



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

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जहाँ है हरियाली ।  
वहाँ है खुशहाली ॥

No. FP/BR/ROAD/26357/2017/1912

Dated 18<sup>th</sup> January, 2018

To

The Principal Secretary,  
Department of Environment and Forests,  
Government of Bihar, Sinchai Bhawan,  
Secretariat, Patna.

Sub: Diversion of 1.823 ha of forest land for construction of RoB at Railway Km 591.756 (591/24-26 Tp) between Railway Station Ara-Jamira Halt and at Road Ch:119.00 from Sasaram to Patna of NH-30 in Bhojpur district of Bihar.

Sir,

I am directed to refer to letter No. Van Bhumi-42/2017-1095(E)/Pa.Va. dated 27.12.2017 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, the Central Government, hereby, conveys "in-principle" approval for diversion of 1.823 ha of forest land for construction of RoB at Railway Km 591.756 (591/24-26 Tp) between Railway Station Ara-Jamira Halt and at Road Ch:119.00 from Sasaram to Patna of NH-30 in Bhojpur district of Bihar, 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 Government from the user agency.

4. Compensatory Afforestation over the degraded forest land twice in extent to the forest land being diverted 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 plantation and its maintenance for 10 years (revised as on the date to incorporate the existing wage structure) to State Forest Department.
5. All the funds received from the user agency under the project shall be transferred online to the Adhoc-CAMPA in the Saving Bank Account pertaining to the State concerned.
6. 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.
7. Felling of trees as required should be done under the supervision of the State Forest Department.
8. Wherever possible and technically feasible, the User Agency shall undertake afforestation measures along the roads within the area diverted under this approval, in consultation with the State Forest Department at the project cost.
9. 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.
10. It will be the responsibility of the User Agency to ensure that the labourers and staff engaged in construction activity do not damage the nearby forest flora and fauna.
11. 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.
12. 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.
13. The forest land shall not be used for any purpose other than that specified in the proposal.
14. 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.

15. Any other conditions 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 should not be effected by the State Government till formal order approving diversion of forest land is issued by the Central Government.** However, the State Government, if it so desires, may allow the user agency for commencement of work as per Ministry's guideline issued vide letter No.11-306/2014-FC dated 28.8.2015.

Yours faithfully,

  
(Vasanta Kiran Babu)  
Dy. 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, Government of Bihar, Aranya Bhawan, Shahid Pir Ali Khan Path, Patna - 800 014.
3. The APCCF-cum-Nodal Officer, Forest Department, Government of Bihar, Aranya Bhawan, Shahid Pir Ali Khan Path, Patna - 800 014.
4. The Divisional Forest Officer, Mithila Forest Division, Bihar.
5. The Executive Engineer, National Highway Division, Gulzarbagh.
6. Guard File.

  
Dy. Conservator of Forests (Central)

O/c