



सत्यमेव जयते

Government of India/ भारत सरकार
Ministry of Environment, Forest & Climate Change/ पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
Eastern Regional Office/ पूर्वी क्षेत्रीय कार्यालय
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No.5-WBC087/2015-BHU

2nd February, 2016

To

The Principal Secretary,
Forest Department (Forest Branch),
Govt. of West Bengal,
Aranya Bhawan, (1st Floor)
Block-LA-10A, Sector-III, Salt Lake City,
KOLKATA - 700 098.

Sub:- Diversion of 13.54 ha (9.32 ha in Burdwan Division + 4.22 ha in Durgapur Division) of forest land in favour of M/s Essar Oil Ltd., Durgapur for laying of Pipeline and construction of access road to CBM Well sites for production of Coal Bed Methane at Ranigunj CBM Block, Dist: Burdwan, West Bengal.

Sir,

I am directed to refer to State Govt. letter No.1696-For/O/L/10T-11/2015 dated 04.08.2015 and No.100 dated 14.01.2016, on the above mentioned subject seeking prior approval of the Ministry of Environment, Forest & 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 25.01.2016, the Ministry of Environment, Forest & Climate Change hereby conveys 'in-principle' approval for diversion of 13.54 ha (9.32 ha in Burdwan Division + 4.22 ha in Durgapur Division) of forest land in favour of M/s Essar Oil Ltd., Durgapur for laying of Pipeline and construction of access road to CBM Well sites for production of Coal Bed Methane at Ranigunj CBM Block, Dist: Burdwan, West Bengal, subject to the fulfillment of the following conditions.

- i) Legal status of forest land proposed for diversion shall remain unchanged.
- ii) The State Govt. shall charge the Net Present Value (NPV) of forest area proposed to be diverted under this proposal from the user agency at the rates as per the Orders of 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.
- iii) At the time of payment of the Net Present Value (NPV) at the present rate, the user agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India.
- iv) Compensatory afforestation over 13.54 ha of non-forest land identified in Plot No.364, 365, 407 & 425 of Mouza Mukutidih, JL No.118 under Indpur Range of Bankura (South) Forest Division against the area of forest land proposed to be diverted shall be raised and maintained by the State Forest Department at the cost of the user agency.
- v) The user agency shall transfer the cost of raising and maintaining the compensatory afforestation for 10 years, at the current wage rate, to the State Forest Department.

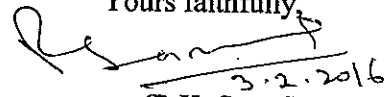
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- vi) All the funds received from the user agency under the project shall be transferred to the ad-hoc CAMPA in the concerned Saving Bank Account of Ad-hoc CAMPA in Corporation Bank, CGO Complex, Lodhi Road, New Delhi-110003.
- vii) No serious damage be done by the user agency to the forest road during construction and subsequent maintenance of the said pipeline.
- viii) Methane gas is hazardous. Hence, all precautionary measures may be taken by the user agency, for human safety.
- ix) Wherever possible and technically feasible, the user agency shall undertake afforestation measures along the pipeline within the area diverted under this proposal, in consultation with the State Forest Department at project cost.
- x) The user agency shall ensure that no damage to flora and fauna found in the adjoining area will be caused during the execution of the project and also after the project becomes operational. Any damage done in this respect shall be assessed by the concerned DFO and will be compensated at the project cost.
- xi) The user agency shall prepare a fire protection scheme in consultation with the Forest Department to protect the wildlife and forest during execution/operation of pipe line at the project cost.
- xii) Physical impact of the project shall be monitored regularly and any adverse impact on the area shall be reported immediately with immediate stoppage of activities related to the project.
- xiii) No labour camp shall be established on the forest land.
- xiv) The user agency shall provide firewood, preferably alternate fuel, to labourers working at the site to avoid damage/tree felling.
- xv) No earth or any construction material shall be borrowed from outside nor any debris resulting during construction shall be disposed off in the adjoining forest area.
- xvi) No additional or new path will be constructed inside the forest area for any activity related to the project work.
- xvii) The user agency while executing works, shall not fell any tree or damage forest growth in the surrounding forest area in any manner.
- xviii) The boundary of the forest land being diverted 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 pillar to pillar.
- xix) The forest land shall not be used for any purpose other than that specified in the proposal and under no circumstances be transferred to any other user agency, department or person without prior approval of the Ministry of Environment, Forest & Climate Change.
- xx) The State Government shall complete settlement of rights, in term of the Scheduled Tribes and Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any, on the forest land to be diverted and submit the documentary evidence as prescribed by this Ministry in its letter No.11-9/1998-FC (pt.) dated 03.08.2009 read with letter No.11-9/1998-FC (pt.) dated 05.02.2013, in support thereof.

- xxi) Any other conditions that Ministry of Environment, Forest & Climate Change may stipulate, from time to time, in the interest of conservation, protection and development of forests and wildlife shall be complied by the user agency.
- xxii) The user agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project.

After receipt of the report on compliance to the conditions stipulated above, from the State Government of West Bengal, final/Stage-II approval for diversion of the said forest land under Section 2 of Forest (Conservation) Act, 1980 will be issued by this Ministry. **Transfer of forest land to user agency should not be effected by the State Government of West Bengal till final/Stage-II approval for its diversion is issued by the Ministry of Environment, Forests & Climate Change.** However, the State Govt., if it so desires, may allow the user agency for commencement of work as per Ministry guideline issued vide letter No.11-306/2014-FC dated 28.08.2015.

Yours faithfully,




(R.K. Samal)

Conservator of Forests (Central)

Copy to:-

1. The Inspector General of Forests (FC), Ministry of Environment, Forests & Climate Change, Indira Paryavaran Bhawan, Aliganj, Jor Bagh Road, New Delhi - 110 003.
2. The Director, ROHQ, Ministry of Environment, Forests & Climate Change, Indira Paryavaran Bhawan, Agni Block, Aliganj, Jor Bagh Road, New Delhi - 110 003.
3. The Principal Chief Conservator of Forests, Aranya Bhawan, LA-10A, Sector-III, 4th to 6th Floor, Salt Lake City, Kolkata - 700 098.
4. The Addl. PCCF & Nodal Officer, O/o The Principal Chief Conservator of Forests, Aranya Bhawan, LA-10A, Sector-III, 4th to 6th Floor, Salt Lake City, Kolkata - 700 098.
5. The Divisional Forest Officer, Burdwan/Durgapur Forest Division, Burdwan/Durgapur, West Bengal.
6. The Project Director, CBM-Project Raniganj, Essar Oil Limited (E&P Division), Durgapur - 713208, West Bengal.
7. Guard File.



Conservator of Forests (Central)