



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

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जहाँ है वन्याली ।
वहाँ है खुशाली ॥

No. FP/JH/IRRIG/15780/2015/1021

Dated 5th January, 2017

To

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

Sub: Diversion of 127.85 ha of Forest land for construction of canal under Amanat Barrage Scheme in Palamu district of Jharkhand.

Sir,

I am directed to refer to letter No. Van Bhumi-07/2016-1606/Va.Pa. dated 21.3.2016 and letter No. Van Bhumi-07/2016-07/Va.Pa. dated 2.1.2017 of the State Government 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 held on 4.1.2017, the Central Government, hereby conveys "in-principle" approval for diversion of 127.85 ha of Forest land for construction of canal under Amanat Barrage Scheme in Palamu district 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. Compensatory afforestation over the equivalent non forest land as proposed by the State 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 compensatory afforestation and its maintenance for 10 years (revised as on the date to incorporate the existing wage structure) to State Forest Department.
5. The non-forest land to be identified for compensatory afforestation (including the site Basariya village of 15.3 ha) shall be transferred and mutated in favour of the State Forest Department for raising compensatory afforestation before issue of the Stage-II approval.
6. The non-forest and which is transferred and mutated in favour of the State Forest Department for the purpose of Compensatory Afforestation shall be declared as Reserved Forest under Section-4 or Protected Forest under Section-29 of the Indian Forest Act, 1927 or under the relevant section (s) of the local Forest Act. The Nodal Officer must report compliance within a period of 6 months from the date of grant of final approval and send a copy of the original notification declaring the non-forest land as R.F. under Section-4 or P.F. under Section-29 of the Indian Forest Act, 1927 or under the relevant section of the local Forest Act as the case may be, to this Ministry for information and record.
7. The State Government shall deposit Net Present Value and all other funds with the Ad-hoc Body of Compensatory Afforestation Fund Management and Planning Authority (CAMPA), in SB Account No.**SB01025212** of Corporation Bank, CGO Complex, Phase-1, Lodhi Road, New Delhi – 110 003 (**RTGS/IFSC No.CORP0000371**) or in SB Account No.**344902010105420** of Union Bank of India, Sunder Nagar, New Delhi – 110 003 (**RTGS/IFSC No.UBIN0534498**) through the RTGS/NEFT mode, as per the instruction communicated vide letter No.12-2/2010-CAMPA dated 13.05.2011 and dated 24.06.2011.
8. State Government shall upload the details of compensatory levies demanded and received from the project proponent on the Ministry website and submit compliance in this regard.
9. Felling of trees on the forest land being diverted shall be restricted to the bare minimum and the trees should be felled under strict supervision of the State Forest Department.
10. 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.

11. No labour camp shall be established on the forest land.
12. The User Agency shall provide alternate fuels 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.
13. The User Agency shall obtain the Environmental Clearance as per the provisions of Environment (Protection) Act, 1986.
14. 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.
15. The user agency shall raise strip plantation wherever possible and technically feasible on both sides of the canal in consultation with the Forest Department.
16. 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.
17. 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.
18. 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.
19. The forest land shall not be used for any purpose other than that specified in the proposal.
20. 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.
21. Any other condition 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 shall**

not be effected by the State Government till formal order approving diversion of forest land is issued by the Central Government.

Yours faithfully,

(K.K.Tiwary)
Conservator of Forests (Central)

o/c

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, Medininagar Forest Division.
5. The Executive Engineer, Auranga Construction Division, Panki, Camp – Medininagar.
6. Guard File.


Conservator of Forests (Central)

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