



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/RAIL/36506/2018/50

दिनांक: 17.01.2024

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 120.61 ha of forest land for construction of Amrapali Railway Siding for evacuation of Coal. The proposal includes the construction of Railway siding, Silo, Belt conveyor and Culvert in District Chatra of Jharkhand – reg.

महाशय,

I am directed to refer to you the Jharkhand Govt. letter No. Van Bhumi-07/2023-4129/Va.Pa./Ranchi dated 02.11.2023 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 69<sup>th</sup> meeting, the “in-principle” approval of Central Government, is hereby conveyed for diversion of 120.61 ha of forest land for construction of Amrapali Railway Siding for evacuation of Coal. The proposal includes the construction of Railway siding, Silo, Belt conveyor and Culvert in District Chatra of Jharkhand, subject to the following conditions and stipulations:

- (1) Legal status of the forest land shall remain unchanged.
- (2) **In accordance to Rule 13 and Rule 14 of Van (Sanrakshan & Samvardhan) Rules 2023, user agency shall provide land which is neither notified as forest under relevant forest laws nor managed as forest by State Forest Department for raising compensatory afforestation.**
- (3) Proposed forest land will be handed over to user agency only after adequate non-forest land for the project is handed over to state forest department by the user agency.
- (4) Compensatory afforestation shall be taken up by the Forest Department over matching amount of non-forest land in accordance to Rule 13 (1) or 13 (3) of the **Van (Sanrakshan & Samvardhan) Rules 2023** and user agency shall bear the cost of raising compensatory afforestation on such land. As far as possible, a

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mixture of local indigenous & natural species shall be planted and monoculture of any species shall be avoided.

- (5) 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 Stage-II approval.
- (6) The cost of compensatory afforestation on the CA Non-forest land 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.
- (7) The State Government shall charge the Net Present Value (NPV) for the 120.61 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.
- (8) 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.
- (9) **The identified trees shall be translocated as per the set standards of the High-Powered Committee constituted in the state of Jharkhand that governs the tree felling.**
- (10) 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 and direction of the State Forest Department; the cost of felling of trees shall be deposited by the User Agency with the State Forest Department.
- (11) 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/>).
- (12) 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.

- (13) **Speed regulating signage will be erected along the railway line at regular intervals in the Protected Areas/ Forest Areas.**
- (14) **The user agency shall do Split-Rail fencing in high track density areas as identified by concerned DFO to save Wild elephants crossing the railway tracks. User agency shall also provide adequate number of appropriate under passes, at locations identified by the concerned DFO, to facilitate safe movement of wild animals in these areas.**
- (15) **As recommended by the Regional Empowered Committee (REC), an Integrated Wildlife Management Plan (IWMP), for areas inclusive of mine-areas in the vicinity, shall be prepared at project cost and the same shall approved by the PCCF (Wildlife) & Chief Wildlife Warden, Jharkhand for its implementation. The duly approved plan should be submitted in RO, MoEF&CC, Ranchi before issuance of Final approval.**
- (16) **User agency shall deposit the implementation cost of aforesaid IWMP to state forest department before the issuance of final approval.**
- (17) **Around 125Ha of forest land likely to be constricted and left fragmented due to this proposed project shall be appropriately planted and managed with dedicated watch & ward by state forest department at the project cost.**
- (18) User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.
- (19) The layout plan of the proposal shall not be changed without prior approval of Central Government.
- (20) No labour camp shall be established on the forest land.
- (21) Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.
- (22) 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.
- (23) No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- (24) The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less.
- (25) The forest land shall not be used for any purpose other than that specified in the project proposal.
- (26) The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India.

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- (27) **The User Agency should formulate & implement Soil Moisture Conservation plan around the area proposed for diversion which shall include top-soil management plan also under the supervision of concerned DFO.**
- (28) **The KML files of the forest 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.**
- (29) Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF&CC Guideline F. No. 11-42/2017-FC dt 29/01/2018.
- (30) Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.
- (31) The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).

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 Central Government. To facilitate speedy execution of this project involving diversion for the project, the in-principle approval may be deemed as the permission for commencement of works, if the required funds for CA, NPV and other compensatory levies as well as non-forest land specified in the in-principle approval are realized from the user agency and accordingly the State Government, by passing an order, may allow the commencement of work of the linear project in forest land for a period of one year (The detail guideline issued vide Ministry letter No. 11-306/2014-FC, dated 28.08.2015 may be referred).

विश्वासभाजन

(शशि शंकर)  
सहायक वन महानिरीक्षक

प्रतिलिपि:-

- आई०जी०एफ०, आर०ओ०एच०क्यू०, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, इन्दिरा पर्यावरण भवन, जोर बाग रोड, नई दिल्ली-110003.
- 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 ।
- वन प्रमण्डल पदाधिकारी, चतरा साउथ वन प्रमण्डल, चतरा, झारखण्ड ।
- महाप्रबंधक (पर्यावरण एवं वन), सी. सी. एल., दरभंगा हाउस, राँची, झारखण्ड – 834001.

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5. परियोजना पदाधिकारी, आम्रपाली, पी. ओ. - सरादु, थाना - टण्डवा, चतरा, झारखण्ड - 825321.
6. गार्ड फाईल ।

सहायक वन महानिरीक्षक