



GOVERNMENT OF INDIA  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE  
REGIONAL OFFICE (RANCHI)  
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जहाँ है हरियाली ।  
वहाँ है खुशहाली ॥

No. FP/BR/Others/25453/2017/1749

Dated 06<sup>th</sup> December, 2017

To

The Principal Secretary,  
Department of Environment and Forests,  
Government of Bihar, Sinchai Bhawan,  
Secretariat, Patna.

Sub: Diversion of 0.0045 ha of forest land for construction of approach road for opening retail outlet of BPCL on Dalsinghsarai-Vidhapati Road by Shri Rakesh Kumar Paswan in Samastipur district of Bihar.

Sir,

I am directed to refer to State Govt. letter No. Van Bhumi-12/2017-362(E)/Pa.Va. dated 31.05.2017, wherein prior approval of Ministry of Environment, Forest and Climate Change for diversion of 0.0045 ha of forest land for construction of approach road for opening retail outlet of BPCL on Dalsinghsarai-Vidhapati Road by Shri Rakesh Kumar Paswan in Samastipur 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 11.08.2017 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-12/2017-748(E)/Pa.Va. dated 15.09.2017 and the APCCF-cum-Nodal officer letter No. FC-1143 dated 08.11.2017, approval of the Central Government is hereby granted under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 0.0045 ha of forest land for construction of approach road for opening retail outlet of BPCL on Dalsinghsarai-Vidhapati Road by Shri Rakesh Kumar Paswan in Samastipur district of Bihar, subject to the fulfillment of the following conditions:-

1. Legal status of forest land diverted shall remain unchanged.
2. Additional amount of NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India, shall be charged by the State Govt. from the user agency.

3. The State Govt. shall plant 50 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. Only indigenous tree species shall be used for such plantation.
4. The boundary of the diverted forest land shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, DGPS coordinates, forward and back bearing and distance from adjoining pillars etc.
5. 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.
6. 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.
7. It will be the responsibility of the User Agency to ensure that the labourers, staff engaged in construction activity does not damage the nearby forest flora and fauna.

8. The layout plan of the proposal shall not be changed without the prior approval of Ministry of Environment, Forests & Climate Change.
9. The forest land shall not be used for any purpose other than that specified in the proposal and under no circumstances be transferred to any other user agency, department or person.
10. The user agency shall submit annual self monitoring report on compliance of stipulated conditions to the Nodal Officer (FCA) of the State and Regional Office, Ranchi of this Ministry.
11. The user agency and the State Government shall ensure compliance of provisions of all the Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project.
12. Any other conditions that the Ministry of Environment, Forests & Climate Change may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area shall be complied by the user agency.
13. In case of non-compliance of any of the above conditions, the State Govt. shall report to this office as per procedure laid down in the clause 1.9 of guidelines issued under Forest (Conservation) Act, 1980.

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,



(Vasanta Kiran Babu)

Dy. Conservator of Forests (Central)

Copy to:-

1. The Director, 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, Government of Bihar, Aranya Bhawan, Shahid Pir Ali Khan Path, Patna - 800 014.
3. The APCCF-cum-Nodal Officer, Forest Department, Government of Bihar, Aranya Bhawan, Shahid Pir Ali Khan Path, Patna - 800 014.
4. The Divisional Forest Officer, Samastipur Forest Division, Bihar.
5. Shri Rakesh Kumar Paswan, S/o Shri Ramprit Paswan, Village – Piparpanti, P.O. – Kewta, Thana - Dalsinghsarai, Dist – Samstipur, Bihar - 848114.
6. Guard File.

114 / 6.12.17  
Dy. Conservator of Forests (Central)