



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
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संख्या:FP/JH/WATER/35936/2018/1२७५

दिनांक: 17/07/2023

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 3.561 ha forest land in favour of Jharkhand Urban Infrastructure Development Company (JUDCO) Limited for augmentation and strengthening of drinking water supply System for Hazaribagh Municipal area in Hazaribagh district under Hazaribagh East Forest Division of Jharkhand – reg.

महाशय,

I am directed to refer to you the Jharkhand Govt. letter No. Van Bhumi-20/2022-1586/Va.Pa. dated 28.04.2023 and letter No. Van Bhumi-20/2022-2630/Va.Pa. dated 13.07.2023 of the State Government, Jharkhand 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 “in-principle” approval of Central Government, is hereby conveyed for diversion of 3.561 ha forest land in favour of Jharkhand Urban Infrastructure Development Company (JUDCO) Limited for augmentation and strengthening of drinking water supply System for Hazaribagh Municipal area in Hazaribagh district under Hazaribagh East Forest Division 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 on 7.122 Ha CA land (including 6.88 ha GMJJ land as applied and additional required 0.242 Ha GMJJ/DFL) 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 non-forest land proposed for CA shall be transferred and mutated in the name of Forest Department and notified as RF/ PF prior to Stage-II approval. A copy of the original notification declaring the non-forest land under Section 4 or Section 29 of the Indian Forest Act, 1927, or under the relevant section of the State Forest Act as the case may be, will be submitted by the State Government prior to formal (Stage-II) approval.
- (3) The State Government shall charge the Net Present Value (NPV) for the 3.561 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, 5-3/2007-FC dated 05/02/2009 and **letter No.5-3/2011-FC(Vol-I) dated 6/1/2022** in this regard.
- (4) 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/>).
- (5) The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
- (6) **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.**
- (7) 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.
- (8) 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 6.88 ha. non forest land (Mauza – Dumardiha, Thana – Bagodar-238, Plot No.02 under Hazaribagh East 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.

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- 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 diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.
- (6) Wherever possible and technically feasible, the User Agency shall undertake appropriate afforestation measures all around the project site related to this approval, in consultation with the State Forest Department, at the project cost.
- (7) The layout plan of the proposal shall not be changed without prior approval of Ministry of Environment, Forest and Climate Change.
- (8) (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.
 (d) No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- (9) (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.
- (10) 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 given effect to by the State Government till formal order approving diversion of forest land is issued by the Ministry of Environment, Forest and Climate Change.

विश्वासभाजन

Signed by Shashi Shankar
PathakDate: 17-07-2023 17:08:16
(शशि शंकर)Reason: Approved
सहायक वन्यजीव निरीक्षक

प्रतिलिपि:-

48631/2023

1. आई०जी०एफ०, आर०ओ०एच०क्यू०, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, इन्दिरा पर्यावरण भवन, जोर बाग रोड, नई दिल्ली-110003.
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 पूर्वी वन प्रमण्डल, झारखण्ड ।
4. परियोजना निदेशक (Admin), JUIDCO Ltd, राँची, झारखण्ड ।
5. गार्ड फाईल ।

सहायक वन महानिरीक्षक