



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/Others/27191/2017/1923

Dated 23rd January, 2018

To

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

Sub: Diversion of 1.1 ha of forest land for construction of Block Development Office-cum-Circle Office in favour of BDO, Gaya in Gaya district of Bihar.

Sir,

I am directed to refer to letter No. Van Bhumi-25/2017-767(E)/Pa.Va. dated 19.9.2017 & Van Bhumi-25/2017-107(E)/Pa.Va. dated 28.12.2017 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 1.1 ha of forest land for construction of Block Development Office-cum-Circle Office in favour of BDO, Gaya in Gaya 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 equivalent non forest land as proposed by the State Government 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 compensatory afforestation and its maintenance for 10 years (revised

as on the date to incorporate the existing wage structure) to State Forest Department.

5. The non-forest land to be identified for compensatory afforestation shall be transferred and mutated in favour of the State Forest Department for raising compensatory afforestation before issue of the Stage-II approval.
6. The non-forest land which is transferred and mutated in favour of the State Forest Department for the purpose of Compensatory Afforestation shall be declared as Reserved Forest under Section-4 or Protected Forest under Section-29 of the Indian Forest Act, 1927 or under the relevant section (s) of the local Forest Act. The Nodal Officer must report compliance within a period of 6 months from the date of grant of final approval and send a copy of the original notification declaring the non-forest land as R.F. under Section-4 or P.F. under Section-29 of the Indian Forest Act, 1927 or under the relevant section of the local Forest Act as the case may be, to this Ministry for information and record.
7. User Agency should ensure that the compensatory levies (CA cost, NPV, etc.) are deposited through challan generated online on web portal and deposited in appropriate bank online only. Amount deposited through other mode will not be accepted as compliance of the Stage-I clearance.
8. 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.
9. Felling of trees as required should be done under the supervision of the State Forest Department.
10. The User Agency will maintain 0.3925 ha land as Pond, Park & beautification of the area under the supervision of the DFO at the cost of User Agency.
11. Wherever possible and technically feasible, the User Agency shall undertake afforestation measures within the area diverted under this approval, in consultation with the State Forest Department at the project cost.
12. 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.
13. 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.

14. 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.
15. 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.
16. The forest land shall not be used for any purpose other than that specified in the proposal.
17. 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.
18. 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.

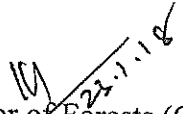
After receipt of the compliance report on fulfillment of the conditions as stipulated above, from the State Government, formal approval will be issued in this regard under Section 2 of Forest (Conservation) Act, 1980. **Transfer of forest land to user agency should not be effected by the State Government till formal order approving diversion of forest land is issued by the Central Government.**

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, Gaya Forest Division, Bihar.
5. The BDO, Bankey Bazar Block, Gaya.
6. Guard File.


 Dy. Conservator of Forests (Central)
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