

PART -2
(To be filled the concerned Deputy Conservator of Forest)

7	7. Location of the Project/ Scheme:	
	(i) State/ Union Territory	Bihar
	(ii) District	Samastipur
	(ii) Forest Division	Samastipur Forest Division, Samastipur
	(iv) Area of forestland proposed for diversion (in ha)	0.015657 Ha
	(v) Legal status of forest.	Protected Forest vide notification no. 189(E)/190(E) dt 16.02.94
	(vi) Density of vegetation.	0.0
	(vii) Species-wise (scientific names) and diameter class- wise enumeration of trees (to be enclosed. In case of irrigation/ hydel projects numeration at FRL, FRL -2 meter & FRL -4 meter also to be enclosed	NIL
	(viii) Brief note on vulnerability of the forest area to erosion	Since there is no concreted structure nearby both sides of the road, the soil, also due to its structure, is vunrable to erosion.
	(ix) Approximate distance of proposed site for diversion form boundary of forest.	The concerned forest area is close to the outlet just next to it..
	(x) Whether forms part of national park, wildlife sanctuary, biosphere reserve, tiger reserve, elephant corridor, etc. (If so, the details of the area and comments of the Chief Wildlife warden to be annexed)	The proposed site is not at all a part of any N.P., sanctuaries or B. Reserves or that of any notified patch or corridor or like.
	(xi) Whether any rare/ endangered/ unique species of flora and fauna found in the area- if so details thereof.	In the concerned roadside P.F. area there is neither any rare nor any unique species found, nor is there any such possibilities due to wider most human interference because of enough developments in the area or near around the aforesaid site.
	(xii) Whether any protected archaeological/ heritage site fences establishment or any other important monument is located in the area. If so, the details thereof with NOC from competent authority, if required.	<p>There is no such protected archaeological site around the area. This whole area of Samastipur have some such sites named panr (पान्ड), Mangalgarh and Manda, being archaeological site in Samastipur Distt. are far off from the proposed area. These ancient structures are situated in Dalsinghsarai subdivision/ many more kilometre away in south of Samastipur Subdivision. But the proposed site, as is visible from map also, is situated in <u>Samastipur Subdivision</u>.</p> <p>The other ancient structure / building are Thaneswar temple, Khatu Shyam Mandir, Khundeswar Shiv temple, Khudno Biwi ka mazar, Durga mandir in keshopatti, Dekari and Mannipur Sthan (Maa Bhagwati) etc. are situated in Samastipur Subdivision which are not near the site. The nearest archeological site from the proposed outlet site is at a distance of 20 kilometer (approx) to name "Khundeswar Shiv Mandir" and "Khudno Biwi ka Mazār" which are situated in Morwa Block of Samastipur District / Subdivision. Hence there is no need of NOC from the concerned Authority as</p>

	(ii) Forest area of the district.	512.3 km canal side vide notification no 485 (E) dt. 15.04.90 dt 16.02.1994 Forest area 486 Ha Road side vide notification no. 189 (E) 190 (E) dt 16.02.1994
	(iii) Total forest area diverted since 1980 with number of cases.	22 – No. of cases, 0.77639 Ha (Assuming 7.5 meter width both sides)
	(iv) Total compensatory afforestation stipulated in the district/division since 1980 on	0.77639 Ha (Assuming 7.5 in wider both sides)
	(a) Forestland including penal compensatory afforestation.	0.77639 Ha
	(b) Non-forest land	
	(V) Progress of compensatory afforestation as on (date) 24/07/2017	185.4225 Ha
	(a) Forest Land	54.27 Ha (assuming 7.5 meter wide boths sides)
	(b) Non-Forest Land	131.1525 Ha (assuming 7.5 meter wide boths sides)
13	Specific recommendations of the DCF for acceptance or otherwise of the proposal with reasons.	<p>The user agencies including big corporations like IOCL, BPCL, HPCL and OIL etc must be acknowledged with all ecological realities and environmental facts in connection with FCA as well as that with EPA.</p> <p>A brief account, for example is being given on the micro-ecological unit of Samastipur ecological site.</p> <p>The legislature and public both must co-operate to restitute and to repair constructing a benign environment of the area. <u>The impact on ecology cannot be limited to the place of origin.</u> And the notification dated 23rd April, 2004 is being referred to which is issued by the government in connection with forming CAMPA in which clause 6.6 under the final recommendation reads :-</p> <ul style="list-style-type: none"> (i) The CAMPA may establish special purpose vehicles (SPV) for undertaking compensatory afforestation particularly by involving large public sector undertakings which frequently require forest lands and for their projects, in consultation and as far as possible with the concurrence of CEC. (ii) The CAMPA may also consider evolving "new mechanisms" to generate additional sources of fund for forest conservation works. <p>Hence, the judgement dattted 26.09.2005 in I.A no. 826 with I.A. No. 566 etc. come to conclude hereby that large Public sector undertaking, (substitute it by the word "Indian Oil Corporation limited" (IOCL) herewith) shall be involved so that the "regeneration" is done by establishing SPV in "specified areas."</p> <p>Now, as is far more given in most clearer terms that there is urgent need to restitute all fragile ecosystems under many headings rightly evident in "<u>Status Report of Environment of Bihar</u>" made by govt. of Bihar, Environment & Forest dept. Bihar as well as that by BPC Board where Samastipur has been recommended to put upon impact matrix and assigned to high impacts level. Hence, such environmental hot-spots districts must be treated similarly not only in terms of some rupees contribution, but they must also come forward to develop some nearby areas in the proximity to that of the user Agency or so, so as "the fuel powered high</p>

qualitative values of life fulfilling our worthfull happily living lives what soever. Hence, the proposal project may be accepted under these norms and processes and infact, the "spirit" of Forest Conservation Act, 1980 has then only be said to be deserving and be said to be qualifying, if the various judgements of Hon'ble Supreme Court Carry a single most "weight" regarding their single minded "attitudes" and hence their 'real' meaning of FC Act, in their truest meaning of their various terms used in various words of those orders (Judgements) depicted in voluminous several I.A's concerning FCA.

Date : 27.04.2018

Place : Samastipur

Signature



Name : Shashi Shekhar
Dy. Conservator of Forests
Samastipur

Site inspection report of the DCF

Date of inspection : - 19.02.2018

The proposed retail outlet of IOCL lies in the side of the road plying from Warisnagar-Daulatpur-Rosera. The proposed Forest area which is required to be used as entrance and exit as shown in the lay out map of IOCL is 0.015657 Ha. The proposed area is a part of P.F. (notification no.- 189E/190E dated – 16.02.1994). As per the observation made on the field and the facts stated above, the total land of the road side P.F. proposed for diversion for establishment of the Retail Outlet is 0.015657 ha.

Apart from that, there is no rare/ endangered/ unique species of flora & fauna found in the area, neither any archaeological site is present near the proposed site.


(Shashi Shekhar)
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Samastipur