



GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE
EAST CENTRAL ZONE REGIONAL OFFICE (RANCHI)
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No.FP/BR/Pipeline/38396/2019/3893

Date: 7th April, 2020

To

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

Sub: **In-principle (Stage-I) approval of Central Government under Forest (Conservation) Act 1980 for diversion of 0.62935 ha of forest land in favour of Gas Authority of India Ltd for installation of Barauni-Guwahati 24"dia natural gas pipelines in Begusarai, Khagaria, Madhepura, Purnia and Kishanganj districts of Bihar – reg.**

Sir,

I am directed to refer to letter No.Van Bhumi-07/2020-261(E)/Pa.Va.Ja.Pa. dated 20.2.2020 of the State Government, Bihar on the above mentioned subject seeking prior approval of the Ministry of Environment, Forest and Climate Change under section 2 of Forest (Conservation) Act, 1980.

After due consideration of the proposal of the State Government, the Central Government, hereby, conveys “**in-principle**” approval for diversion of 0.62935 ha of forest land in favour of Gas Authority of India Ltd (GAIL) for installation of Barauni, Bihar to Guwahati, Assam Natural Gas Pipelines (24"dia) in Begusarai, Khagaria, Madhepura, Purnia and Kishanganj districts of Bihar, subject to the following conditions and stipulations.

- (1) Legal status of the forest land shall remain unchanged.
- (2) **Compensatory afforestation:** The State Government shall plant 1270 trees to maintain the green cover at the project cost. Planting site for the purpose shall be identified by the State Forest Department preferably within or in the vicinity of the project sites. Indigenous tree species should be preferred for such plantation. The user agency shall transfer the cost of plantation and its maintenance for 10 years (revised as on the date to incorporate the existing wage structure) to State Forest Department.
- (3) **NPV:** a) The State Government shall charge the Net Present Value (NPV) for the 0.62935 ha forest area to be diverted under this proposal from the User Agency as per the order of the Hon'ble Supreme Court of India dated 30/10/2002, 01/08/2003, 28/03/2008, 24/04/2008 and 09/05/2008 in IA No.

566 in WP (C) No. 202/1995 and as per the guidelines issued by the Ministry vide letters No. 5-1/1998-FC (Pt.II) dated 18/09/2003, as well as letter No. 5-2/2006-FC dated 03/10/2006 and 5-3/2007-FC dated 05/02/2009 in this regard. (b) Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall also be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect.

- (4) All the funds received from the user agency under the project shall be transferred / deposited to CAMPA fund only through e-portal (<https://parivesh.nic.in/>).
- (5) No trees will be felled under this diversion, and the 346 trees as per enumeration list required to be removed from the pipeline strip of forest lands will be transplanted under the supervision of State Forest Department at the project cost.
- (6) The User Agency shall submit the FRA certificate as per the Ministry's letter No.11-09/98-FC (pt.) dated 28.10.2014 before the issuance of final approval. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
- (7) Wherever possible and technically feasible, the User Agency shall undertake appropriate afforestation measures around the sites related to the area diverted under this approval, in consultation with the State Forest Department at the project cost.
- (8) The pipeline shall be laid down 1.5 meter below the ground and after laying down of pipe line the ground will be leveled.
- (9) The layout plan of the proposal shall not be changed without prior approval of Central Government.
- (10) (a) No labour camp shall be established on the forest land.
(b) 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.
- (11) The period of diversion under this approval shall be co-terminus with the period of the project life.
- (12) a) The forest land shall not be used for any purpose other than that specified in the project proposal.
b) 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.

- (13) 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.
- (14) 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.
- (15) The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).

After receipt of the compliance report regarding fulfillment of the conditions as stipulated above, from the State Government, formal approval will be issued in this regard under Section 2 of Forest (Conservation) Act, 1980. Transfer of forest land to user agency should not be given effect to by the State Government till formal order approving diversion of forest land is issued by the Central Government. To facilitate speedy execution of this project involving diversion for the gas pipeline, the in-principle approval may be deemed as the working permission for commencement of works, if the required funds for CA, NPV and all other compensatory levies specified in the in-principle approval are realized from the user agency and accordingly the State Government, by passing an order, may allow the commencement of work of the linear project in forest land for a period of one year (The detail guideline issued vide Ministry letter No. 11-306/2014-FC, dated 28.08.2015 may be referred).

Yours faithfully,
Sujoy Dutta
Technical Officer (Forestry)

PS: Hand-signed version of this communication shall be issued after the opening of office with the revocation of / relaxation in the lockdown imposed w.e.f. 25.3.2020 due to outbreak of Covid - 19 (SARS-CoV-2) Pandemic/Epidemic.

Copy to:-

1. The Dy. Secretary, RO(HQ), 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), / The APCCF-cum-Nodal Officer (FC) Deptt. of Environment, Forests & Climate Change, Government of Bihar, Aranya Bhawan, Shahid Pir Ali Khan Path, Patna - 800 014.
3. The Divisional Forest Officer, Saharsa/Araria/Purnia/Begusarai Forest Division, Bihar.
4. The Dy. General Manager (Const.), Barauni-Guwahati Pipeline project, GAIL (India) Ltd., Guwahati.
5. Guard File.