



GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE
EAST CENTRAL ZONE REGIONAL OFFICE (RANCHI)

BUNGALOW NO.A-2, SHYAMLI COLONY, RANCHI - 834002
TEL: 0651-2410007, 2410002, E-mail: ro.ranchi-mef@gov.in



No.FP/BR/Others/29974/2017/ 3979

Date: 02.6.2020

To

The Principal Secretary,
Department of Environment, Forests & Climate Change,
Government of Bihar,
Sichai Bhawan Secretariat, Patna - 800015

Sub: Final (Stage-II) approval of Central Government under Forest (Conservation) Act 1980 for proposed diversion of 0.013875 ha forest land for construction of approach road for opening retail outlet of IOCL on the side of SH-88, Waruna Brij-Rasiyari Road by Shri Brajendra Kumar Singh in Samastipur district, Bihar - reg.

Sir,

This refers to letter No. Van Bhumi-79/2018-19(E)/Pa.Va. dated 4.01.2019, wherein prior approval of Ministry of Environment, Forest and Climate Change for diversion of 0.013875 ha forest land for construction of approach road for opening retail outlet of Indian Oil Corpn. Ltd (IOCL) on the side of SH-88, Waruna Brij-Rasiyari Road by Shri Brajendra Kumar Singh in Samastipur district of Bihar, was sought in accordance with Section-2 of the Forest (Conservation) Act, 1980. After due consideration of the proposal of the State Government, 'in-principle' approval of the Central Government for diversion of the said forest land was accorded vide this office letter of even number dated 24.1.2019 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, on the basis of the compliance report furnished by the State Government of Bihar vide their letter No.Van Bhumi-79/2018-448(E)/Pa.Va.Ja.Pa. dated 12.05.2020, **approval** of the Central Government is hereby granted under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 0.013875 ha forest land for construction of approach road for opening retail outlet of IOCL on the side of SH-88, Waruna Brij-Rasiyari Road by Shri Brajendra Kumar Singh in Samastipur district of Bihar, subject to the following conditions and stipulations:-

- (1) Legal status of the forest land diverted shall remain unchanged.
- (2) **Compensatory afforestation:** The State Forest Department shall plant 50 nos. of trees to maintain the green cover at the project cost. Planting site for the purpose shall be identified by the State Forest Department preferably in the vicinity of the project site. 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) Wherever possible and technically feasible, the User Agency shall undertake by involving local community, afforestation measures in the blanks within the lease area, as well as along the roads outside the lease area diverted under this approval, in consultation with the concerned DFO at the project cost.
- (5) The approach road to petrol pump/fuel station should be as per the following norms issued by the Ministry of Road Transport and Highways and communicated vide Ministry's letter No.11-268/2014-FC dated 11.07.2014:-
 - (a) Fuel station should generally be a part of a complex having other amenities like place for parking, toilets, restaurants, rest rooms, shops etc. Proper planning should be done by the user agency, in advance, for construction of such complexes along the highways so that destruction of road side forest is minimized.
 - (b) Suitable signs and markings showing the location of the fuel station may be provided without disturbing the road side plantations.
 - (c) Entire periphery of the retail outlet should be lined up with tree plantation at a close spacing of 1.0 to 1.5 meter keeping an offset of 1.5 meter from the boundary, with light crown trees which will maintain greenery without compromising with the functional space requirement.
 - (d) Suitable plantations should be raised by the user agency along the approach road, Separator Island and other vacant areas in addition to the compensatory afforestation required to be raised as per guidelines.
- (6) The layout plan of the proposed diversion of the forest land shall not be changed without prior approval of the Central Government.



- (7) a) The diverted forest land shall not be used for any purpose other than that specified in the project proposal.
b) The period of diversion under this approval shall be co-terminus with the existence of the petroleum retail outlet and requirement of land for access road.
c) The diverted forest land shall under no circumstances be transferred to any other agencies, department, or person without prior approval of the Central Government.
- (8) 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.
- (9) Any other condition that the Ministry of Environment, Forest & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests and wildlife.

2. 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 Forest (Conservation) Act, 1980.

Yours faithfully,

Bharat 02/6/20
(Bharat Jyoti)

Dy. Director General of Forests (Central)

Copy to:-

1. The DIGF(ROHQ), Ministry of Environment, Forests and Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi - 110 003.
2. The Principal Chief Conservator of Forests (HoFF) / APCCF-cum-Nodal Officer (FC), Deptt. of Environment, Forests & Climate Change, Govt. of Bihar, Aranya Bhawan, Shahid Pir Ali Khan Path, Patna - 800 014.
3. The Divisional Forest Officer, Samastipur Forest Division, Bihar.
4. Shri Brajendra Kumar Singh, S/o - Shri Baidyanath Prasad Singh, Village - Morwara, PO + P.S. - Snghia, Dist - Samastipur, Bihar - 848209.
5. Guard File.