



भारत सरकार / Government of India
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
Ministry of Environment, Forest & Climate Change
एकीकृत क्षेत्रीय कार्यालय/Integrated Regional Office
पता: द्वितीय तल, झारखण्ड राज्य आवास बोर्ड मुख्यालय, हरमू चौक, राँची, झारखण्ड - 834002
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संख्या: FP/BR/Road/144718/2021/631

दिनांक: 10.10.2024

सेवा में,

प्रधान सचिव/ अपर मुख्य सचिव
पर्यावरण, वन एवं जलवायु परिवर्तन विभाग
बिहार सरकार, सिंचाई भवन, सचिवालय
पटना – 800015.

विषय :- भारतमाला परियोजना के तहत वैशाली एवं समस्तीपुर जिलान्तर्गत कल्यानपुर-ताल-दशहारा (0.00-47.50 कि॰मी॰) पथ निर्माण हेतु वन (संरक्षण एवं संवर्धन) अधिनियम, 1980 के तहत 3.042 हे॰ वन भूमि अपयोजन प्रस्ताव पर अंतिम (स्टेज-II) स्वीकृति के संबंध में।

महाशय,

I am directed to refer to the State Govt. letter No. Van Bhumi-61/2022-10(E)/Pa.Va.Ja.Pa dated 04.01.2023, wherein prior approval of Ministry of Environment, Forest and Climate Change for diversion of 3.042 ha forest land in favour of NHAI, PIU-Chhapra for construction of Four Lane Inter corridor from Kalyanpur to Tal Dashahara (0.00-47.50 km) package-IV, NH-119D Road under Bharatmala Pariyojana in Vaishali and Samastipur district of Bihar, was sought in accordance with Section-2 of the Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980. After due consideration of the proposal of the State Government, the '**in-principle**' approval of the Central Government for diversion of the said forest land was accorded vide this office letter of even number dated 10.02.2023 subject to fulfillment of certain conditions.

In this connection, on the basis of the compliance report with request for according final approval furnished by the State Government of Bihar vide letter No. Van Bhumi-61/2022-243(E)/Pa.Va.Ja.Pa dated 04.06.2024 and letter No. FC/02/2022-663 dated 11.09.2024 of APCCF-cum-Nodal Officer (FC), Bihar, **final approval** of the Central Government is hereby being granted under Section 2 of the Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 for diversion of 3.042 ha forest land in favour of NHAI, PIU-Chhapra for construction of Four Lane Inter corridor from Kalyanpur to Tal Dashahara (0.00-47.50 km) package-IV, NH-119D Road under Bharatmala Pariyojana in Vaishali and Samastipur district of Bihar, subject to the following conditions and stipulations:-

- (1) Legal status of the forest land diverted shall remain unchanged.
- (2) Compensatory afforestation shall be taken up by the Forest Department over 7 ha. degraded forest land (Site – Pachuadhih PF, Chakai range, Compartment No. 1

under Jamui Forest Division) 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, especially non-native species should be avoided.

- (3) The State Government shall ensure that compliance of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 has been completed in accordance with the relevant Rules and Guidelines issued by the MoEF & CC, GoI in this regard.
- (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) Wherever possible and technically feasible, the User Agency shall undertake appropriate afforestation or vegetation enrichment measures near the site(s) related to the area diverted under this approval, in consultation with the State Forest Department at the project cost.
- (8) 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).
- (9) 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.
- (10) User Agency shall provide unrestricted access of the road to forest department vehicles.
- (11) The User Agency shall ensure that the labourers and staff engaged in construction activities do not damage the nearby forest flora and fauna.
- (12) 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.

- (13) The layout plan of the proposed diversion of the forest land shall not be changed without the prior approval of Ministry of Environment, Forest & Climate Change.
- (14) (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.
- (15) The User Agency and the State Government shall ensure compliance to provisions of all the Acts, Rules, Regulations, Guidelines, Hon'ble Court Order(s) and National Green Tribunal Order(s) pertaining to this project, if any, for the time in force, as applicable to the project.
- (16) Violation of any of these conditions will amount to violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and action would be taken as prescribed Guidelines.
- (17) 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 forests and wildlife.

2. 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, Forest & 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 Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.

आपका विश्वासभाजन,

(शशि शंकर)

उप वन महानिरीक्षक

प्रतिलिपि:-

- आई०जी०एफ०, आर०ओ०एच०क्यू०, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, इन्दिरा पर्यावरण भवन, जोर बाग रोड, नई दिल्ली-110003.
- प्रधान मुख्य वन संरक्षक (HoFF)/अपर प्रधान मुख्य वन संरक्षक- सह - नोडल पदाधिकारी (एफ. सी.), पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, बिहार सरकार, अरण्य भवन, शहीद पीर अली खां मार्ग, पटना-800014.
- वन प्रमण्डल पदाधिकारी, वैशाली एवं समस्तीपुर वन प्रमण्डल, बिहार ।
- परियोजना निदेशक, NHAI, PIU- छपरा, बिहार ।

5. गार्ड फाईल ।