिकारी  
देहरादून वन प्रभाग, देहरादून

554977/2021/ROHQ

भारत सरकार  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
राष्ट्रीय कार्यालय (उत्तर-केन्द्रीय क्षेत्र)  
25 सुभाष रोड, देहरादून-248001  
दूरभाष: 0135-2650809  
फैक्स-0135-2653010  
ईमेल- [moef.ddn@gov.in](mailto:moef.ddn@gov.in)



सत्यमेव जयते

ANNEXURE - ROHQ

321

GOVERNMENT OF INDIA  
MINISTRY OF ENVIRONMENT, FOREST &  
CLIMATE CHANGE  
REGIONAL OFFICE (NORTH CENTRAL ZONE)  
25 SUBASH ROAD, DEHRADUN-248001  
PHONE- 0135-2650809  
FAX- 0135-2653010  
Email- [moef.ddn@gov.in](mailto:moef.ddn@gov.in)

फाईल संख्या 8बी./यू.सी.पी./06/110/2020/एफ0 सी0/1266

दिनांक: 16/09/2020

सेवा में,

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

विषय:- जनपद-उत्तर प्रदेश (डिजाईन किमी0 0.00 से किमी0 16.115) और उत्तराखण्ड (डिजाईन किमी0 16.115 से किमी0 19.746) स्थित राष्ट्रीय राजमार्ग 72ए गणेशपुर से देहरादून सड़क खण्ड तक के 4 लेन विन्यास का सुदृढीकरण, चौड़ीकरण हेतु 9.6224 हे0 वन भूमि का गैर वानिकी कार्यों हेतु NHAI-PIU को हस्तान्तरण। (Online No. FP/UK/ROAD/45283/2020)

सन्दर्भ:-अपर प्रमुख वन संरक्षक एवं नोडल अधिकारी, वन संरक्षण, उत्तराखण्ड का पत्रांक - 371/FP/UK/ROAD/45283/2020 दिनांक 07/08/2020

महोदय,

उपरोक्त विषय पर सन्दर्भित पत्र का आशय ग्रहण करते हुए प्रस्ताव पर ध्यानपूर्वक विचार करने के उपरान्त मुझे आपको यह सूचित करने का निर्देश हुआ है कि प्रस्ताव में निम्नलिखित कभियां पाई गयी है। अतः राज्य सरकार निम्नलिखित बिन्दुओं पर आवश्यक सूचनायें प्रेषित करने का कष्ट करें, ताकि अग्रिम कार्यवाही सुनिश्चित की जा सके:-

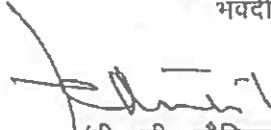
1. In the component wise breakup area of muck disposal is mentioned as '0' both in forest land and non forest land at para B 2.4 in part I. State Government may submit clarification in this regard.
2. The proposed area is part of Rajaji National Park. User agency submitted at para I that Wildlife clearance is under process. The details also filled by DFO in part II para 8. However, in the recommendation of Nodal Officer uploaded in part II, it is submitted that area is not part of any protected area/national park. State Government may clarify this disparity in the information and provide/ upload correct documents/ information.
3. Sub-Divisional Level committee and Village Level Committee meeting proceedings are not found uploaded. State Government may upload the same along with FRA certificate at para K in Part I.
4. As per muck disposal plan 82600 cum debris proposed for disposal but area details not submitted with muck disposal plan. State Government may upload muck disposal plan comprising of the total quantity of muck likely to be generated by way of widening of road stretch i.e. swell, quantity to be used and surplus required to be dumped at muck disposal sites, carrying capacity of sites along with safety measure and rehabilitation/eco-restoration plan.

5. Compensatory Afforestation (CA) scheme prepared for 5 years only. Also name of CA area not mentioned in CA scheme. State Government may submit/ upload the CA scheme of 10 years and mention the name of the area selected for CA in the scheme.
6. As per Decision Support System analysis of CA area, 7 ha area found in Moderately dense Forest. State Government may change this area with some other area suitable for raising CA.
7. Bar chart, Geologist report and aerial distance certificate not found uploaded. State Govt. may upload the copy of the bar chart, geologist report and aerial distance certificate online as additional document.

प्रस्ताव को अग्रिम आर० ई० सी० की बैठक में रखा जाना सुनिश्चित किया गया है। अतः राज्य सरकार आगामी आर० ई० सी० की बैठक से पूर्व अपना जवाब इस कार्यालय में प्रेषित करना सुनिश्चित करें।

o/c

भवदीय,

  
(टी० सी० नौटियाल)  
उप महानिरीक्षक, वन (के०)

प्रतिलिपि सूचनार्थ एवं आवश्यक कार्यवाही हेतु :-

1. अपर मुख्य सचिव (वन), उत्तराखण्ड शासन, सुभाष रोड़, देहरादून।

o/c

  
(टी० सी० नौटियाल)  
उप महानिरीक्षक, वन (के०)

Annexure R-09

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

Email- Nodalofficerddu@gmail.com

Phone/Fax-2767611

पत्रांक:- 865 / FP/UK/ROAD/45283/2020 दिनांक देहरादून 21 सितम्बर, 2020  
सेवा में,

अपर प्रमुख वन संरक्षक (केन्द्रीय),  
भारत सरकार,  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय,  
क्षेत्रीय कार्यालय, 25-सुभाष रोड,  
देहरादून।



विषय:-राज्य उत्तर प्रदेश (डिजाईन किमी0 0.000 से किमी0 16.115) और उत्तराखण्ड (डिजाईन किमी0 16.115 से किमी0 19.746) स्थित राष्ट्रीय राजमार्ग-72ए गणेशपुर से देहरादून सड़क खण्ड तक के 4 लेन विन्यास का चौड़ीकरण के निर्माण हेतु 9.6224 हे0 वन भूमि का गैर वानिकी कार्यों हेतु NHAI-IPIU को प्रत्यावर्तन। (ऑनलाईन प्रस्ताव संख्या- FP/UK/ROAD/45283/2020)

सन्दर्भ:-भारत सरकार पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, क्षेत्रीय कार्यालय, देहरादून के EDS दिनांक 16-09-2020

महोदय,

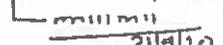
विषयांकित प्रकरण पर भारत सरकार के उपरोक्त सन्दर्भित EDS दिनांक 16-09-2020 के सम्बन्ध में प्रांतीय वनाधिकारी, देहरादून वन प्रभाग, देहरादून से प्राप्त आख्या के क्रम में प्रयोक्ता एजेन्सी द्वारा प्रेषित विन्दुवार सूचना निम्न प्रकार प्रेषित की जा रही है :-

क्र0सं0	प्रश्न	उत्तर
1	In the component wise breakup area of muck disposal is mentioned as '0' both in forest land and non-forest land at para B 2.4 part 1. State government may submit clarification in this regard.	User agency has been mentioned that they have not considered or taken forest land or non-forest land for Muck disposal as it is not required and that's why it is written "0".  Significant quantity of muck (367825.5 Cum) will be reused in establishment of alignment.  Remaining quantity which is 65600.00 Cum (and 82000.00 Cum with Swell factor) will be again reutilized in construction work of camp, making haul road, balancing work in additional area taken for temporary work and approach roads.
2	The proposed area is part of Rajaji National Park. User agency submitted at para I that wildlife clearance is under process. The details also filled by DFO in part-II para 8. How ever in the recommendation of Nodal officer uploaded In part II. It is submitted that area is not part of any protected area/national park. State government may clarify this disparity in the information and provide/upload correct documents/information.	This proposal is not a part of Rajaji National Park, it is correctly written in the Recommendation letter provided by the Nodal Officer. The proposed project falls in ESZ of Rajaji National Park and a separate proposal has been sent by the state government for clearance of NBWL on the instructions of the Government of India, New Delhi.
3	Sub division level committee and village level committee meeting proceedings are not found uploaded. State government upload the same along with FRA	FRA certificate from District Magistrate is already uploaded in part-I "K (i) (a) Status of settlement of right under the Forest Right Act, 2006 on the forest land proposed to be diverted.

	certificate at para K in part I.	As a compliance of this EDS, entire proceeding related documents and certificates are being uploaded.
4	As per muck disposal plan 82600 cum muck debris proposed for disposal but area details not submitted with muck disposal plan. State government may upload muck disposal plan comprising of total quantity of muck likely to be generated by way of widening of road stretch i.e. swell, quantity to be used and surplus required to be dumped at muck disposal sites, carrying capacity of site with all safety measures with rehabilitation/ eco-restoration plan.	User agency has mentioned that significant quantity of muck (367825.5 Cum) will be reused in establishment of alignment.  Remaining quantity which is 65600.00 Cum (and 82000.00 Cum with Swell factor) will be again reutilized in construction work of camp, making haul road, balancing work in additional area taken for temporary work and approach roads.  All remaining Muck which is left after its re-use will be utilized in another greenfield project road EPE to Saharanpur Bypass road which is located at a distance of approx. 50 km. This road section is also proposed to be constructed along with this project road. Being a greenfield road having 118 km length 70-meter width and average embankment height 3 meter, requires large quantity of filling material. Since, muck will be reused in proposed project, no separate muck disposal area is identified, and accordingly rehabilitation or eco-restoration plan is not applicable.
5	Compensatory afforestation (CA) scheme prepared for 5 years only. Also name of CA area not mentioned in CA scheme. State government may submit/ upload the CA scheme of 10 years and mention the name of area selected for CA in the scheme.	Revised CA estimate has been uploaded by DFO at Para-13, in Form A Part-II.
6	As per Decision Supporting System analysis of CA area 7 ha land found in moderately dense forest. State government may change this area with some other area suitable for raising CA.	Suitability Certificate for CA area has been uploaded by DFO at Para-13, in Form A Part-II has been already uploaded another certificate regarding his field visit is annexed here.
7	Bar chart, Geologist report and aerial distance certificate not found uploaded. State government may upload the copy of bar chart, Geologist report and aerial distance certificate online as additional document.	Bar chart, Geologist report is attached in section of "Additional information Details". However, as a compliance of this EDS it is Bar Chart, Geologist report and aerial distance certificate are being uploaded separately.

अतः प्रकरण पर वन संरक्षण अधिनियम 1980 के अन्तर्गत स्वीकृति निर्गत करने का कन्ट करें।

भवदीय,

  
21/11/20  
(डी०जे०के० शर्मा)

अपर प्रमुख वन संरक्षक एवं नोडल अधिकारी

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परियोजना का नाम- उत्तर प्रदेश (विजार्डन कि०मी० 0.000 से कि०मी० 16.115) और उत्तराखण्ड (विजार्डन कि०मी० 16.115 से कि०मी० 19.746) स्थित राष्ट्रीय राजमार्ग-72ए (NH72A) गणेशपुर से देहरादून राइडक खंड तक को 4-लेन विन्धास का सुवडीकरण, धोडीकरण एवं निर्माण हेतु वन भूमि हस्तान्तरण प्रस्ताव।

प्रारूप-13

विभिन्न विकल्पों का तुलनात्मक विवरण व उनके निरस्त किये जाने का कारण का प्रमाण पत्र

Since, both side of project road is Reserve Forest Area, as well as Uttar Pradesh Elephant Reserve (LHS) and Rajaji National Park (RHS). The alternate/ options for improvement, widening and construction of project road are limited. During designing of project road alignment three option have been considered and the details are elaborated below/;

संरेखण नं०	मार्ग की लम्बाई (कि० मी०)	अन्य कारण (एच० पी० वैण्ड व अन्य गू-गर्मीय कारण)
संरेखण-1	15.800	<p>Option-1: (Along with Existing Road with Realignment from Km 6+600 to 15+800 (UP Portion) Project Length- 19.7Km (Ganeshpur to Dehradun)</p> <p>In this option we have proposed to widen into four lane along with existing alignment with the provision of a single tube tunnel (Length- 350m) at km 15+800.</p> <p>The alignment runs through hilly terrain as well as Reserve Forest &amp; Rajaji National Park. Hill &amp; tree cutting required to achieve the required grade for the proposed option is higher than other alternate options. There are more than 100 curves where speed is 20 to 40 kmph. Due to this reason there is long que of vehicle in peak season/hour. To achieve the desired parameters of MoRT&amp;H standard, there will be 70-80% part of existing road under realignment between Mohand to Daat kali Temple.</p> <p>In this realignment/widening option there are some part of realignment/widening which also extend to Rajaji National Park Area. Although, this option is technically viable but it has huge impact of hill cutting and tree cutting. So this option is being avoided keeping environmental &amp; Wildlife concern.</p> <p>The existing gradient is also more than 7% at many locations which create difficulties to improve existing road due to larger quantity of hill and tree cutting. The cost of construction is low as compare to other options but to improve existing road, realignment may require at some locations which has under Rajaji National Park core area. In the core area of Rajaji National Park realignment is not desirable.</p>
संरेखण-2	19.508	Option-2 : (Proposed Widening +Realignment with

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परियोजना का नाम-- उत्तर प्रदेश (डिजाईन कि०मी० 0.000 से कि०मी० 16.115) और उत्तराखण्ड (डिजाईन कि०मी० 16.115 से कि०मी० 19.746) स्थित राष्ट्रीय राजमार्ग-72ए (NH72A) गणेशपुर से देहरादून सड़क खंड तक के 4-लेन विस्थापन का सुदृढीकरण, चौड़ीकरण एवं निर्माण हेतु धन भूमि हस्तान्तरण प्रस्ताव।

		<p>Twin Tube Tunnel in Mohand &amp; Elevated Structures) Project Length- 19.508 Km</p> <p>In this option we have proposed existing widening to four lane from Ganeshpur Km 0.000 to 6.000 (Mohand) then 2.322km Twin Tube Tunnel &amp; 0.3km Its approaches on realignment + 4.820 km 4 Lane Elevated Structure and provision of additional tunnel-2 (Length-340m) at Dat Kali Temple (upto UP Portion) and further widening in Uttarakhand Section. The total length is 19.508km.</p> <p>The alignment avoids the hilly terrain and passing through river which is parallel to existing road as well as Reserve Forest &amp; Rajaji National Park.</p> <p>In this option lesser hill &amp; tree cutting required to achieve the required grade as compare to option-1.</p> <p>This is the most economic and technically feasible option as compare to other alternate options i.e option 1- and option 3.</p> <p>Based on this proposed alignment, Wildlife study by WII is also being conducted for Wildlife Conservation and mitigation plan. Once, the final study report is obtained, the mitigation measures recommended in study report will be incorporated keeping in view of required road design standards and road user safety.</p>	
सरेखण-3	19.746	<p>Option-3: (Proposed Alignment through River From Mohand Km 5+400 to 16+115) – Project Length- 19.746 Km (Ganeshpur to Dehradun)</p> <p>This option differs from option 2 between Chainage 5+400 to 9+400. In this option we have proposed throughout Elevated Structure on right side of Mohand in river portion upto Loha Pool (Ch. 9+400); remaining proposal are same as per option-2.</p> <p>This option may be technically feasible and away from Rajaji National Park boundary.</p> <p>This option is being avoided from the point of flora &amp; fauna and environmental/Wildlife concern.</p> <p>In this option lesser hill &amp; tree cutting required to achieve the required grade as compare to option-1 &amp;2.</p> <p>This option has also recommended by the Forest Department, UP.</p> <p>Recommended Alignment</p> <p>For detailed report please refer Alternative alignment study report attached as "Attachment-13"</p>	
Comparison Table of Project Road Alignment Options			
Particulars	Option-1	Option 2	Option 3

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परियोजना का नाम- उत्तर प्रदेश (डिजाईन कि०मी० 0.000 से कि०मी० 16.115) और उत्तराखण्ड (डिजाईन कि०मी० 16.115 से कि०मी० 19.746) स्थित राष्ट्रीय राजमार्ग-72ए (NH72A) गणेशपुर से देहरादून सड़क खंड तक के 4-लेन विन्यास का सुवर्धीकरण, चौड़ीकरण एवं निर्माण हेतु यत्र भूमि हस्तांतरण प्रस्ताव।

Length	19.7 km	19.508 km	19.746 Km
Development Proposal	12.0km Existing Widening) 0.35 km (Single Tube Tunnel) 7.35 Km (Realignment of ex road)	6.0 km (Existing Widening) 2.322 km (Twin Barrel Tunnel) + 0.3km (Approach) 4.82 km (4 Lane Elevated) 2.12 km (Hill Section) 0.34km(Single Tube Tunnel) 3.550 km (Existing Widening)	5.4 Km (Existing Widening) 10.5Km(Elevated Structure 0.35 km (Single Tube Tunnel) 3.5km(Existing Widening)
Capital Cost	820 Cr.	2066Cr	1620 Cr.
Forest Land Diversion	45 Hect (Approx)	44.0103 Hect	44.0103 Hect.
LA cost	--	--	--
Tree Cutting	40000 approx.	11000	9500
Road user safety	Average	Good	Good
Wild animal safety	Hindered due to limited crossing facilities	Good	Good
Rajaji National Park (RNP)	Alignment at several location passing inside RNP hence not feasible	Alignment away from RNP boundary	Alignment away from RNP boundary
Shivalik Elephant reserve UP	Inside Shivalik Elephant reserve UP	Inside Shivalik Elephant reserve UP	Inside Shivalik Elephant reserve UP
Hill cutting and muck generation	Huge	Comparatively less than option-1	Very Less
Aesthetic view	Average	Good	Good
Recommendation	Not Recommended in view of huge hill cutting, huge tree felling, hindered crossing of animals esp between Mohand to Dat ki devi tunnel and passing inside Rajaji National Park at several locations	Not Approved by the Forest Department, Uttar Pradesh vide meeting dated 10.06.2020	Recommended as per minutes of meeting dated 10.06.2020



भारत सरकार  
पर्यावरण, वन एवं जलवायु परिवर्तन  
मंत्रालय  
एकीकृत क्षेत्रीय कार्यालय, देहरादून  
25 सुभाष रोड, देहरादून-248001  
दूरभाष: 0135-2650809  
फैक्स-0135-2653010  
ईमेल- [moef.ddn@gov.in](mailto:moef.ddn@gov.in)



GOVERNMENT OF INDIA  
MINISTRY OF ENVIRONMENT, FOREST &  
CLIMATE CHANGE  
INTEGRATED REGIONAL OFFICE, DEHRADUN  
25 SUBASH ROAD, DEHRADUN-248001  
PHONE- 0135-2650809  
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Email- [moef.ddn@gov.in](mailto:moef.ddn@gov.in)

Letter No. 8B/UCP/06/110/2020/FC/1392

Dated: 29-09-2020

To,

The Additional Chief Secretary (Forest)  
Govt. of Uttarakhand, Subhash Road, Dehradun.

**Sub:** Diversion of forest land measuring 9.6224 ha. For the strengthening, widening and construction of 4 lane road from Ganeshpur to Dehradun road block National Highway-72A (NH-72A) situated at Uttar Pradesh (from 0.00 km to 16.115 km) and Uttarakhand (from Km 16.115 km to 19.746 km) to NHAI-PIU for non-forestry works.

**Ref:** Letter no. 371/FP/UK/Road/45283/2020 Dehradun dated 07.08.2020 of the Addl. Chief Conservator of Forests and Nodal Officer, Uttarakhand.

Sir,

On the above subject, please take reference of the Online proposal No. FP/UK/Road/45283/2020 and referenced letter of the Addl. Chief Conservator of Forests and Nodal Officer, Uttarakhand.

Necessary information/documents were obtained from the State Government from time to time on the matter in question, after receiving the same and after having the recommendation in the meeting of Regional Empowered Committee (REF) held on 24<sup>th</sup> September, 2020 the Central Govt. Grants In-Principle approval to the diversion of forest land measuring 9.6224 ha for the strengthening, widening and construction of 4 lane configuration road from Ganeshpur to Dehradun road block National Highway-72 A (NH-72A) situated at Uttar Pradesh (Design from 0.00 Km to 16.115 Km) and Uttarakhand (Design from Km 16.115 Km to 19.746 Km) to NHAI-PIU for non-forestry works, on the following conditions:-

1. Legal status of the forest land shall remain unchanged.
2. Forest land will be handed over only after the non-forest land required for the project is handed over to the user agency.
3. **Compensatory afforestation:**
  - a) Compensatory afforestation will be done by the Forest Department over the degraded forest land measuring 20.00 hectare forest land karbari s.no. 1 at the cost of User Agency. As far as practicable, local indigenous species should be planted and species avoided from single agriculture.
  - b) Additional certificate will also be presented by the Forest Divisional Officer that plantation work under any scheme has not been done in the past on the said C.A. area.

4. On the compensatory afforestation land, if necessary, the cost of compensatory afforestation and the cost of survey, demarcation and erecting at the prevailing wage rates as per the Compensatory Afforestation Plan shall be submitted by the Project Authority in advance with the Forest Department. Compensatory afforestation will be maintained for 10 years. In this scheme, appropriate provisions can be included for anticipated cost escalation for prescribed tasks in future.
5. **Net Present value**
  - (a) In this regard as per the guidelines issued in IA No. 556 dated 30.10.2002, 01.08.2003, 28.03.2008, 24.04.2008 & 09.05.2008 of WP (C) 202/1995 of Hon'ble Supreme Court of India and letter No. 5-1/1998-FC (Pt. 2) dated 18.09.2003, 5-2/2006-F.C. dated 03.10.2006 and 5-3/2007-F.C dated 05.02.2009 by the Ministry, the State Govt. under this proposal will recover Net Present Value from the User Agency for the diversion of 9.6224 hectare forest area.
  - (b) Upon receiving the report from the expert committee, additional amount of Net Present Value of the Diverted Forest Land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India, shall be charged by the State Govt. from the user agency. User Agency will submit an affidavit of this.
6. The user agency will minimize the cutting of trees in the reforested forest land, the number of which shall not exceed 2572 trees (including 24 saplings) as per the proposal and the trees will be cut under strict supervision of the State Forest Department. The Cost of cutting the trees will be deposited with the state agency by the user agency.
7. The provision of the Bhagirathi eco sensitive zone notification and zonal master plan shall be strictly complied with by the State Govt. and User Agency.
8. The User Agency/State Govt. will comply with the directions of the Hon'ble Supreme Court passed in matter of civil appeal No. 10930/2018 (M.A. no. 1449/2020 dated 08.09.2020).
9. State Govt. will inform this office if they pass any order for tree cutting and commencement of work before Stage II approval as per guidelines para 11.2. The State Govt. will strictly monitor and ensure that no further activity is carried out under such permission after the expiry of one year from the date of issue of such permission.
10. The money received from the User Agency under the project will be transferred/ deposited only through E-Portal (<https://parivesh-nic-in/>) in Compensatory Afforestation Fund Management and Planning Authority Fund.
11. Full compliance of FRA, 2007 will be ensured through the prescribed certificate from the concerned District Collector.
12. Speed regulation signage will be installed along the road at certain distance in protected areas/forest areas.
13. The User Agency shall obtain environmental consent as per the provisions of Environment (Protection) Act, 1986.
14. The layout plan of the proposal will be changed without the prior permission of the central government.
15. No labour camp shall be established on the forest land.
16. The User Agency shall provided sufficient firewood, especially alternate fuels to the labourers and the staff working at the site from the State Forest Department of Forest Development Corporation or any other legal source of alternate fuel.
17. As per the instructions of the concerned Divisional Forest Officer, the boundary of the diverted forest land will be demarcated on the land at the cost of the project.

18. No additional or new route will be created inside the forest area for transportation of construction material for execution of project work.
19. In this approval, the period of diversion will be targeted in favor of the user agency along with the lease period or the full duration of the project, whichever is less.
20. Forest land will not be used for any purpose other than those specified in the project proposal.
21. The forest land proposed for diversion will not be transferred to any other agencies, department or individual under any circumstance without prior permission of the Central Government.
22. Violation of any of these conditions would be a violation of the Forest Conservation Act, 1980 and action will be taken on that according to the guidelines File No. 11-42/2017-FC dated 29.01.2018 of the Ministry of Environment, Forests and Climate Change.
23. The conditions specified by the Ministry of Environment, Forests and Climate Change will be applicable from time to time in the interest of conservation and development of forests and wildlife.
24. The User Agency shall dispose of debris at predetermined sites in such a way that it does not unnecessarily fall below the prescribed limit. Under the supervision of the State Forest Department and at the cost of the project, the user agency will work to stabilize and revive the debris disposal area by planting suitable species of plants. Walls will be built to keep the debris in place. Before handing over the disposal sites to the state forest department, its stabilization and improvement work will be completed in a time bound manner as per the plan. Felling of trees in debris disposal areas will not be allowed.
25. If any other related Acts/Articles/Rules/Court Orders/Instructions etc. apply to this proposal, then it will be the responsibility of the State Government/ User Agency to get the necessary permission under it.
26. Compliance report will be uploaded on E-Portal (<https://parivesh.nic.in/>).

Yours

Sd/-  
(T.C. Nautiyal)  
Dy. Inspector General, Forest (c)

Copy sent to the following for information and necessary action:-

1. Addl. Director General of Forests (F.C.), Ministry of Environment, Forests and Climate Change, Indira Paryavaran Bhawan, Jorbagh Road, Aliganj, New Delhi.
2. Addl. Chief Conservator of Forests & Nodal Officer, Forest Conservation, Indira Nagar Forest Colony, Dehradun, Uttarakhand.
3. Order Sheet.

Sd/-  
(T.C. Nautiyal)  
Dy. Inspector General, Forest (c)

F.No.6-129/2020 WL,  
Government of India  
Ministry of Environment, Forest and Climate Change  
(Wildlife Division)

2<sup>nd</sup> Floor, Jaf Wing,  
Indira Paryavaran Bhawan,  
Jor Bagh Road, Aliganj,  
New Delhi 110003  
Date:01.02.2021

To  
The Principal Secretary,  
Department of Environment and Forests,  
Government of Uttarakhand,  
87, Rajpur Road,  
Dehradun 248001

**Sub: Improvement, upgradation and construction of Ganeshpur- Dehradun road (NH72A) in the State of Uttarakhand (km) 16.115 to 19.746) to 4 lane configuration- reg.**

Sir,

Reference is invited to the subject mentioned above. The 60<sup>th</sup> Meeting of Standing Committee of National Board for Wild Life was held on 5<sup>th</sup> January, 2021 through Video Conference under the Chairmanship of Hon'ble Minister for Environment, Forest & Climate Change.

After discussions, the Standing Committee decided to recommend the proposal subject to following:

**A. Conditions imposed by the Chief Wild Life Warden:**

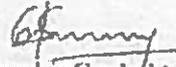
1. Barrier on both side of road to block and absorb noise and light pollution.
2. Staggered plantation (preferably bamboo plantation) needs to be done on both sides of road to funnel animals toward the underpasses and culvert.
3. Dedicated monitoring for next 2-3 years to monitor animal road kills and man-wildlife conflict in nearby areas.
4. Funds for the (2) & (3) need to be provided to the forest department by the user agency.

**B. Condition imposed by the NTCA:**

1. Project proponent shall take appropriate mitigation measures for maintaining the habitat connectivity and animal passage as suggested by the Chief Wild Life Warden, Uttarakhand.
2. The animal passage plan submitted by the Project Proponent shall be implemented in toto.
3. The annual compliance certificate on the stipulated conditions should be submitted by the project proponent to the State Chief Wild Life Warden and an annual compliance certificate shall be submitted by the State Chief Wild Life Warden to Government of India.

Details of the recommendations have been illustrated in the minutes of the meeting posted online in the "PARIVESH" portal of this Ministry.

Yours faithfully,

  
(Surender Gughath)  
Scientist 'D'

Email: ddwlmef@gmail.com

**Copy to:**

1. The Chief Wild Life Warden, Department of Environment and Forests, Government of Uttarakhand, 87, Rajpur Road, Dehradun 248001.
2. Regional Officer, Integrated Regional Office, Ministry of Environment, Forest and Climate Change, 25 Subhash Road, Dehradun-248001.
3. The Inspector General of Forests, FC Division, MoEF&CC, New Delhi.
4. The Joint Secretary, IA Division, MoEF&CC, New Delhi.

Sl. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
	08.09.2021		<p>WPPL No. 79 of 2021</p> <p><b><u>Hon'ble Raghvendra Singh Chauhan, C.J.</u></b> <b><u>Hon'ble Alok Kumar Verma, J.</u></b></p> <p>Mr. Abhijay Negi, learned counsel for the petitioner.</p> <p>Mr. Aazmeen Sheikh, learned Standing Counsel for the Union of India.</p> <p>Mr. Pradeep Joshi, learned Additional Chief Standing Counsel for the State.</p> <p>Mr. A.S. Rawat, learned Senior Counsel assisted by Mr. Naresh Pant, learned counsel for respondent No. 2.</p> <p>Mr. Shiv Pandey, proxy counsel on behalf of Mr. Aman Rab, learned counsel for respondent No. 5.</p> <p>The petitioner has challenged the construction of a road through the Rajaji National Park as proposed by the NHAI. Although, initially a road on the surface was proposed, subsequently an elevated road has been proposed at the site covering a distance of 3.5 kilometers.</p> <p>The learned counsel for the petitioner submits that even if an elevated road were to be constructed by the NHAI, it would still entail cutting of large number of trees, especially, 1622 Sal trees. According to the learned counsel, the cutting of such a</p>

large number of Sal trees will adversely affect the ecology of that<sup>4</sup> area.

On the other hand, the learned counsel for the respondents, and especially, for the Forest Department, respondent No. 4, submits that merely cutting of 1622 Sal trees will not adversely affect the ecology of the area. Moreover, it is the duty of the Forest Department to carry out a compensatory afforestation, i.e., to replace trees with trees. Therefore, the Department is duty bound to plant large number of Sal trees in order to make up the loss of 1622 Sal trees.

Therefore, this Court would like to have a commitment from the Forest Department with regard to the compensatory afforestation of Sal trees, "tree by tree". Hence, this Court directs the Forest Department to submit the following information:

- (i) How many Sal trees are growing in the Rajaji National Park?
- (ii) How many trees are to be re-planted in order to replace the cutting of a single tree?
- (iii) Where would this re-planting of Sal trees be carried out:

			<p>a. Whether within the confines of the Rajaji National Park or in some other part of the District, or in some other part of the State?</p> <p>(iv) Who shall be responsible for ensuring that the substituted Sal trees are well maintained for a period of ten years?</p> <p>(v) In case, Sal trees cannot be planted, as according to learned counsel for the petitioner, the regeneration of the Sal trees is a complex problem, which species would beneficially replace the Sal trees.</p> <p>(vi) Whether such trees can easily be grown in Uttarakhand or not?</p> <p>The respondent No. 4 is directed to file the affidavit on or before 21.09.2021. List this case on 22.09.2021.</p> <p>(Alok Kumar Verma, J.)(Raghvendra Singh Chauhan, C.J.) 08.09.2021 08.09.2021 Negl</p>
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**Government of India**  
**Ministry of Environment, Forest and Climate Change**  
**Legal Monitoring Cell**

Date: 29/11/2021

**Subject: Engagement of Panel Counsel**

**Respected Sir,**  
**Mr. Gigi George (9810625315)**

You are engaged to appear and conduct the case mentioned below for all purposes on behalf of this Ministry till the disposal of the case or expiry of your term of engagement or until further orders, whichever is earlier.

2. Details of the case are as follows:-

Court: NGT (PB), New Delhi

Case No.: Appeal No. 29/2021(IA No. 218/2021) With OA No. 240/2021 (IA No. 180/2021)

Title of the Case: Citizen for Green Doon, Citizens for Green Doon Vs. UOI & Ors.

Concerned Division of the Ministry: ROHQ

Name and contact of the Divisional Head: IGF (RKP) & 011-24695355

Email ID: [ramesh.pandey@nic.in](mailto:ramesh.pandey@nic.in)

Name and contact of the Technical Officer (TO): Mr. Manoj Kumar Khandelwal

Ph. No.: 9971119907

Email ID: [manoj.moefcc@gmail.com](mailto:manoj.moefcc@gmail.com)

Name and contact of the dealing Associate (Legal): Mr. Syed Shams Abbas

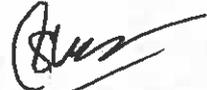
Ph. No. 9582466338

Email ID: [shamsabbasmof@gmail.com](mailto:shamsabbasmof@gmail.com)

Next Date of hearing: 02/12/2021

3. **This engagement is subject to the following conditions:-**

- i. The engagement is governed by O.M. No. 17(19)/2013-PL/NGT Dated 01.09.2015, 19.12.2016, 21.12.2016 and O.M. No. 17(21)/2017-PL/NGT on dated 01.12.2017, 07/02/2019 and 04/05/2020, Policy and Law Division, Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, New Delhi read with relevant circulars/instructions issued by this Ministry from time to time.
- ii. In case you are unable to attend the case for some reason, sufficient advance intimation should be given to the concerned Division.
- iii. To return the brief on expiry of your term/disposal of the case to the Ministry of Environment, Forest and Climate Change, or till further orders.
- iv. To intimate the Ministry the progress of the case regularly including obtaining and forwarding certified copy of the Order/Judgement to the concerned Division whenever necessary.
- v. To appear on behalf of this Ministry in person, and not through a junior counsel in the matters marked to you.
- vi. The engagement is acknowledged.

  
**(Legal Monitoring Cell)**  
**MoEF&CC, New Delhi**

विविध नगरानी प्रकोष्ठ  
Legal Monitoring Cell  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
Min. of Environment, Forest and Climate Change  
भारत सरकार, नई दिल्ली