



भारत सरकार / Government of India  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
Ministry of Environment, Forest & Climate Change  
क्षेत्रीय कार्यालय/ Regional Office  
पता: द्वितीय तल, झारखण्ड राज्य आवास बोर्ड मुख्यालय, हरमू चौक, राँची, झारखण्ड - 834002  
Add: 2<sup>nd</sup> Floor, Headquarter-Jharkhand State Housing Board, Harmu Chowk, Ranchi, Jharkhand - 834002  
Tel: 0651-2410002, 2410007; E-mail: ro.ranchi-mef@gov.in



संख्या: FP/BR/ROAD/149739/2021/350

दिनांक: 31.05.2024

सेवा में,

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

**विषय:** छपरा जिलान्तर्गत गाजीपुर-बलिया-यूपी/बिहार सीमा (मांझीघाट तक) ग्रीनफील्ड खंड के किमी 0.00 से किमी 115.200 तक एवं बक्सर स्पर (कुल लंबाई 17.800 किमी) चार लेन पथ निर्माण कार्य हेतु वन (संरक्षण एवं संवर्धन) अधिनियम, 1980 के तहत **5.66 हे०** वन भूमि अपयोजन प्रस्ताव पर सैद्धांतिक स्वीकृति (**Stage-I**) के संबंध में।

महाशय,

I am directed to refer to you the Bihar Govt.'s letter No.Van Bhumi-64/2023-800(E)/Pa.Va.Ja.Pa. dated 04.12.2023 on the above mentioned subject seeking prior approval of the Ministry of Environment, Forest and Climate Change under section 2 of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and to say that the proposal has been examined by Regional Empowered Committee constituted by the Central Government under Rule 6 of the Van (Sanrakshan Evam Samvardhan) Rules, 2023 framed under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.

After due consideration of the proposal of the State Government and on the basis of decision of Regional Empowered Committee in its 71<sup>st</sup> meeting held on 21.05.2024, the **“in-principle”** approval of Central Government, is hereby being conveyed for diversion of 5.66 ha forest land in favour of National Highway Authority of India for construction of four laning of Ghazipur to Ballia-U.P./Bihar Border New Greenfield section from Km 0.00 to Km 117.120 of NH-19 (NH-31 new name) and construction of new Buxar spur connectivity (Length: 17.800 km) including upgradation along the existing alignment under Saran Forest Division in Saran (Chhapra) district of Bihar, subject to the following conditions and stipulations:-

- (1) Legal status of the forest land shall remain unchanged.
- (2) In accordance to Rule 13 and Rule 14 of Van (Sanrakshan & Samvardhan) Rules 2023, user agency shall provide land which is neither notified as forest under relevant forest laws nor managed as forest by State Forest Department for raising Compensatory Afforestation (CA).
- (3) **Project proponent shall provide suitable Non-Forest Land (NFL) as per the norms/guidelines of MOEFF&CC in this regard for raising CA against**

**the proposal. This CA (NFL) must be provided before issuance of Stage-II FC approval or working permission.**

- (4) Compensatory afforestation shall be taken up by the Forest Department over matching amount of non-forest land in accordance to Rule 13 (1) or 13 (3) of the Van (Sanrakshan & Samvardhan) Rules 2023 and user agency shall bear the cost of raising compensatory afforestation on such land. As far as possible, a mixture of local indigenous & natural species shall be planted and monoculture of any species shall be avoided.
- (5) The non-forest land proposed for CA shall be transferred and mutated in the name of Forest Department and notified as RF/PF prior to Stage-II approval. A copy of the original notification declaring the non-forest land under Section 4 or Section 29 of the Indian Forest Act, 1927, or under the relevant section of the State Forest Act as the case may be, will be submitted by the State Government prior to Stage-II approval.
- (6) The cost of compensatory afforestation on the CA Non- Forest 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 at least 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.
- (7) **Tree Protection Plan (TPP) towards the trees likely to be affected by the proposal related project shall be submitted before issuance of working-permission or Stage-II (Final) FC approval.**
- (8) **The user agency shall correct the employment generation data (both-temporary man-days & permanent employment) on the portal and submit the corrected information to this office.**
- (9) The State Government shall charge the Net Present Value (NPV) for the 5.66 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, 5-3/2007-FC dated 05/02/2009 and **letter No.5-3/2011-FC(Vol-I) dated 6/1/2022** in this regard.
- (10) 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.

- (11) 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>).
- (12) **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 uploaded details shall be submitted along with compliance report for seeking Stage-II approval.**
- (13) The FRA certificate as per Ministry's guidelines shall be submitted before the issuance of final approval. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
- (14) 223 trees in forest area that are likely to be affected due to the proposal, shall be worked upon only after due inspection and permission of the concerned DFO. The cost of such working shall be deposited by the User Agency with the State Forest Department in advance as per its demand.
- (15) User Agency shall restrict the felling of trees to minimum number in the diverted forest land and the concerned DFO shall ensure to keep the number minimum possible.
- (16) The State Forest Department should raise strip plantation on both sides of the road as per the IRC norms at project cost.
- (17) Speed regulating signage will be erected along the road at regular intervals in the Protected Areas/Forest Areas.
- (18) The User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.
- (19) The layout plan of the proposal shall not be changed without prior approval of the Ministry of Environment, Forest & Climate Change.
- (20) No labour camp shall be established on the forest land.
- (21) Sufficient firewood, preferably the alternate fuel/LPG, 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.
- (22) The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.
- (23) No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.

- (24) The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less.
- (25) The forest land shall not be used for any purpose other than that specified in the project proposal.
- (26) 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.
- (27) Overburden shall not be dumped outside the width of the road. The muck generated in the earth cuttings will be disposed of at the designated dumping sites and in no case the muck/debris will be allowed to roll down the hill slopes.
- (28) Wherever possible and technically feasible, the User Agency shall undertake afforestation measures along the roads within the area diverted under this approval, in consultation with the State Forest Department at the project cost.
- (29) User Agency shall provide unrestricted passages to the Forest Department Vehicles. Undertaking to this effect shall be provided with the compliance report.
- (30) 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.
- (31) Violation of any of these conditions will amount to violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and action would be taken as per the MoEF&CC Guideline, Acts and Rules.
- (32) The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).
- (33) 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 Van (Sanrakshan Evam Samvardhan) Adhiniyam, 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. The State Government or the Union territory Administration, if so desire, after obtaining the 'In-principle' approval of linear proposal and deposition of compensatory levies such as compensatory afforestation and Net Present Value and cost of mitigation plans such as of the Wildlife Management Plan and Soil and Moisture Conservation Plan, as

applicable, notification of the land identified for raising compensatory afforestation as Protected Forest under Indian Forest Act, 1927 (16 of 1927) or local forest Act and compliance of other statutes including the Schedule Tribe and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (2 of 2007), may grant 'working permission' for the commencement of project work before grant of 'Final' approval. But no such permission can be granted before duly notified CA (NFL) is made available by user agency to the State Forest Department.

विश्वासभाजन

(शशि शंकर)

उप महानिरीक्षक वन

प्रतिलिपि:-

1. आई०जी०एफ०, आर०ओ०एच०क्यू०, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, इन्दिरा पर्यावरण भवन, जोर बाग रोड, नई दिल्ली-110003.
2. 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.
3. वन प्रमण्डल पदाधिकारी, सारण वन प्रमण्डल, छपरा, बिहार ।
4. परियोजना निदेशक, भारतीय राष्ट्रीय राजमार्ग प्राधिकरण, पी.आई.यू. , 20/104, प्रथम तल, हरबंसपुर, आजमगढ़, उत्तर प्रदेश ।
5. क्षेत्रीय अधिकारी, भारतीय राष्ट्रीय राजमार्ग प्राधिकरण, लखनऊ, उत्तर प्रदेश ।
6. गार्ड फाईल ।