



GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE
REGIONAL OFFICE (RANCHI)

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जहाँ है हरियाली ।
वहाँ है खुशहाली ॥

No. FP/JH/ROAD/23799/2017/1944

Dated 5th February, 2018

To

The Additional Chief Secretary,
Department of Forests, Environment & Climate Change,
Government of Jharkhand,
Nepal House, Ranchi.

Sub: Diversion of 9.969 ha of forest land for reconstruction of Gua-Salai Road Km 2.00 to Km 11.00 in favour of Road Construction Department in Saranda Forest Division of Jharkhand.

Sir,

I am directed to refer to letter No.Van Bhumi-21/2016-1961/Va.Pa. dated 9.5.2017 & letter No.Van Bhumi-21/2016-5227/Va.Pa. dated 13.12.2017 of the State Government on the above mentioned subject seeking prior approval of the Ministry of Environment, Forests 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 held on 8.1.2018, the Central Government, hereby, conveys "in-principle" approval for diversion of 9.969 ha of forest land for reconstruction of Gua-Salai Road Km 2.00 to Km 11.00 in favour of Road Construction Department in Saranda Forest Division of Jharkhand, subject to the fulfillment of the following conditions.

1. Legal status of forest land proposed for diversion shall remain unchanged.
2. The State Govt. shall charge the Net Present Value (NPV) of forest area proposed to be diverted under this proposal from the user agency as per the Orders of the Hon'ble Supreme Court of India dated 28.03.2008, 24.04.2008 and 09.05.2008 in Writ Petition (Civil) No.202/1995 and the guidelines issued by this Ministry vide its letter No. 5-3/2007-FC dated 05.02.2009 in this regard.
3. 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.
4. Penal Compensatory Afforestation over the degraded forest land twice in extent to the actual 8.5 ha forest land already broken without obtaining prior

approval of the Central Government shall be raised and maintained by the State Forest Department at the cost of the user agency. The user agency shall transfer the cost of plantation and its maintenance for 10 years (revised as on the date to incorporate the existing wage structure) to State Forest Department.

5. User Agency should ensure that the compensatory levies (Penal CA cost, NPV, etc.) are deposited through challan generated online on web portal and deposited in appropriate bank online only. Amount deposited through other mode will not be accepted as compliance of the Stage-I clearance.
6. The roadway width of the road shall be restricted to 12 m width.
7. The number of trees to be felled should not be more than 55, as authenticated by the user agency and shall be from the 12 m road way width only. The trees should be felled under strict supervision of the State Forest Department.
8. Extra number of culverts, bridges and Hume pipe passages shall be constructed by the User Agency for the safe passage of the wildlife including amphibians and reptiles, in addition to the existing ones. Accordingly a list shall be submitted.
9. The State Government should take necessary action against the officer/ officers permitting/ allowing road construction works, without obtaining forest clearance; thereby violating the F(C) Act, 1980.
10. The designing of culverts/ bridges, if any, over the natural streams/ rivers/ canals should be done in such a manner that it does not hamper the natural course of water, does not give rise to water-logging and also does not hamper movement of wild animals.
11. The user agency shall raise strip plantation on either side of the road at project cost, as per IRC specification, with maintenance of 10 years.
12. Wherever possible and technically feasible, the User Agency shall undertake afforestation measures along the roads within the area diverted under this approval, in consultation with the State Forest Department at the project cost.
13. The User Agency shall obtain the Environmental Clearance as per the provisions of Environment (Protection) Act, 1986, if required.
14. The boundary of the forest land proposed for diversion, 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.
15. No labour camp shall be established on the forest land.

16. The User Agency shall provide LPG to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas for collection of firewood for their use.
17. It will be the responsibility of the User Agency to ensure that the labourers, staff engaged in construction activity do not damage the nearby forest flora and fauna.
18. 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.
19. The lay out plan of the proposed forest land shall not be changed without prior approval of the Ministry of Environment, Forests and Climate Change.
20. The forest land proposed for diversion shall under no circumstances be transferred to any other agency, department or person without prior approval of the Ministry of Environment, Forests and Climate Change.
21. The forest land shall not be used for any purpose other than that specified in the proposal.
22. 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, which are applicable to the project.
23. Any other condition including additional CA, that the Ministry of Environment, Forests and 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.

After receipt of the compliance report on 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 effected by the State Government till formal order approving diversion of forest land is issued by the Central Government.** However, the State Government, if it so desires, may allow the user agency for commencement of work as per Ministry's guideline issued vide letter No.11-306/2014-FC dated 28.8.2015.

Yours faithfully,


(Vasanta Kiran Babu)
Dy. Conservator of Forests (Central)
01/11

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, Forest Department, Govt. of Jharkhand, Doranda, Ranchi.
3. The PCCF & Nodal Officer, Forest Department, Govt. of Jharkhand, Doranda, Ranchi.
4. The Divisional Forest Officer, Saranda Forest Division.
5. The Executive Engineer, RCD Road Division, Manoharpur.
6. Guard File.

Dy. Conservator of Forests (Central)

11/5.2.18
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