



GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE
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/21665/2016/3568

Dated 7th November, 2019

To

The Principal Secretary,
Department of Environment, Forests & Climate Change,
Government of Bihar, Sinchai Bhawan,
Secretariat, Patna.

Sub: Diversion of 0.64 ha of forest land for installation of Passenger Ropeway at Dungeshwari hill in favour of Bihar State Tourism Development Corporation Ltd. in Gaya district of Bihar.

Sir,

I am directed to refer to letter No.Van Bhumi-57/2018-1030(E)/Pa.Va. dated 11.09.2018 of the State Government and letter No.Va.Sa./82/2017-748 dated 24.10.2019 of Nodal Officer (FC), 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 0.64 ha of forest land for installation of Passenger Ropeway at Dungeshwari hill in favour of Bihar State Tourism Development Corporation Ltd. in Gaya district 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 1830 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 surrounding area of the project. 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 0.64 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. 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 modern technology or otherwise, will be translocated to the extent possible at the cost of user agency.
5. 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/>).
6. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
7. The height of the ropeways should be maintained with minimum clearance of 5 meters from the highest tree.
8. The boundary of the forest land proposed for diversion, shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, DGPS coordinates, forward and back bearing and distance from adjoining pillars etc.
9. Wherever possible and technically feasible, the User Agency shall undertake afforestation measures along the roads segment covered under this approval, in consultation with the State Forest Department at the project cost.
10. a) It will be the responsibility of the User Agency to ensure that the labourers and staff engaged in construction activity do not damage the nearby forest flora and fauna.

b) 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.

c) Earth or any other material shall not be brought from and debris resulting during construction shall not be disposed of in the adjoining forest area by the user agency.
11. The layout plan of the proposal shall not be changed without prior approval of Central Government.

12. The period of diversion under this approval shall be co-terminus with the period of the project life (existence of the road).
13. 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.
14. 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.
15. 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.
16. 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 effected 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, the in-principle approval may be deemed as the working permission for tree felling and commencement of works, if the required funds for CA, NPV and all other compensatory levies specified in the in-principle approval are realised 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).

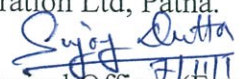
Yours faithfully,


(Sujoy Dutta)

Technical Officer (Forestry)

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), Department of Environment, Forests & Climate Change, Government of Bihar, Aranya Bhawan, Shahid Pir Ali Khan Path, Patna - 800 014.
3. The APCCF-cum-Nodal Officer(FC), Dept. of Environment, Forests & Climate Change, Government of Bihar, Aranya Bhawan, Shahid Pir Ali Khan Path, Patna - 800 014.
4. The Divisional Forest Officer, Gaya Forest Division, Bihar.
5. The Managing Director, Bihar State Tourism Development Corporation Ltd, Patna.
6. Guard File.


Technical Officer (Forestry)