

F. No. 8-06/2016-FC  
Government of India  
Ministry of Environment, Forests and Climate Change  
(Forest Conservation Division)

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

Dated: 12<sup>th</sup> July, 2017

To,

The Principal Secretary (Forests),  
Government of Jharkhand,  
Ranchi.

**Sub: Proposal for diversion of 291.17 hectares of forest land for Punasi Reservoir Project under the Deoghar Forest Division, Jharkhand State. - regarding.**

Sir,

I am directed to refer to the Government of Jharkhand's letter No. Van Bhoomi - 25/2015/1244 dated 03.03.2016 on the above mentioned subject seeking prior approval of Central Government under Section-2 of the Forest (Conservation) Act, 1980 and to say that the said proposal has been examined by the Forest Advisory Committee constituted by the Central Government under Section-3 of the aforesaid Act. After careful consideration of the proposal by the Forest Advisory Committee (FAC) constituted under Section-3 of the said Act, *Stage-I / in-principle* approval was granted vide this Ministry's letter of even number dated 22.12.2016 subject to fulfilment of certain conditions. The State Government has furnished compliance report in respect of the conditions stipulated in the approval and has requested the Central Government to grant final approval.

2. Since the funds of Rs.31,10,887/- were deposited in State Treasury on 30.03.2000 vide cheque no. A/3 528803 dated 29.02.2000 before the establishment *Ad-hoc* CAMPA in the year of 2006, the State Government of Jharkhand shall confirm transfer having taken place to *Ad-hoc* CAMPA or confirm utilization with documentary evidences or transfer the said balance funds of Rs.31,10,887/- towards part payment of Compensatory Afforestation levies in the account of *Ad-hoc* CAMPA within one month from the date of issue of Stage - II/Final approval under intimation to this Ministry.

2. In this connection, I am directed to say that on the basis of the compliance report furnished by the State Government of Jharkhand vide their letter No. Van Bhoomi - 25/2015-2261 dated 29.05.2017, final */stage-II* approval of the Central Government is hereby granted under Section-2 of the Forest (Conservation) Act, 1980 for diversion of 291.17 hectares of forest land for Punasi Reservoir Project under the Deoghar Forest Division, Jharkhand State, subject to fulfilment of the following conditions:

- (i) Legal status of the diverted forest land shall remain unchanged;
- (ii) Compensatory afforestation over the non-forest land, equal in extent to the area of forest land being diverted, shall be raised within a period of three years with effect from the date of issue of Stage-II clearance and maintained thereafter in accordance with the approved Plan by the State Forest Department from the funds provided by the user agency and deposited in Compensatory Afforestation Fund;
- (iii) The Penal compensatory Afforestation (PCA) for an area of 151.25 (30.25 ha of area under violation X 5) shall be raised over degraded forest land in the State within a period of three years with effect from the date of issue of Stage-II clearance and maintained thereafter in accordance

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with the Working Plan by the State Forest Department from the funds provided by the user agency and deposited in Compensatory Afforestation Fund;

- (iv) The non-forest land to be transferred and mutated in favour of the State Forest Department for raising Compensatory Afforestation shall be notified as reserved Forest under Section-4 or Protected Forest under Section-29 of the Indian Forest Act, 1927 or under the relevant Section(s) of the local Forest Act. The Nodal officer must report compliance within a period of 6 month from the date of grant of final approval and send a copy of the 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 local Forest Act as the case may be, to this Ministry for information and record. The Nodal Officer, Forest (conservation) Act, 1980, Government of Jharkhand must report compliance within a period of 6 months from the date of grant of final approval and send a copy of the 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 local Forest Act local forest as the case may be, to this Ministry for information and record;
- (v) The User Agency shall pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
- (vi) The User agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- (vii) The State Government is to ensure that the user agency shall implement the R&R Plan as per the R&R Policy of State Government in consonance with National R&R Policy, Government of India before the commencement of the project work. The said R&R Plan will be monitored by the State Government/Regional Office of MoEF &CC along with indicators for monitoring and expected observable milestones;
- (viii) The State Government shall ensure the implementation of the approved Catchment Area Treatment Plan (CAT) by the State Forest Department from the funds provided by the user agency and deposited in Compensatory Afforestation Fund;
- (ix) at the project cost under the supervision of State Forest Department;
- (x) The State Government shall ensure that the User agency shall track location of each displaced family and ensure that none of them encroach/ occupy forest land. In support of compliance to the said condition at least for five years from the date of taking possession of the forest land, the user agency shall submit an annual certificate to the Principal Chief Conservator of Forests, Jharkhand that none of the persons displaced from the project land has encroached/ settled on the forest land during the year;
- (xi) The tree felling in the forest area, so diverted, shall only be as per the actual requirement and with prior permission of the competent authority.
- (xii) The State Government shall ensure that the User agency shall undertake afforestation along the periphery of the reservoir;
- (xiii) The State Government shall ensure that there shall be no tree felling between FRL (Full Reservoir Level) and FRL - 4 meters and the forest land located between FRL and the FRL-4 meters may be afforested by planting appropriate indigenous tree species;
- (xiv) User agency shall provide free water for the forestry related projects;

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- (xv) Layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- (xvi) The State Government shall ensure that no labour camp shall be established on the forest land;
- (xvii) The State Government shall ensure that the forest land shall not be used for any purpose other than that specified in the proposal and under no circumstances be transferred to any other agency, department or person;
- (xviii) The State Government shall ensure that the user agency shall provide alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;
- (xix) Boundary of the forest land proposed to be diverted shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, forward and back bearing, distance from pillar to pillar and GPS co-ordinates;
- (xx) The State Government shall maintain the character of the project as an irrigation project and to ensure continued benefit to the farmers in the command area, no more diversion of water from the project for industrial projects will be permitted in future.
- (xxi) Any other condition that the concerned Regional Office of this Ministry may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife;
- (xxii) The User agency shall submit the annual self compliance report, in respect of the above conditions and also to the conditions stipulated in stage-I clearance to the State Government, concerned Regional Office and this Ministry by the end of March of every year regularly; and
- (xxiii) The User Agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations, Guidelines and relevant Hon'ble Court Order (s), if any, pertaining to this project for the time being in force, as applicable to the project.

Yours faithfully,



(Rajagopal Prashant)

Assistant Inspector General of Forests (FC)

Copy to:-

1. The Principal Chief Conservator of Forests, Government of Jharkhand, Ranchi.
2. The Nodal Officer, FCA O/o PCCF, Forest Department, Government of Jharkhand, Ranch
3. The Addl. Principal Chief Conservator of Forests (C), Ministry of Environment & Forests, Regional Office (Eastern Central Zone), Bunglow No. A-2, Syamali Colony, Ranchi – 834002.
4. User Agency.
5. Monitoring Cell, FC Division, MoEF & CC, New Delhi.
6. Guard File.



(Rajagopal Prashant)

Assistant Inspector General of Forests (FC)

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