



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/Road/32425/2018/ 4029

Date: 29.6.2020

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 5.4525 ha of forest land for widening and strengthening of the Chapra-Banipur-Malmalia-Mohammadpur Section (Km 1.5 - Km 14.50 & Km 30.00 - Km 34.075) of NH-101 in Saran district of Bihar - reg.

Sir,

I am directed to refer to the State Govt. letter No. Van Bhumi-94/2018-28(E)/Pa.Va. dated 8.1.2019, wherein prior approval of Ministry of Environment, Forest and Climate Change for diversion of 5.4525 ha of forest land for widening and strengthening to 2 lane with paved shoulders of Chapra-Banipur-Malmalia-Mohammadpur Section (Km 1.5 - Km 14.50 & Km 30.00 - Km 34.075) of NH-101 in Saran 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, the 'in-principle' approval of the Central Government for diversion of the said forest land was accorded vide this office letter of even number dated 3.5.2019 subject to fulfillment of certain conditions.

In this connection, on the basis of the compliance report with request for according final approval furnished by the State Government of Bihar vide letter No. Van Bhumi-94/2018-831(E)/Pa.Va. dated 11.6.2020, approval of the Central Government is hereby granted under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 5.4525 ha of forest land for widening and strengthening to 2-lane with paved shoulders of the Chapra-Banipur-Malmalia-Mohammadpur Section (Km 1.5 - Km 14.50 & Km 30.00 - Km 34.075) of NH-101 in Saran district of Bihar, subject to the following conditions and stipulations:-



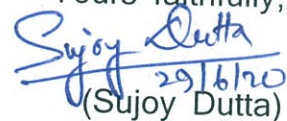
- (1) Legal status of the forest land diverted shall remain unchanged.
- (2) **Compensatory afforestation:** Compensatory afforestation shall be taken up by the Forest Department over 11 ha. degraded forest land (Plot no. 3(p), 214, Thana No.288, Site - Rediya PF, Forest Division - Rohtas) at the cost of the User Agency. As far as possible, a mixture of local native species shall be planted and monoculture of any species should be avoided.
- (3) The State Government shall ensure that compliance of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 has been completed in accordance with the relevant Rules and Guidelines issued by the MoEF & CC, GoI in this regard.
- (4)
  - a) 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.
  - b) In view of the State Government's recommendation, such number of trees whose removal is unavoidable, but whose translocation (number, girth and species to be decided by SFD) is practicable using new technology etc., will be translocated to the extent possible at the cost of user agency.
- (5) User agency shall raise strip plantation on both sides of the road as per the IRC norms.
- (6)
  - a) The layout plan of the proposed diversion of the forest land shall not be changed without prior approval of Central Government.
  - c) No labour camp shall be established inside the forest land.
  - d) The User Agency shall provide alternate fuels preferably LPG to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas.
- (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) 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.
- (9) 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.
- (10) 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,

  
(Sujoy Dutta)

Technical Officer (Forestry)

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, Saran Forest Division, Bihar.
4. The Executive Engineer, NH Division, Chappra, Bihar.
5. Guard File.