



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: एफ.पी.बी.आर/एप्रोच/150433/2021/1732

दिनांक: 22.12.2023

सेवा में,

प्रधान सचिव

पर्यावरण, वन एवं जलवायु परिवर्तन विभाग

बिहार सरकार, सिंचाई भवन

पटना – 800015

विषय :- श्री शैलेन्दर कुमार द्वारा सारण जिलान्तर्गत मनोहर मौजा के खाता संख्या-348, खेसरा संख्या-3339,3340,3335, थाना संख्या-109, थाना-बनियापुर में NH-101 छपरा-बनियापुर पथ के किनारे HPCL का रिटेल आउटलेट स्थापित करने के क्रम में पहुच पथ निर्माण हेतु वन (संरक्षण) अधिनियम, 1980 के अंतर्गत 0.01875 हे० वन भूमि अपयोजना प्रस्ताव पर अंतिम (स्टेज-II) स्वीकृति के संबंध में।

Ref: **In-principle approval letter no. एफ. पी/बी.आर/एप्रोच/150433/2021/387 dated 29.08.2023**

State Govt. letter no. वन भूमि-32/2023-760 (ई)/प०व०ज०प०, पटना-15 dated 14.11.2023

महाशय,

निर्देशानुसार उपर्युक्त विषय पर वन संरक्षण अधिनियम, 1980 की धारा 2 के तहत पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय की पूर्व स्वीकृति हेतु राज्य सरकार, बिहार के पत्र संख्या **वन भूमि-32/2023-760 (ई)/प०व०ज०प०, पटना-15 dated 14.11.2023** के संदर्भ में कहना है कि राज्य सरकार के प्रस्ताव पर विचारोपरान्त श्री शैलेन्दर कुमार द्वारा सारण जिलान्तर्गत मनोहर मौजा के खाता संख्या-348, खेसरा संख्या-3339,3340,3335, थाना संख्या-109, थाना-बनियापुर में NH-101 छपरा-बनियापुर पथ के किनारे HPCL का रिटेल आउटलेट स्थापित करने के क्रम में पहुच पथ निर्माण हेतु वन (संरक्षण) अधिनियम, 1980 के अंतर्गत 0.01875 हे० वन भूमि अपयोजना के लिए केंद्र सरकार (पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय) की अंतिम (स्टेज-II) स्वीकृति निम्नांकित शर्तों एवं अपेक्षाओं के अधीन प्रदान की गई है:-

1. प्रत्यावर्तित वन भूमि का वैधानिक स्थिति यथावत रहेगा।
2. **Compensatory afforestation:** The State Forest Department shall plant 100 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 in the vicinity of the project site. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided.
3. The complete compliance of the FRA, 2006 shall be ensured by the way of prescribed certificate from the concerned District Collector.

I/60860/2023

I/60860/2023

4. Wherever possible and technically feasible, the User Agency shall undertake by involving local community, afforestation measures in the blanks within the lease area, as well as along the roads outside the lease area diverted under this approval, in consultation with the concerned DFO at the project cost.
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: -
 - i. 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 complex along the highways so that destruction of road side forest is minimized.
 - ii. Suitable signs and markings showing the location of the fuel station may be provided without disturbing the road side plantations.
 - iii. Entire periphery of the retail outlet 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 functional space requirement.
 - iv. 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 guidelines.
6. 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.
7. The user agency shall ensure that the labourers and staff engaged in construction activity do not damage the nearby forest flora and fauna.
8. a) The diverted 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 existence of the petroleum Retail Outlet and the requirement of land for an access road.
 - c) The diverted forest land shall under no circumstances be transferred to any other agencies, department, or person without prior approval of the Ministry of Environment, Forest & Climate Change.
9. The User Agency and the State Government shall ensure compliance to provisions of 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.
10. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF&CC Guideline F. No. 11-42/2017-FC dt 29/01/2018.
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.

I/60860/2023

I/60860/2023

As has been mentioned at Para-2 of the Stage-II approval, this approval for the diversion of forest land is subject to the fulfillment of the stipulated conditions mentioned in this approval letter. Therefore, in the event of non-compliance with any of the conditions laid out in this approval letter, the Regional Office of the Ministry of Environment, Forests & Climate Change may withdraw the said approval for the 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.

विश्वासभाजन

Signed by Shashi Shankar
Pathak

Date: 24-12-2023 06:55:56

Reason: Approved by the Regional Officer

प्रतिलिपि:-

1. डी०आई०जी०एफ०, 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 I
4. श्री शैलेन्दर कुमार, पिता-श्री शिव कुमार शर्मा, ग्राम-गोहन, पोस्ट-शमकोडिया, जिला-सारण, बिहार-841411.
5. गार्ड फाईल I