



संख्या: एफ.पी/बी.आर./एप्रोच/144139/2021/ 337

दिनांक: 14/06/2022

सेवा में,

✓ प्रधान सचिव

पर्यावरण, वन एवं जलवायु परिवर्तन विभाग
बिहार सरकार, सिंचाई भवन, सचिवालय
पटना - 800015.

विषय :- श्री अशोक यादव द्वारा शेखपुरा जिलान्तर्गत जलालपुर मौजा के खाता संख्या -125, 99, 131, खेसरा संख्या -476, 477, 485, 486, थाना संख्या -155, अंचल - शेखपुरा, बरबीघा-शेखपुरा पथ के किनारे HPCL का रिटेल आउटलेट स्थापित करने के क्रम में पहुँच पथ निर्माण हेतु वन (संरक्षण) अधिनियम, 1980 के अंतर्गत 0.0225 हे० वन भूमि अपयोजन प्रस्ताव पर अंतिम (स्टेज-II) स्वीकृति के संबंध में।

महाशय,

I am directed to refer to the State Govt. letter No.Van Bhumi-09/2022-206(E)/Pa.Va.Ja.Pa. dated 15.03.2022, wherein prior approval of Ministry of Environment, Forest and Climate Change for diversion of 0.0225 ha forest land for construction of approach road for opening retail outlet of HPCL on the side of Barbigaha-Sheikhpura Road, Khata No.125, 99, 131, Keshra No.476, 477, 485, 486, Mauza - Jalalpur, Thana No.155, Anchal - Sheikhpura by Shri Ashok Yadav in Sheikhpura 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 12.04.2022 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-09/2022-379(E)/Pa.Va.Ja.Pa. dated 18.05.2022, **approval** of the Central Government is hereby granted under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 0.0225 ha forest land for construction of approach road for opening retail outlet of HPCL on the side of Barbigaha-Sheikhpura Road, Khata No.125, 99, 131, Keshra No.476, 477, 485, 486, Mauza - Jalalpur, Thana No.155, Anchal - Sheikhpura by Shri Ashok Yadav in Sheikhpura district of Bihar, subject to the following conditions and stipulations:-

1. प्रत्यावर्तित वन भूमि का वैधानिक स्थिति यथावत रहेगा । (Legal status of forest land diverted shall remain unchanged).
2. **Compensatory afforestation:** The State Forest Department shall plant 100 numbers 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 the way of prescribed certificate from the concerned District Collector.
4. Four trees should be translocated by the User agency at their own cost with using modern technology under the strict supervision of the concerned DFO.
5. 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.
6. 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 rest area 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 complex 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.
7. The layout plan of the proposed diversion of the forest land shall not be changed without the prior approval of Ministry of Environment, Forest & Climate Change.
8. 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 Ministry of Environment, Forest & Climate Change.
9. The User Agency and the State Government shall ensure compliance to provisions of 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.
10. 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.
11. 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 forest & 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 Integrated Regional Office of Ministry of Environment, Forests & 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.

आपका विश्वासभाजन,


14/6/2022
(शाशि शंकर)

सहायक वन महानिरीक्षक

प्रतिलिपि:-

1. डी०आई०जी०एफ०, 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, जमुई वन प्रमण्डल जमुई, बिहार।
4. श्री अशोक यादव, पिता – स्व० राम स्वरूप यादव, ग्राम – बिहटा, पोस्ट – मन्दना, जिला – शेखपुरा बिहार-811105.
5. गार्ड फाईल।

सहायक वन महानिरीक्षक