



भारत सरकार / Government of India
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
Ministry of Environment, Forest & Climate Change
क्षेत्रीय कार्यालय/ Regional Office

पता: द्वितीय तल, झारखण्ड राज्य आवास बोर्ड मुख्यालय, हरमू चौक, राँची, झारखण्ड - 834002
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File No. FP/BR/ROAD/155194/2022/178

Date: 19.03.2024

सेवा में,

प्रधान सचिव

पर्यावरण, वन एवं जलवायु परिवर्तन विभाग,

बिहार सरकार, सिंचाई भवन,

पटना – 800015.

विषय: Final (Stage-II) approval of Central Government under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 3.2213 ha forest land in favour of NHAI, PIU-Muzaffarpur for construction of Four Lane green field alignment Inter corridor from Balbhadrapur to Bela Nawada (47.00-89.21 km) package-VII, NH-119D Road under Bharatmala Pariyojana in Darbhanga and Samastipur district of Bihar – reg.

Sir,

I am directed to refer to the State Govt.'s letter No.Van Bhumi-65/2022-11(E)/Pa.Va.Ja.Pa. dated 04.01.2023 on the above mentioned subject seeking prior approval of the Ministry of Environment, Forest and Climate Change under section 2 of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. After due consideration of the proposal of State Government, the '**in-principle**' approval for diversion of 3.2213 ha. of forest land was accorded by this office vide letter of even number dated 06.03.2023 subject to fulfillment of certain conditions. The State Government has furnished compliance report in respect of the conditions stipulated in the in-principle approval and has requested to grant final approval.

In this connection, I am directed to say that on the basis of the compliance report furnished by the State Government of Jharkhand vide letter No. Van Bhumi-65/2022-117(E)/ Pa.Va.Ja.Pa. dated 28.02.2024, **final approval** of the Ministry of Environment, Forests & Climate Change is hereby granted under Section 2 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of **3.2213 ha** of forest land in favour of NHAI, PIU-Muzaffarpur for construction of Four Lane green field alignment Inter corridor from Balbhadrapur to Bela Nawada (47.00-89.21 km) package-VII, NH-119D Road under Bharatmala Pariyojana in Darbhanga and Samastipur district of Bihar, subject to the following conditions and stipulations:

- (1) Legal status of the forest land shall remain unchanged.
- (2) Compensatory afforestation shall be taken up by the Forest Department over 8 ha. degraded forest land (Site – Manjhgaye PF, Jhajha range, Compartment

No. 76, 334 & 329 under Jamui Forest Division) at the cost of the user agency. As far as possible, a mixture of local native species shall be planted and monoculture of any species, especially non-native species should be avoided.

- (3) **The KML files of the area to be diverted and the CA area shall be uploaded on the e-Green watch portal before issuing of final approval by the State Government of Bihar.**
- (4) The User agency shall be uploaded/submitted duly attested (with the signature of the concerned DFO and user agency) toposheet map with clearly delineated forest land proposed for diversion on it before issuing of final approval by the State Government of Bihar.
- (5) The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
- (6) 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 and permission of the State Forest Department and the cost of felling of trees shall be deposited by the User Agency with the State Forest Department. Further, in view of the State Government's recommendation, such number of trees whose removal is unavoidable, and whose translocation (species, number and girth to be decided by SFD) is practicable, will be translocated to the extent possible at the cost of user agency.
- (7) The State Forest Department should raise Strip Plantation on both sides of the road as per the IRC norms.
- (8) Speed regulating signage will be erected along the road at regular intervals in the Protected Areas/ Forest Areas.
- (9) The User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.
- (10) The layout plan of the proposal shall not be changed without prior approval of the Ministry of Environment, Forest & Climate Change.
- (11) No labour camp shall be established on the forest land.
- (12) 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.
- (13) 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.
- (14) No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.

- (15) No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- (16) 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.
- (17) The forest land shall not be used for any purpose other than that specified in the project proposal.
- (18) 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.
- (19) The User Agency and the State Government shall ensure compliance to provisions of all the Acts, Rules, Regulations, Guidelines, Hon'ble Court Order(s) and National Green Tribunal Order(s) pertaining to this project, if any, for the time in force, as applicable to the project.
- (20) Violation of any of these conditions will amount to violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 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 has been mentioned at Para-2 of the Stage-II approval, this approval for diversion of forest land is subject to the fulfillment of stipulated conditions mentioned in this approval letter. Therefore, in the event of non-compliance of any of the conditions laid out in this approval letter, the Regional Office of Ministry of Environment, Forest & Climate Change may withdraw the said approval for diversion of the forest land and stop the non-forest activity being carried out in the forest land besides initiating the legal action as per provisions of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.

विश्वासभाजन

(शशि शंकर)

उप महानिरीक्षक वन

प्रतिलिपि:-

1. आई०जी०एफ०, आर०ओ०एच०क्यू०, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, इन्दिरा पर्यावरण भवन, जोर बाग रोड, नई दिल्ली-110003.
2. प्रधान मुख्य वन संरक्षक (HoFF)/ अपर प्रधान मुख्य वन संरक्षक- सह - नोडल पदाधिकारी (एफ. सी.), पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, बिहार सरकार, अरण्य भवन, शहीद पीर अली खां मार्ग, पटना-800014.
3. वन प्रमण्डल पदाधिकारी, मिथिला एवं समस्तीपुर वन प्रमण्डल, बिहार।

4. परियोजना निदेशक, NHAI, PIU-मुजफ्फरपुर, बिहार ।
5. गार्ड फाईल ।