

I/46287/2023



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/JH/Road/146250/2021/ 1177

दिनांक: 13.06.2023

सेवा में,

अपर मुख्य सचिव
वन, पर्यावरण, एवं जलवायु परिवर्तन विभाग
झारखण्ड सरकार,
नेपाल हाउस, राँची - 834002.

विषय:- In-principle (Stage-I) approval of Central Government under Forest (Conservation) Act 1980 for diversion of 99.7862 ha (Bokaro FD - 66.5436 ha, Ramgarh FD - 28.9869 ha & Ranchi FD - 4.2557 ha) of forest land in favour of NHAI, PIU Dhanbad for construction of Road from Jaina More to Gola (NH-23) & Gola to Ormanjhi (NH-320B) section under Bharatmala Pariyojana in Bokaro, Ramgarh & Ranchi district of Jharkhand - reg.

महाशय,

I am directed to refer to you the Jharkhand Govt. letter No. Van Bhumi-09/2023-1614/Va.Pa. dated 02.05.2023 on the above mentioned subject seeking prior approval of the Ministry of Environment, Forest and Climate Change under section 2 of Forest (Conservation) Act, 1980.

After due consideration of the proposal of the State Government and on the basis of decision of Regional Empowered Committee in its 63rd meeting, the "in-principle" approval of Central Government, is hereby being conveyed for of 99.7862 ha (Bokaro FD - 66.5436 ha, Ramgarh FD - 28.9869 ha & Ranchi FD - 4.2557 ha) of forest land in favour of NHAI, PIU Dhanbad for construction of Road from Jaina More to Gola (NH-23) & Gola to Ormanjhi (NH-320B) section under Bharatmala Pariyojana in Bokaro, Ramgarh & Ranchi district of Jharkhand, subject to the following conditions and stipulations.

A: Conditions which need to be complied prior to handing over of forest land by the State Forest Department.

- (1) The cost of compensatory afforestation on the CA land (201.885 ha) 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) including that required for patch plantation shall be deposited in advance with the State Forest

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Department by the project authority. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.

- (2) The State Government shall charge the Net Present Value (NPV) for the 99.7862 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.
- (3) As recommended by the Regional Empowered Committee, a Wildlife Management Plan and Soil & Moisture Conservation Plan should be prepared by concerned DFO and approved by the PCCF (Wildlife) & Chief Wildlife Warden, Jharkhand for implementing them at project cost. The duly approved plan should be submitted in IRO, MoEF&CC, Ranchi before issuance of Final approval.
- (4) The Committee suggested that the patches left-over in between existing and proposed road, at certain locations, should also be taken up for plantation by SFD at project cost. This cost should also be included in CA levies.
- (5) 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/>).
- (6) **The User Agency should formulate & implement Soil Moisture Conservation work around the proposed road so that small streams are disturbed due to the construction of the highway.**
- (7) **A Muck-Disposal Plan should be prepared by User Agency to ensure that the muck/wastage generated should be disposed of in proper manner. Such plan, duly approved by the concerned DFO, should be submitted to this office before soliciting Working Permission.**
- (8) 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 including Gram-Sabha proceedings.
- (9) **The KML files of the forest area to be diverted and the CA area shall be uploaded on the e-Green watch portal with all requisite details and submitting compliance report for seeking Stage-II approval.**
- (10) Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as prescribed in para 1.21 of Chapter 1 of the Handbook of Comprehensive Guidelines of Forest

I/46287/2023 (Conservation) Act, 1980 as issued by this Ministry's letter No.5-2/2017-FC dated 28.03.2019.

- (11) The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).

B: Conditions which need to be strictly complied on field after handing over of forest land to the User Agency by the State Forest Department but the compliance in form of undertaking shall be submitted prior to Stage-II approval:

- (1) Legal status of the forest land shall remain unchanged.
- (2) Compensatory afforestation shall be taken up by the Forest Department over 201.89 ha. degraded forest land (Sites- Mauza - Lawalong, Thana - Gomia/39, Plot No. 254, 1, 18, 343 (Area - 50.50 ha), Mauza - Gomikarmatand, Thana - Gomia/103, Plot No. 467, 126, 240 (Area - 20.13 ha), Mauza - Dania, Thana - Gomia/32, Plot No. 560, 561 (Area - 20.87 ha), Mauza - Kurknalo, Thana - Gomia/94, Plot No. 728, 1236 (Area - 29.32 ha) and Mauza - Khakhand, Thana - Gomia/38, Plot No. 414, 418 (Area - 13.20 ha) under Bokaro Forest Division, Mauza - Darid, Thana - Peterwar/65, Plot No. 654 (Area - 7.18 ha), Mauza - Dantu, Thana - Kasmar/ 64, Plot No. 1458 (Area - 2.63 ha), Mauza - Sonhar, Thana - Kasmar/63, Plot No. 275, 252, 480, 497, 340 (Area - 8.70 ha), Mauza - Sonpura, Thana - Kasmar/62, Plot No. 323, 324, 305 (Area - 7.64 ha), Mauza - Kajrum, Thana - Peterwar/68, Plot No. 209 (Area - 5.25 ha), Mauza - Haslata, Thana - Kasmar/69, Plot No. 388 (Area - 6.70 ha), Mauza - Takaha, Thana - Peterwar/27, Plot No. 234 (Area - 4.27 ha) & Mauza - Banda, Thana - Gola/9, Plot No. 1967, 1984, 210 (Area - 15.95 ha) under Ramgarh Forest Division and Mauza - Balu, Thana - Ranchi/ 29, Plot No. 25 (Area - 9.55 ha) under Ranchi 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) 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.
- (4) **The trees having diameter less than 7 inches shall be translocated as per the set standards of the High-Powered Committee constituted in the state of Jharkhand, that governs the tree felling.**
- (5) 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 direction of the State Forest Department; the cost of felling of trees shall be deposited by the User Agency with the State Forest Department.

- I/46287/2021(6) 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.
- (7) The user agency shall provide suitable under passes for animal movement in Forest Area/ Road stretch as per recommendations of concerned DFO.
 - (8) The NHAI shall provide unrestricted access to Forest Department vehicles for managing forests & wildlife during project operation phase.
 - (9) The User Agency shall raise strip plantation on both sides of the road as per the IRC norms.
 - (10) The layout plan of the proposal shall not be changed without prior approval of Ministry of Environment, Forest & Climate Change.
 - (11) (a) No labour camp shall be established on the forest land.
(b) 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.
(c) 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.
 - (12) (a) The period of diversion under this approval shall be co-terminus with the period of the project life.
(b) The forest land shall not be used for any purpose other than that specified in the project proposal.
(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.
 - (13) 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.

2. After receipt of the compliance report regarding fulfillment of the conditions as stipulated above, from the State Government, formal approval will be issued in this regard under Section 2 of Forest (Conservation) Act, 1980. Transfer of forest land to user agency should not be given effect to by the State Government till formal order approving diversion of forest land is issued by the Central Government. To facilitate speedy execution of this project involving diversion for the project, the in-principle approval may be deemed as the permission for commencement of works, if the required funds for CA, NPV and other compensatory levies specified in the in-principle approval are realized from the user agency and accordingly the State Government, by passing an order, may allow the commencement of work of the linear project in forest land for a period of one year (The detail guideline issued vide Ministry letter No. 11-306/2014-FC, dated 28.08.2015 may be referred).

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विश्वासभाजन

Signed by Shashi Shankar

Pathak

Date: 13-06-2023 10:49:40 (शशि शंकर)

Reason: Approved सहायक वन महानिरीक्षक

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)/ प्रधान मुख्य वन संरक्षक- सह - नोडल पदाधिकारी (एफ. सी.), वन, पर्यावरण एवं जलवायु परिवर्तन विभाग, झारखण्ड सरकार, वन भवन, डोरंडा, राँची ।
3. वन प्रमण्डल पदाधिकारी, बोकारो, रामगढ़ एवं राँची वन प्रमण्डल, झारखण्ड ।
4. परियोजना निदेशक, NHAI, PIU, धनबाद ।
5. गार्ड फाईल ।

सहायक वन महानिरीक्षक