

/48314/2023



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/JH/Others/34881/2018/1260

दिनांक : 11.07.2023
12

सेवा में,

अपर मुख्य सचिव

वन, पर्यावरण, एवं जलवायु परिवर्तन विभाग

झारखण्ड सरकार,

नेपाल हाउस, राँची - 834002.

विषय:-In-principle (Stage-I) approval of Central Government under Forest (Conservation) Act 1980 for diversion of 11.11 ha of forest land (under Hazaribagh West FD - 8.27 ha. and Ramgarh FD - 2.84 ha.) in favour of M/s CCL for construction of North Urimari Railway siding under Hazaribagh West & Ramgarh Forest Division, Hazaribagh & Ramgarh district of Jharkhand. - reg.

महाशय,

I am directed to refer to you the Jharkhand Govt. letter No.Van Bhumi-28/2022-3847/Va.Pa. dated 23.12.2022 and letter No.Van Bhumi-28/2022-2560/Va.Pa. dated 07.07.2023 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 and on the basis of decision of Regional Empowered Committee in its 58th meeting, the "in-principle" approval of Central Government, is hereby conveyed for diversion of 11.11 ha of forest land (under Hazaribagh West FD - 8.27 ha. and Ramgarh FD - 2.84 ha.) in favour of M/s CCL for construction of North Urimari Railway siding under Hazaribagh West & Ramgarh Forest Division, Hazaribagh & Ramgarh district of Jharkhand, 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 (CA) to the extent of twice the diversion area on the Degraded Forest Land (Area - 22.22 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.
- (2) The State Government shall charge the Net Present Value (NPV) for the 11.11 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,

I/48314/2023

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, 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) **Penal NPV, as recommended by State Government & accepted by REC, to the terrae of 5 times of NPV of applied area shall be charged from the user agency for starting the work on GMJJ land while the application for present diversion was under consideration.**
- (5) **Penal CA, as recommended by State Government & accepted by REC, over identified 111.10 ha of degraded forest land shall be raised & maintained from the project cost.**
- (6) 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.
- (7) **The KML files of the area to be diverted, the CA area and penal CA area shall be uploaded on the e-Green watch portal with all requisite details and submitting compliance report for seeking Stage-II approval.**
- (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 22.22 ha. degraded forest land (Site - Chhiram, Thana - Barkatta/ 61, Plot No.409P (Area: 16.54 ha.) under Hazaribagh West FD and Site - Chaibpur, Thana - Mandu/84, Plot No.810 (Area: 5.90 ha.) under Ramgarh FD) 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.

- /48314/2023(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 of the State Forest Department and the cost of felling of trees shall be deposited by the User Agency with the State Forest Department.
- (5) 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.
 - (6) The layout plan of the proposal shall not be changed without prior approval of the Ministry of Environment, Forest & Climate Change.
 - (7) (a) No labour camp shall be established on the forest land.
(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.
(c) 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.
 - (8) (a) The period of diversion under this approval shall be co-terminus with the period of the project life.
(b) The forest land shall not be used for any purpose other than that specified in the project proposal.
(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 Ministry of Environment, Forest and 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.

2. After receipt of the compliance report regarding 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 affected by the State Government till formal order approving diversion of forest land is issued by the Central Government.**

विश्वासभाजन

Signed by Shashi Shankar
Pathak

Date: 12-07-2023 17:45:25

सहायक वन सहायक शिक्षक
Reason: Approved

प्रतिलिपि:-

1. आई०जी०एफ०, आर०ओ०एच०क्यू०, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, इन्दिरा पर्यावरण भवन, जोर बाग रोड, नई दिल्ली-110003.

I/48314/2023

2. प्रधान मुख्य वन संरक्षक (HoFF)/ प्रधान मुख्य वन संरक्षक- सह - नोडल पदाधिकारी (एफ. सी.), वन, पर्यावरण एवं जलवायु परिवर्तन विभाग, झारखण्ड सरकार, वन भवन, डोरंडा, राँची ।
3. वन प्रमण्डल पदाधिकारी, हजारीबाग पश्चिमी एवं रामगढ़ वन प्रमण्डल, झारखण्ड ।
4. परियोजना अधिकारी, उत्तरी उरीमारी/बिरसा ओ०सी०पी०, बरका सयाल क्षेत्र, सेंट्रल कोल्फील्ड्स लिमिटेड ।
5. गार्ड फाईल ।

सहायक वन महानिरीक्षक