



GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE
REGIONAL OFFICE (RANCHI)
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No. FP/BR/Others/28965/2017 / 3353

Dated 19th August, 2019

To

The Principal Secretary

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

Sub: Diversion of 0.0446 ha forest land for construction of approach road for opening retail outlet of BPCL on the side of NH-77 Road by Smt. Vibha Singh in Sitamarhi district of Bihar.

Sir,

I am directed to refer to State Govt. letter No.Van Bhumi-29/2019-518(E)/Pa.Va. dated 07.05.2019, wherein prior approval of Ministry of Environment, Forest and Climate Change for diversion of 0.0446 ha forest land for construction of approach road for opening retail outlet of BPCL on the side of NH-77 Road by Smt. Vibha Singh in Sitamarhi 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 for diversion of the said forest land was accorded by the Regional Office, Ranchi vide letter of even number dated 28.05.2019 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.

2. In this connection, I am directed to say that on the basis of the compliance report furnished by the State Government of Bihar vide their letter No.Van.Bhumi-29/2019-875(E)/Pa.Va. dated 12.07.2019, **approval** of the Central Government is hereby granted under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 0.0446 ha forest land for construction of approach road for opening retail outlet of BPCL on the side of NH-77 Road by Smt. Vibha Singh in Sitamarhi district of Bihar, subject to the following conditions and stipulations:-

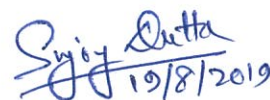
1. Legal status of forest land diverted shall remain unchanged.
2. The State Govt. shall plant 100 numbers of trees to maintain the green cover at the project cost. Planting site for the purpose shall be identified by the State Forest Department preferably within or in the surrounding area of the project. 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. 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
5. The layout plan of the proposal shall not be changed without the prior approval of Central Government.
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 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 establishment 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 land requirement of the establishment.
 - (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 the extant guidelines.
7. Earth or any other material shall not be brought from the adjoining forest area and debris resulting during construction nor shall be disposed of in the adjoining forest area by the user agency.
8. The period of diversion under this approval shall be co-terminus with the project life of the fuel outlet.
9. (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.
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 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.

Yours faithfully,


(Sujoy Dutta)

Technical Officer (Forestry)

Copy to:-

1. The Deputy 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, Forest & Climate Change, Government of Bihar, Aranya Bhawan, Shahid Pir Ali Khan Path, Patna - 800 014.
3. The APCCF-cum-Nodal Officer, Department of Environment, Forest & Climate Change, Government of Bihar, Aranya Bhawan, Shahid Pir Ali Khan Path, Patna - 800 014.
4. The Divisional Forest Officer, Sitamarhi Forest Division, Bihar.
5. Smt. Vibha Singh, W/o Shri Chhatrapati Kumar Singh, Village – Pharchhahiya, P.O. – Kohbarva, P.S.+Block – Sonbarsa, Dist. – Sitamarhi, Bihar - 843330.
6. Guard File.


Technical Officer (Forestry)