



बिहार सरकार,
पर्यावरण, वन एवं जलवायु परिवर्तन विभाग,
कार्यालय : प्रधान मुख्य वन संरक्षक, बिहार, पटना।
(कैम्पा एवं वन संरक्षण संभाग)

तृतीय तल, अरण्य भवन, शहीद पीर अली खॉं मार्ग, पटना-800 014
संख्या-व.सं./57/2021

प्रेषक,

अरविन्दर सिंह, भा०व०से०,
अपर प्रधान मुख्य वन संरक्षक (कैम्पा)
-सह-नोडल पदाधिकारी (वन संरक्षण),
बिहार, पटना।

सेवा में,

परियोजना निदेशक,
भारतीय राष्ट्रीय राजमार्ग प्राधिकरण
परियोजना कार्यान्वयन इकाई, पूर्णियाँ।

पटना 14, दिनांक-

विषय - भारतमाला परियोजना के तहत किशनगंज जिलान्तर्गत किशनगंज-बहादुरगंज (0.00-22.70 कि०मी०) पथांश चौड़ीकरण एवं सुदृढीकरण हेतु वन (संरक्षण) अधिनियम, 1980 के तहत 6.214 हे० वन भूमि अपयोजन प्रस्ताव पर सैद्धान्तिक स्वीकृति के संबंध में।

प्रसंग - भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, क्षेत्रीय कार्यालय, राँची का पत्रांक FP/BR/ROAD/136838/2021/322 दिनांक 02.06.2022

महाशय,

उपर्युक्त विषयक संबंध में सूचित करना है कि प्रासंगिक पत्र (छायाप्रति संलग्न) द्वारा भारत सरकार ने विषयाधीन परियोजना के निर्माण हेतु 6.214 हेक्टेयर वन भूमि के अपयोजन के प्रस्ताव पर दो भाग (भाग-A एवं B) में सैद्धान्तिक स्वीकृति प्रदान की है। सैद्धान्तिक स्वीकृति पत्र के भाग-A में 1-8 शर्तें तथा भाग-B में 1-11 शर्तें अधिरोपित हैं जिसका कंडिकावार अनुपालन आपके स्तर से अपेक्षित है।

2. सैद्धान्तिक स्वीकृति पत्र के भाग-A के शर्त संख्या 1 के आलोक में प्रधान मुख्य वन संरक्षक (विकास), बिहार के कार्यालय आदेश संख्या 03 दिनांक 01.11.2017 द्वारा निर्धारित मानक दर एवं वर्तमान मजदूरी पर क्षतिपूरक वनीकरण हेतु रू० 65,82,644/- (रूपये पैसठ लाख बैरासी हजार छः सौ चौवालीस) मात्र का प्राक्कलन वन प्रमंडल पदाधिकारी, अररिया द्वारा उपलब्ध कराया गया है।

उक्त राशि का आकलन वर्तमान मजदूरी दर रू० 318/प्रतिमानव दिवस पर किया गया है। श्रम संसाधन विभाग, बिहार सरकार द्वारा समय-समय पर मजदूरी दर में किये जाने वाले वृद्धि के फलस्वरूप क्षतिपूरक वनीकरण मद की राशि संभावित वृद्धि के साथ भुगतये होगा।

3. सैद्धान्तिक स्वीकृति पत्र के भाग-A के शर्त संख्या 2 के आलोक में परियोजना निर्माण के क्रम में 6.214 हेक्टेयर अपयोजित होने वाली वन भूमि का NPV की राशि 9.57780 लाख रूपये प्रति हेक्टेयर की दर से कुल रू० 59,51,645/- (रूपये उनसठ लाख एकावन हजार छः सौ पैतालीस) मात्र NPV के मद में प्रयोक्ता एजेन्सी, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, बिहार को उपलब्ध कराएगी।

4. उपर्युक्त CA एवं NPV मद की कुल राशि रू० 1,25,34,289/- (रूपये एक करोड़ पच्चीस लाख चौतीस हजार दौ सौ नवासी) मात्र को मंत्रालय के वेब-साईट parivesh.nic.in से e-challan generate कर Bihar CAMPA के account में online Mode द्वारा फंड ट्रांसफर कर राशि जमा कराई जाय।

5. उक्त जमा की गयी राशि को पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, के e-portal पर प्रदर्शित करना अनिवार्य होगा साथ ही साथ जमा की गयी राशि की सूचना हेतु इस कार्यालय को UTR No एवं दिनांक के साथ e-challan की मूल प्रति दी जाय।

6. उपर्युक्त के अतिरिक्त प्रसंगाधीन पत्र के भाग-A में सन्निहित 1-8 शर्तें तथा भाग-B में सन्निहित 1-11 शर्तों का अनुपालन सुनिश्चित करते हुए समेकित प्रतिवेदन इस कार्यालय को यथाशीघ्र समर्पित करने की कृपा की जाय ताकि भारत सरकार से विषयाधीन मामले में अन्तिम स्वीकृति प्राप्त करने की कार्रवाई की जा सके।

अनु०-यथोक्त।

विश्वासभाजन,

ह०/-

(अरविन्दर सिंह)

अपर प्रधान मुख्य वन संरक्षक (कैम्पा)
-सह-नोडल पदाधिकारी (वन संरक्षण),
बिहार, पटना।

ज्ञापांक- व.सं./57/2021-540 दिनांक- 20/06/2022

प्रतिलिपि- वन प्रमंडल पदाधिकारी, अररिया वन प्रमंडल, अररिया/वन संरक्षक, पूर्णियाँ अंचल, पूर्णियाँ को सानुलग्नक सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।



(अरविन्दर सिंह)

अपर प्रधान मुख्य वन संरक्षक (कैम्पा)
-सह-नोडल पदाधिकारी (वन संरक्षण),
बिहार, पटना।



No.FP/BR/ROAD/136838/2021/ 322

Date: 2nd June 2022

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 6.214 ha forest land in favour of NHAI for rehabilitation and upgrading to 4 lane with paved shoulder and strengthening of Kishanganj-Bahadurganj Section (0.00-22.70 KM) road under Araria Forest Division, Kishanganj districts of Bihar – reg.

Sir,

I am directed to refer to state Govt. letter No.Van Bhumi-129/2021-320(E)/Pa.Va.Ja.Pa. dated 26.04.2022 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 and on the basis of decision of Regional Empowered Committee held on 31.05.2022, the “in-principle” approval of Central Government, is hereby conveyed for diversion of 6.214 ha forest land in favour of NHAI for rehabilitation and upgrading to 4 lane with paved shoulder and strengthening of Kishanganj-Bahadurganj Section (0.00-22.70 KM) road under Araria Forest Division, Kishanganj districts of Bihar, subject to the following conditions and stipulations.

A: Conditions which need to be complied prior to handing over of forest land by the State Forest Department.

- (1) The cost of compensatory afforestation on the CA land at the prevailing wage rates as per compensatory afforestation scheme (including the cost of survey, demarcation and erection of permanent pillars etc. as required for securing the land against encroachment) shall be deposited in advance with the State Forest Department by the project authority. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.

- (2) The State Government shall charge the Net Present Value (NPV) for the 6.214 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 and letter No.5-3/2011-FC(Vol-I) dated 6/1/2022 in this regard.
- (3) 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/>).
- (4) The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
- (5) As decided by the REC in its meeting while examining this proposal, a detailed progress report should be submitted to this office by the project proponent regarding tree translocation status of earlier approved ('in-principal') (Proposal No. FP/BR/ROAD/48933/2020& FP/BR/ROAD/48921/2020) proposals before issuance of final approval for this proposal.
- (6) The KML files of the area to be diverted and the CA area shall be uploaded on the e-Green watch portal with all requisite details and submitting compliance report for seeking Stage-II approval.
- (7) Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as prescribed in para 1.21 of Chapter 1 of the Handbook of Comprehensive Guidelines of Forest (Conservation) Act, 1980 as issued by this Ministry's letter No.5-2/2017-FC dated 28.03.2019.
- (8) The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).

B: Conditions which need to be strictly complied on field after handing over of forest land to the User Agency by the State Forest Department but the compliance in form of undertaking shall be submitted prior to Stage-II approval:

- (1) Legal status of the forest land shall remain unchanged.
- (2) Compensatory afforestation shall be taken up by the Forest Department over 13.00 ha. degraded forest land (Site – Haria PF of Araria Forest Division, Compartment No. 13.) 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, including non-native species should be avoided.

- (3) 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) 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 and permission of the State Forest Department and the cost of felling of trees shall be deposited by the User Agency with the State Forest Department. Further, in view of the State Government's recommendation, such number of trees whose removal is unavoidable, and whose translocation (species, number and girth to be decided by SFD) is practicable, will be translocated to the extent possible at the cost of user agency.
- (5) Transplantation plan be meticulously designed with identified land for replanting of saplings/ trees. Also, monitoring mechanism towards survival of such trees should be in place. The User Agency shall keep a record of survival of translocated trees and submit annual report to Forest Department pertaining to it.
- (6) The User Agency shall raise strip plantation on both sides and central verge of the road as per the IRC norms under periodic monitoring of forest department.
- (7) The project proponent should avoid planting fruit/ flower bearing plants at the median that may attract birds and butterflies (to avert their collision with moving vehicles).
- (8) The User Agency shall ensure that the labourers and staff engaged in construction activities do not damage the nearby forest flora and fauna. 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.
- (9) The layout plan of the proposal shall not be changed without prior approval of the Ministry of Environment, Forest & Climate Change.
- (10) (a) The 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 period of the project life/ requirement.
(c) The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department, or person without prior approval of the Ministry of Environment, Forest & Climate Change.

- (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.

After receipt of the report from the State Government regarding due compliance and fulfillment of the above conditions and stipulations, formal approval will be issued in this regard under Section 2 of Forest (Conservation) Act, 1980. Transfer of forest land by the State Government to the user agency should not be given effect to till formal order approving diversion of forest land is issued by the Ministry of Environment, Forest and Climate Change. To facilitate speedy execution of this project, the in-principle approval may be considered for issuance of working permission for commencement of works by the competent authority, if the required funds for 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 sincerely,

(Shashi Shankar)

Assistant Inspector General of Forests (Central)

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), / 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, Araria Forest Division, Araria, Bihar.
4. The Project Director, NHAI, PIU - Purnea, Sahiban Hata, Near Mahananda Colony, Purnea, Bihar-854301.
5. Guard File.

Assistant Inspector General of Forests (Central)