



**बिहार सरकार,
पर्यावरण, वन एवं जलवायु परिवर्तन विभाग,
कार्यालय : प्रधान मुख्य वन संरक्षक, बिहार, पटना।
(कैम्पा एवं वन संरक्षण संभाग)**

तृतीय तल, अरण्य भवन, शहीद पीर अली खॉं मार्ग, पटना-800 014

संख्या-व.सं./71/2022-200

प्रेषक,

नन्द कुमार मांझी
उप वन संरक्षक।

सेवा में,

परियोजना निदेशक,
भारतीय राष्ट्रीय राजमार्ग प्राधिकरण,
परियोजना कार्यान्वयन इकाई, मुजफ्फरपुर।

पटना 14, दिनांक- 21/03/2023

विषय - भारतमाला परियोजना के तहत दरभंगा एवं समस्तीपुर जिलान्तर्गत बलभद्रपुर-बेला-नवादा (47.00-89.21 कि०मी०) पथ के निर्माण हेतु वन (संरक्षण) अधिनियम, 1980 के तहत 3.2213 हे० वन भूमि अपयोजन प्रस्ताव पर सैद्धान्तिक स्वीकृति के संबंध में।

प्रसंग - भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, क्षेत्रीय कार्यालय, राँची का पत्रांक FP/BR/ROAD/155194/2022/966 दिनांक 06.03.2023

महाशय,

निदेशानुसार उपर्युक्त विषयक संबंध में सूचित करना है कि प्रासंगिक पत्र (छायाप्रति संलग्न) द्वारा भारत सरकार ने विषयाधीन परियोजना के निर्माण हेतु 3.2213 हेक्टेयर वन भूमि के अपयोजन के प्रस्ताव पर दो भाग (भाग-A एवं B) में सैद्धान्तिक स्वीकृति प्रदान की है। सैद्धान्तिक स्वीकृति पत्र के भाग-A में 1-9 शर्तें तथा भाग-B में 1-9 शर्तें अधिरोपित है जिसका कंडिकावार अनुपालन आपके स्तर से अपेक्षित है।

2. सैद्धान्तिक स्वीकृति पत्र के भाग-A के शर्त संख्या 1 के आलोक में प्रधान मुख्य वन संरक्षक (विकास), बिहार के कार्यालय आदेश संख्या 03 दिनांक 01.11.2017 द्वारा निर्धारित मानक दर एवं वर्तमान मजदूरी दर पर क्षतिपूरक वनीकरण हेतु रु० 39,82,088/- (रुपये उनचालीस लाख बैरासी हजार अठ्ठासी) मात्र का प्राक्कलन वन प्रमंडल पदाधिकारी, जमुई द्वारा उपलब्ध कराया गया है।

उक्त राशि का आकलन वर्तमान मजदूरी दर रु० 373/प्रतिमानव दिवस पर किया गया है। श्रम संसाधन विभाग, बिहार सरकार द्वारा समय-समय पर मजदूरी दर में किये जाने वाले वृद्धि के फलस्वरूप क्षतिपूरक वनीकरण मद की राशि संभावित वृद्धि के साथ भुगतये होगा।

3. सैद्धान्तिक स्वीकृति पत्र के भाग-A के शर्त संख्या 2 के आलोक में परियोजना निर्माण के क्रम में 3.2213 हेक्टेयर अपयोजित होने वाली वन भूमि का NPV की राशि 9.57780 लाख रुपये प्रति हेक्टेयर की दर से कुल रु० 30,85,297/- (रुपये तीस लाख पच्चासी हजार दौ सौ सनतानवें) मात्र NPV के मद में प्रयोक्ता एजेन्सी, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, बिहार को उपलब्ध कराएगी।

4. उपर्युक्त CA एवं NPV मद की कुल राशि रु० 70,67,385/- (रुपये सत्तर लाख सड़सठ हजार तीन सौ पच्चासी) मात्र को मंत्रालय के वेब-साईट parivesh.nic.in से e-challan generate कर Bihar CAMPA के account में online Mode द्वारा फंड ट्रांसफर कर राशि जमा कराई जाय।

5. उक्त जमा की गयी राशि को पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, के e-portal पर प्रदर्शित करना अनिवार्य होगा साथ ही साथ जमा की गयी राशि की सूचना हेतु इस कार्यालय को UTR No एवं दिनांक के साथ e-challan की मूल प्रति दी जाय।

6. उपर्युक्त के अतिरिक्त प्रसंगाधीन पत्र के भाग-A में सन्निहित 1-9 शर्तें तथा भाग-B में सन्निहित 1-9 शर्तों का अनुपालन सुनिश्चित करते हुए समेकित प्रतिवेदन इस कार्यालय को यथाशीघ्र समर्पित करने की कृपा की जाय ताकि भारत सरकार से विषयाधीन मामले में अन्तिम स्वीकृति प्राप्त करने की कार्रवाई की जा सके।

अनु०-यथोक्त।

विश्वासभाजन,

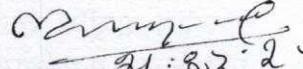
ह०/-

(नन्द कुमार मांझी)

उप वन संरक्षक।

ज्ञापांक- व.सं./71/2022-200 दिनांक- 21/03/2023

प्रतिलिपि- वन प्रमंडल पदाधिकारी, मिथिला एवं समस्तीपुर/वन संरक्षक, मुजफ्फरपुर अंचल, मुजफ्फरपुर को सानुलग्नक सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।


(नन्द कुमार मांझी)
उप वन संरक्षक।

I/39350/2023



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
Add: 2nd Floor, Headquarter-Jharkhand State Housing Board, Harmu Chowk, Ranchi, Jharkhand - 834002
Tel: 0651-2410002, 2410007; E-mail: ro.ranchi-mef@gov.in



No.FP/BR/ROAD/155194/2022/966

Date: 06.03.2023

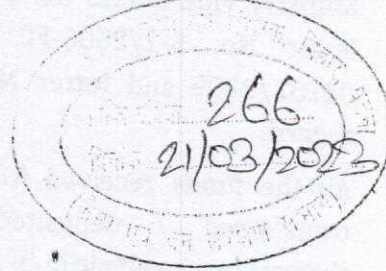
सेवा में,

प्रधान सचिव

पर्यावरण, वन एवं जलवायु परिवर्तन विभाग

बिहार सरकार, सिंचाई भवन

पटना - 800015.



विषय: In-principle (Stage-I) approval of Central Government under Forest (Conservation) Act 1980 for diversion of 3.2213 ha forest land in favour of NHAI, PIU-Muzaffarpur for construction of Four Lane green field alignment Inter corridor from Balbhadrapur to Bela Nawada (47.00-89.21 km) package-VII, NH-119D Road under Bharatmala Pariyojana in Darbhanga and Samastipur district of Bihar - reg.

Sir,

I am directed to refer to the State Govt.'s letter No.Van Bhumi-65/2022-11(E)/Pa.Va.Ja.Pa. dated 04.01.2023 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, the Central Government, hereby conveyed "in-principle" approval for diversion of 3.2213 ha forest land in favour of NHAI, PIU-Muzaffarpur for construction of Four Lane green field alignment Inter corridor from Balbhadrapur to Bela Nawada (47.00-89.21 km) package-VII, NH-119D Road under Bharatmala Pariyojana in Darbhanga and Samastipur district of Bihar, 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 (8 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) shall be deposited in advance with the State Forest 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.

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- (2) The State Government shall charge the Net Present Value (NPV) for the 3.2213 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 and 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) 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/>).
- (4) 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 submitting compliance report for seeking Stage-II approval.
- (5) The User agency shall be uploaded/submitted duly attested (with the signature of the concerned DFO and user agency) toposheet map with clearly delineated forest land proposed for diversion on it before the issuance of Stage-II approval.
- (6) The User agency shall be uploaded/submitted tree translocation plan before the issuance of Working Permission.
- (7) 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.
- (8) 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 (Conservation) Act, 1980 as issued by this Ministry's letter No.5-2/2017-FC dated 28.03.2019.
- (9) 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.

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- (2) Compensatory afforestation shall be taken up by the Forest Department over 8 ha. degraded forest land (Site – Manjhgaye PF, Jhajha range, Compartment No. 76, 334 & 329 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) 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) 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) The State Forest Department should raise Strip Plantation on both sides of the road as per the IRC norms.
- (6) (a) The User Agency shall ensure that the labourers and staff engaged in construction activities do not damage the nearby forest flora and fauna.
(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.
- (7) The layout plan of the proposal shall not be changed without prior approval of the Ministry of Environment, Forest & Climate Change.
- (8) (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.
- (9) 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.

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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 Forest (Conservation) Act, 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. To facilitate speedy execution of this project, the in-principle approval may be considered for issuance of working permission for commencement of works by the competent authority, if the required funds for NPV and all 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).

विश्वासभाजन

Signed by Shashi Shankar

Date: 06-03-2023 22:10:42

(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)/ 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, मिथिला एवं समस्तीपुर वन प्रमण्डल, बिहार।
4. परियोजना निदेशक, NHAI, PIU-मुजफ्फरपुर, बिहार।
5. गार्ड फाईल।

सहायक वन महानिरीक्षक