



सत्यमेव जयते

भारतीय राष्ट्रीय राजमार्ग प्राधिकरण
National Highways Authority of India
(परियोजना कार्यान्वयन इकाई, पटना)
Project Implementation Unit, Patna



सिवपुरम कॉलोनी, हनुमान मंदिर के पास, सैनिक कॉलोनी रोड, गोला रोड, दानापुर, पटना - 801503
Shivpuram Colony, Near Hanuman Mandir, Sainik Colony Road, Gola Road, Danapur, Patna - 801503
Ph. : 91612-3123598, Email : patna@nhai.org | nhaipatna@gmail.com

No.: NHAI/PIU/Patna/NH-119D/Pkg-III/FC/2024/913

Dated: 30.07.2024

To,

Additional Principal Chief Conservator of Forest (CAMPA) -
Cum - Nodal Officer (Forest Conservation),
Bihar, Patna

Sub: Construction of Four Lane Access Controlled Greenfield National Highway (NH-119D) under Bharatmala Pariyojana from village Kalyanpur (Design Ch 0.000) to Village Balbhaddarpur (Design Ch. 47.000) (Amas-Darbhangha) in the state of Bihar on Hybrid Annuity Mode. - **Stage-II Forest Clearance for 3.042 Ha Forest land in Vaishali & Samastipur Distt - Reg.**

Ref: CAMPA and Forest Conservation Division letter no. 473 dated 23.07.2024

Sir,

In reference to the subject matter, it is submitted that the construction works of Project "Construction of Four Lane Access Controlled Greenfield National Highway (NH-119D) under Bharatmala Pariyojana from village Kalyanpur (Design Ch 0.000) to Village Balbhaddarpur (Design Ch. 47.000) (Amas-Darbhangha)" is ongoing under Hybrid Annuity Mode (HAM), whereby, Strip Plantation on both sides of the road as per IRC norms is included in the scope of works of Concessionaire & the corresponding costs is included under HAM Agreement. Therefore, plantation shall be done by our Concessionaire on the project stretch.

Encl: As above

Yours faithfully


(Arbinda Kumar)
Project Director

Copy to: -

- I. The Regional Officer, NHAI, Patna - For kind information please.
- II. CF, Muzaffarpur, - for kind information please
- III. CF, Sivan- for kind information please
- IV. DFO, Samastipur - for kind information please.
- V. DFO-Vaishali, Hajipur- for kind information please.



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 खॉ मार्ग, पटना-800 014
संख्या-व.सं./02/2022 - 473

प्रेषक,

अरविन्दर सिंह भा0व0से0
अपर प्रधान मुख्य वन संरक्षक (कैम्पा)
-सह-नोडल पदाधिकारी (वन संरक्षण),
बिहार, पटना।

सेवा में,

परियोजना निदेशक,
भारतीय राष्ट्रीय राजमार्ग प्राधिकरण,
परियोजना कार्यान्वयन इकाई, छपरा।
वन प्रमंडल पदाधिकारी,
वैशाली/समस्तीपुर।

विषय -

भारतमाला परियोजना के तहत वैशाली, समस्तीपुर जिलान्तर्गत कल्याणपुर-ताल दशहारा (0.00-47.50 कि०मी०) पथांश निर्माण हेतु वन (संरक्षण) अधिनियम, 1980 के तहत 3.042 हे० वन भूमि अपयोजन प्रस्ताव पर पृच्छा के संबंध में।

प्रसंग -

भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, क्षेत्रीय कार्यालय राँची का पत्रांक FP/BR/Road/144718/2021/367 दिनांक 02.07.2024

महाशय,

उपर्युक्त विषय के संबंध में सूचित करना है कि भारतमाला परियोजना के तहत वैशाली, समस्तीपुर जिलान्तर्गत कल्याणपुर-ताल दशहारा (0.00-47.50 कि०मी०) पथांश निर्माण कार्य से संबंधित प्रस्ताव पर भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, क्षेत्रीय कार्यालय, राँची द्वारा पृच्छा की गयी है जो प्रसंगाधीन पत्र (छायाप्रति संलग्न) में स्वतः स्पष्ट है।

अतः आपसे अनुरोध है कि भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, क्षेत्रीय कार्यालय, राँची द्वारा की गयी पृच्छा का निराकरण प्रतिवेदन एक सप्ताह के अन्दर उपलब्ध कराने की कृपा की जाय।

अनु०-यथोक्त।

विश्वासभाजन,

ह०/-

(अरविन्दर सिंह)

अपर प्रधान मुख्य वन संरक्षक (कैम्पा)

-सह-नोडल पदाधिकारी (वन संरक्षण),

बिहार, पटना।

ज्ञापांक- व.सं/02/2022- 473

दिनांक- 23/07/2024

प्रतिलिपि - वन संरक्षक, सीवान/मुजफ्फरपुर अंचल को सानुलग्नक सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।

(अरविन्दर सिंह)

अपर प्रधान मुख्य वन संरक्षक (कैम्पा)

-सह-नोडल पदाधिकारी (वन संरक्षण),

बिहार, पटना।



सत्यमेव जयते

भारत सरकार / Government of India
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
Ministry of Environment, Forest & Climate Change
क्षेत्रीय कार्यालय/ Regional Office

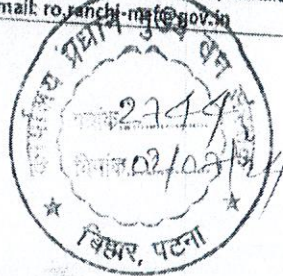
पता: द्वितीय तल, झारखण्ड राज्य आवास बोर्ड मुख्यालय, हरमू चौक, राँची, झारखण्ड - 834002
Add: 2nd Floor, Headquarter-Jharkhand State Housing Board, Harmu Chowk, Ranchi, Jharkhand - 834002
Tel: 0651-2410002, 2410007; E-mail: ro.ranchi-mef@gov.in



संख्या: FP/BR/ROAD/144718/2021/367

सेवा में,

प्रधान सचिव
पर्यावरण, वन एवं जलवायु परिवर्तन विभाग,
बिहार सरकार, सिंचाई भवन, सचिवालय,
पटना - 800015.



दिनांक: 02/07/2024

विषय :- भारतमाला परियोजना के तहत वैशाली एवं समस्तीपुर जिलान्तर्गत कल्यानपुर-ताल-दशहारा (0.00-47.50 कि.मी.) पार्थश निर्माण हेतु वन (संरक्षण) अधिनियम, 1980 के तहत 3.042 हे० वन भूमि अपयोजन प्रस्ताव के संबंध में।

महाशय,

उपरोक्त विषय में इस कार्यालय को प्राप्त श्रीमान के पत्र संख्या वन भूमि-61/2022-243(ई.)/प०व०ज०प० दिनांक 04.06.2024 के सम्बन्ध में यह अवगत कराना है कि विषय वर्णित परियोजना हेतु वन-भूमि प्रत्यावर्तन प्रस्ताव की आपके द्वारा प्रेषित सैद्धांतिक स्वीकृती के शर्तों की अनुपालना आख्या के जाचोपरांत उसमें कतिपय कमियाँ पायी गई हैं। अतः यह अवगत करते हुए कि सैद्धांतिक स्वीकृती जारी होने के पश्चात क्या परियोजना सम्बन्धी कार्य करने की स्वीकृति सक्षम स्तर से जारी की गयी है व क्या कार्य पूर्ण/प्रगतिरत है, अनुपालना को पुनः प्रसंस्कृत कर निम्नलिखित दस्तावेजो/जानकारी को अपलोड कराने की कृपा करें;

The condition no. B (5) of in-principle approval prescribes, "The State Forest Department should raise Strip Plantation on both sides of the road as per the IRC norms". To which the State Government has submitted in the compliance letter, "प्रयोक्ता एजेंसी द्वारा इन शर्तों के अनुपालन से संबंधित वचनबद्धता समर्पित की गयी है जो इस पत्र के साथ संलग्न है।" whereas, user agency has submitted, "Pertains to State Forest Department", in its undertaking.

Therefore, compliance In respect of condition no. B (5) of Stage-I approval as furnished by State Govt. and the User Agency are not in consonance to each other. Thus, state government is required to clearly state that the strip plantation shall be raised by state forest department on project cost and user agency is required to submit consenting undertaking.

अतः अनुरोध है कि उपरोक्त वर्णित दस्तावेजो/जानकारी को प्रस्ताव पर अग्रेतर करवाई हेतु ऑनलाइन में अपलोड कराते हुए प्रेषित कर अनुगृहित किया जाये।

विश्वासभाजन

(शशि शंकर)

उप वन महानिरीक्षक

प्रतिलिपि :-

1. 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.
2. वन प्रमण्डल पदाधिकारी, वैशाली एवं समस्तीपुर वन प्रमण्डल, बिहार।
3. परियोजना निदेशक, NHAI, PIU, छपरा, बिहार।
4. गार्ड फाईल।



भारतीय राष्ट्रीय राजमार्ग प्राधिकरण
(सड़क परिवहन एवं राजमार्ग मंत्रालय, भारत सरकार)
National Highway Authority of India
(Ministry of Road Transport and Highway Govt. of India)
परियोजना कार्यान्वयन इकाई-छपरा
Project Implementation Unit - Chhapra
मकान-श्री मति गायत्री देवी, ए1, प्रभुनाथ नगर, पोस्ट-तारी, थाना-मुफसिल, जिला-सारण (छपरा), बिहार, पिन-841301
H/o- Smt. Gayatri Devi, A1, Prabhunath Nagar, PO-Tari, PS-Mufsil, District-Saran (Chhapra), Bihar, Pin - 841301



Ph: 06152-248058 & 248052
Email: hajipur@nhai.org,
nhaichhapra@gmail.com

NHAI/PIU/Chhapra/NH-119D/Pkg-3/FC/197789/20233/615

16.06.2023

To,

The APCCF-CUM-NODAL OFFICER (FC),
Department of Environment Forest and Climate Change,
3rd Floor, Aranya Bhawan, Shaheed Peer Ali Khan Path,
Patna - 800014,
Bihar

Sub: In-principle (Stage-I) approval of Central Government under Forest (Conservation) Act, 1980 for diversion of 3.042 ha forest land in favour of NHAI, PIU-Chhapra for construction of Four Lane Inter corridor from Kalyanpur to Tal Dashraha (0.000-47.500) Package-IV, NH-119D Road under Bharatmala Pariyojana in Vaishali and Samastipur district of Bihar (Online Proposal No. FP/BR/ROAD/144718/2021): **Submission of Compliance report for obtaining Final (Stage-II) forest approval - reg**

Ref: Govt. of India, MoEF&CC, IRO - Ranchi's letter No: FP/BR/ROAD/144718/2021/904 dated 10.02.2023 (copy enclosed)

Sir,

This is with reference to the subject and In-principal approval for diversion of 3.042 ha protected forest by the Govt. of India, MoEF&CC, IRO- Ranchi vide their File No: FP/BR/ROAD/144718/2021/904, dated 10.02.2023 above.

2. In this regard, point-wise compliance report of the conditions made by Govt. of India, MoEF&CC, IRO Ranchi is below for your consideration and grant of final forest clearance:

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

Sl. No.	Conditions made by the MoEF&CC, IRO Ranchi	Compliance
(1)	The Cost of compensatory afforestation on the CA land (7 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.	Cost of compensatory afforestation (CA) amounting to Rs. 36,78,746/- & Net Present Value (NPV) amounting to Rs 29,13,567/- (Total amount of CA & NPV Rs. 65,92,313/-) as per demand received from State Forest Department vide letter no. व.सं./02/2022-394 dated 01.06.2023 has been deposited in Bihar CAMPA account through NEFT/ RTGS e-challan generated from Parivesh Portal. Copy of payment receipt is enclosed as
(2)	The state Govt. shall charge the Net Present Value (NPV) for the 3.042 ha forest area to be	

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Sl. No.	Conditions made by the MoEF&CC, IRO Ranchi	Compliance
	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 WPI 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.	Annexure-I. The payment is reflecting on the Parivesh Portal with Transaction ID 978399, dated 8th June, 2023.
(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.	Pertains to Forest Department
(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.	Agreed
(6)	The User agency shall be upload/ submitted tree translocation plan before the issuance of Working Permission.	Tree translocation plan is uploaded on the Parivesh Portal under additional information in Form-I.
(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.	FRA 2006 certificate has been issued by District Collector, Vaishali vide letter no. 937, dated 25.05.2023 and by District Collector, Samastipur vide letter no. 1092 dated 01.04.2023. Copies of FRA certificates in original are enclosed as Annexure-II .
(8)	Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as	Agreed

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Sl. No.	Conditions made by the MoEF&CC, IRO Ranchi	Compliance
	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/).	Compliance report shall be uploaded on Parivesh e-portal.

(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:

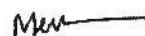
Sl. No.	Conditions made by the MoEF&CC, IRO Ranchi	Compliance
1.	Legal status of the forest land will remain unchanged;	Agreed
2.	Compensatory afforestation shall be taken up by the Forest Department over 7 ha. degraded forest land (Site - Pachuadhih PF, Chakai Range, Compartment No. 1 under Jamui Forest 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.	Pertains to State Forest Department.
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.	Undertaking by User Agency with regard to additional amount of NPV of the diverted forest land, if any, has already been given and it is uploaded in Part-I under additional information on Parivesh Portal.
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.	Agreed

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Sl. No.	Conditions made by the MoEF&CC, IRO Ranchi	Compliance
5.	The State Forest Department should raise Strip Plantation on both sides of the road as per the IRC norms.	Pertains to State Forest Department.
6.	(a) The User Agency shall ensure that the labourers and staff engaged in construction activities do not damage the nereby forest flora and fauna. (b) The User Agency shall provide alternate fuels preferably LPG to the labourers and staff working at the site so as to avoid any damage and pressure on the nereby forest areas.	Agreed
7.	The layout plan of the proposal shall not be changed without prior approval of the Ministry of Environment, Forest & Climate Change.	Agreed
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.	Agreed
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.	Agreed

3. In view of above, it is requested to grant the final (Stage-II) Forest Clearance at the earliest.

Yours sincerely,



Manoj Kumar

GM (T) / Project Director

Copy to:

1. RO Patna, NHAI: for kind information please
2. DFO, Samastipur Forest Division, Samastipur
3. DFO, Vaishali Forest Division, Vaishali


Undertaking

Sub: In-principle (Stage-I) approval of Central Government under Forest (Conservation) Act, 1980 for diversion of 3.042 ha forest land in favour of NHAI, PIU-Chhapra for construction of Four Lane Inter corridor from Kalyanpur to Tal Dashraha (0.000-47.500) Package-IV, NH-119D Road under Bharatmala Pariyojana in Vaishali and Samastipur district of Bihar.(Online Proposal No. FP/BR/ROAD/144718/2021): **Undertakings for final (Stage-II) forest approval -reg**

Ref: Govt. of India, MoEF&CC, IRO - Ranchi's letter No: FP/BR/ROAD/144718/2021/904, dated 10.02.2023

The user agency NHAI, PIU Chhapra hereby undertakes the following:

1. That the Legal status of the forest land will remain unchanged.
2. That the User Agency i.e., NHAI shall deposit 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.
3. 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.
4. (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 staff working at the site so as to avoid any damage and pressure on the nearby forest areas.
5. The layout plan of the proposal shall not be changed without prior approval of the Ministry of Environment, Forest & Climate Change.
6. (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.
7. That NHAI further undertakes to abide 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.




Manoj Kumar
GM (T) / Project Director
NHAI PIU Chhapra

Project Director
NHAI, PIU-CHHAPRA

Transfer Money

CONFIRMATION

Transfer Money submitted successfully.

 e-Receipt

Reference Number

0806BDD4E7FB

Status

Completed

UTR Number

CNRBR52023060857150195

Account to be debited

1967201001013

Account to be credited

CAMP

Account Number

1506261144718572

IFSC Code

UBIN0996335

Account Type

Domestic - Savings

Amount ₹

₹ 65,92,313.00

Transaction Date

08 Jun 2023

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RTGS

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कार्यालय, जिला पदाधिकारी, समस्तीपुर के तहत रैखिक परियोजना निर्माण

हेतु FRA 2006 का प्रमाण पत्र

(भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन, नई दिल्ली द्वारा दिनांक-
28.10.2014 को निर्गत दिशा निर्देश के तहत)

संख्या-.....1092.....दिनांक-.....01-04-2023

प्रमाणित किया जाता है कि समस्तीपुर जिले में प्रयोक्ता एजेंसी भारतीय राष्ट्रीय राजमार्ग प्राधिकरण, मुजफ्फरपुर द्वारा भारतमाला परियोजना अन्तर्गत NH-119D के कल्याणपुर से ताल-दशरहा खण्ड (कि०मी०-0.000 से कि०मी०-47.500) (आमस-दरभंगा/पैकेज-IV) 4-लेन सड़क रैखिक परियोजना निर्माण स्थान कल्याणपुर से ताल दशरहा (कि०मी०-32.230 से कि०मी०-47.500) तक कुल 1.020 कि०मी० में पड़ने वाले पथ/नहर तट पर अवस्थित सुरक्षित वन भूमि के 2.294 हे० रकबा के अपयोजन हेतु वन प्रमंडल पदाधिकारी, समस्तीपुर के पत्रांक-424, दिनांक-20.03.2023 द्वारा FRA, 2006 प्रमाण पत्र निर्गत करने हेतु अनुशंसा समर्पित किया गया है।

तदालोक में प्रस्ताव के जाँचोपरान्त प्रमाणित किया जाता है कि प्रस्तावित रैखिक विकास परियोजना (कंडिका-1 में वर्णित) के लिए अपयोजित होने वाली भूमि पर अवस्थित वृक्षारोपण दिनांक-13.12.2005 के पूर्व 75 वर्षों से कम अवधि में वन भूमि के रूप में अधिसूचित किया गया है और परियोजना क्षेत्र के गांवों में वर्ष 2001 एवं 2011 की जनगणना के अनुसार अनुसूचित जनजाति की अभिलिखित आबादी नहीं है।

स्थान- *Samastipur*
तिथि- *1-4-23*

ह०/-
जिला पदाधिकारी का हस्ताक्षर
एवं मुहर

OR

Certified that forest land proposed to be diverted is a plantation which was notified as a "Forest" less than 75 year prior to the 13th day of December 2005 and is located in villages having no recorded population of Schedule Tribes, as per the Census- 2001 and the Census- 2011.

Place: *Samastipur*
Dated: *1-4-23*



[Signature]
District Magistrate
and Office Seal

कार्यालय जिला पदाधिकारी, वैशाली के तहत रैखिक परियोजना निर्माण
हेतु FRA, 2006 का प्रमाण पत्र

(भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन, नई दिल्ली द्वारा दिनांक-
28.10.2014 को निर्गत दिशा निर्देश के तहत)

संख्या 937....., दिनांक 26.06.23

प्रमाणित किया जाता है कि वैशाली जिले में प्रयोक्ता एजेंसी Project Director NHAI PIU-Chhapra द्वारा रैखिक परियोजना निर्माण स्थान भारतमाला अन्तर्गत NH-119D के कल्याणपुर से ताल-दशरहा खण्ड (कि०मी०-0.000 से कि०मी०-47.500) (आमस-दरभंगा/पैकेज-IV) 4-लेन सड़क निर्माण से राष्ट्रीय राजमार्ग (सड़क) का निर्माण प्रचालन एवं प्रबंधन तक कुल कि०मी० 0.374 कि०मी० में पड़ने वाले पथ/नहर तट पर अवस्थित सुरक्षित वन भूमि के 0.748 हे० रकबा के अपयोजन (Diversion) हेतु प्रयोक्ता एजेंसी के आवेदन पर वन प्रमंडल पदाधिकारी, वैशाली, वन प्रमंडल, हाजीपुर के पत्रांक-119, दिनांक-17.01.2023 द्वारा FRA, 2006 प्रमाण पत्र निर्गत करने हेतु अनुशंसा समर्पित किया गया है।

तद्आलोक में प्रस्ताव के जाँचोपरान्त प्रमाणित किया जाता है कि प्रस्तावित रैखिक विकास परियोजना (कंडिका-1 में वर्णित) के लिए अपयोजित होने वाली भूमि पर अवस्थित वृक्षारोपण दिनांक-13.12.2005 के पूर्व 75 वर्षों से कम अवधि में वन भूमि के रूप में अधिसूचित किया गया है और परियोजना क्षेत्र के गाँवों में वर्ष 2001 एवं 2011 की जनगणना के अनुसार अनुसूचित जनजाति की अभिलिखित आबादी नहीं है।

स्थान :- हाजीपुर

तिथि :- 26.06.2023

जिला पदाधिकारी
जिला पदाधिकारी का हस्ताक्षर
एवं मोहर

OR

Certified that Forest land proposed to be diverted is a plantation which was notified as "forest" less than 75 years prior to the 13th day of December 2005 and is located in villages having no recorded population of Scheduled Tribes, as per Census-2001 and the Census-2001

Place :- Hajipur

Date :- 26.06.2023

जिला पदाधिकारी
District Magistrate
and Office Seal



**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 खाँ मार्ग, पटना-800 014

संख्या-व.सं./02/2022 - 394

प्रेषक,

नन्द कुमार मांझी
उप वन संरक्षक।

सेवा में,

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

पटना 14, दिनांक- 01/06/2023

विषय - भारतमाला परियोजना के तहत वैशाली, समस्तीपुर जिलान्तर्गत कल्याणपुर-ताल दशहारा (0.00-47.50 कि०मी०) पथांश निर्माण हेतु वन (संरक्षण) अधिनियम, 1980 के तहत 3.042 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/144718/2021/904 दिनांक 10.02.2023 इस कार्यालय का पत्रांक 126 दिनांक 21.02.2023 (छायाप्रति संलग्न)।

महाशय,

उपर्युक्त विषयक संबंध में सूचित करना है कि प्रासंगिक पत्र (छायाप्रति संलग्न) द्वारा भारत सरकार ने विषयाधीन परियोजना के निर्माण हेतु 3.042 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 मद में रु० 35,36,526/- (रुपये पैंतीस लाख छत्तीस हजार पाँच सौ छब्बीस) मात्र का मांग किया गया था जो मजदूरी दर रु० 373/- प्रतिमानव दिवस पर आधारित था।

3. श्रम संसाधन विभाग, बिहार के द्वारा दिनांक 01.04.2023 से मजदूरी दर संशोधित करते हुए रु० 388/प्रतिमानव दिवस कर दिया गया है। क्षतिपूरक वनरोपण प्राक्कलन को रु० 388/प्रतिमानव दिवस पर संशोधित करने पर रु० 36,78,746/- (रुपये छत्तीस लाख अठ्ठतहर हजार सात सौ छियालीस) मात्र होता है जो प्रयोक्ता एजेन्सी, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, बिहार को उपलब्ध कराएगी।

4. सैद्धान्तिक स्वीकृति पत्र के भाग-A के शर्त संख्या 2 के आलोक में परियोजना निर्माण के क्रम में 3.042 हेक्टेयर अपयोजित होने वाली वन भूमि का NPV की राशि 9.57780 लाख रुपये प्रति हेक्टेयर की दर से कुल रु० 29,13,567/- (रुपये उनतीस लाख तैरह हजार पाँच सौ सडसठ) मात्र NPV के मद में प्रयोक्ता एजेन्सी, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, बिहार को उपलब्ध कराएगी।

पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, बिहार को उपलब्ध कराएगी।

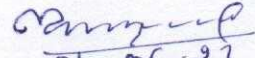
5. उपर्युक्त CA एवं NPV मद की कुल राशि रु० 65,92,313/- (रुपये पैसठ लाख बानवें हजार तीन सौ तैरह) मात्र को मंत्रालय के वेब-साईट parivesh.nic.in से e-challan generate कर Bihar CAMPA के account में online Mode द्वारा फंड ट्रांसफर कर राशि जमा कराई जाय।

6. 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।

7. 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,


01.06.23

(नन्द कुमार मांझी)

उप वन संरक्षक।



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, रेंची, 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/144718/2021/904

Date: 07.02.2023
10

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 3.042 ha forest land in favour of NHAI, PIU-Chhapra for construction of Four Lane Inter corridor from Kalyanpur to Tal Dashahara (0.00-47.50 km) package-IV, NH-119D Road under Bharatmala Pariyojana in Vaishali and Samastipur district of Bihar – reg.

Sir,

I am directed to refer to the State Govt.'s letter No.Van Bhumi-61/2022-10(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 3.042 ha forest land in favour of NHAI, PIU-Chhapra for construction of Four Lane Inter corridor from Kalyanpur to Tal Dashahara (0.00-47.50 km) package-IV, NH-119D Road under Bharatmala Pariyojana in Vaishali 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 (7 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.

I/38319/2023

- (2) The State Government shall charge the Net Present Value (NPV) for the 3.042 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.
- (2) Compensatory afforestation shall be taken up by the Forest Department over 7 ha. degraded forest land (Site – Pachuadhih PF, Chakai Range,

I/38319/2023

Compartment No. 1 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.

I/38319/2023

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: 10-02-2023 14:35:53

Read and Approved

सहायक वन महानिरीक्षक

प्रतिलिपि:-

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