



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

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जहाँ है हरियाली ।
वहाँ है सुशासनी ॥

No.FP/BR/Others/8755/2014 /23

Dated 23rd December, 2014

To

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

Sub: Diversion of 0.48564 ha. of forest land for construction of stadium in Sapneri village of Gaya district of Bihar state.

Sir,

I am directed to refer to State Govt. letter No.Van.Bhumi-27/2014 666(E)/Pa.Ba. dated 9.12.2014 and CCF (Nodal), Bihar letter No.FC-573 dated 18.11.2014 on the above mentioned subject seeking prior approval of the Ministry of Environment, Forests 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 0.48564 ha. of forest land for construction of stadium in Sapneri village of 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 Govt. from the user agency.
4. Compensatory afforestation over the equivalent non forest land (0.48564 ha) as proposed by the State Govt. 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 7-10 years

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

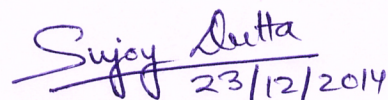
5. The non-forest land to be identified for compensatory afforestation shall be transferred and mutated in favour of the State Forest Department for raising compensatory afforestation before issue of the Stage-II approval.
6. The State Government shall deposit Net Present Value and all other funds with the Ad-hoc Body of Compensatory Afforestation Fund Management and Planning Authority (CAMPA), in SB Account No.**SB01025201** of Corporation Bank, CGO Complex, Phase-1, Lodhi Road, New Delhi – 110 003 (**RTGS/IFSC No.CORP0000371**) or in SB Account No.**344902010105410** of Union Bank of India, Sunder Nagar, New Delhi – 110 003, (**RTGS/IFSC No.UBIN0534498**) through the RTGS/NEFT mode, as per the instruction communicated vide letter No.12-2/2010-CAMPA dated 13.05.2011 and dated 24.06.2011.
7. 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.
8. 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.
9. It will be the responsibility of the User Agency to ensure that the labourers, staff engaged in construction activity do not damage the nearby forest flora and fauna.
10. 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.
11. 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.
12. The forest land shall not be used for any purpose other than that specified in the proposal.
13. No additional or new path will be constructed inside the forest area for carrying out any activity related to the project work.
14. The user agency will obtain clearance under the provision of ST&OTFD (Recognition of Forest Rights) Act, 2006 before final approval of the project and

will submit certificate towards settlement of all claims and rights over the proposed forest land under the Act, as per the Guidelines of Ministry communicated vide letter No. 11-9/1998-FC (pt) dated 30.07.2009, 03.08.2009, read with guidelines dated 05.02.2013 and 05.07.2013, 20.12.2013 and 15.01.2014 in the format for **proposals other than linear**.

15. 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.
16. Any other conditions that the Ministry of Environment & Forests 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,

 23/12/2014

(Sujoy Dutta)

Technical Officer

Copy to:-

1. The Inspector General of Forests(FC), Ministry of Environment, Forests and Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi – 110 003.
2. The Principal Chief Conservator of Forests, Bihar, 4th Floor, Technology Bhawan, Vishweshwariah complex, Bailey road, Patna - 800 015.
3. The CCF & Nodal Officer, Forest Department, Govt. of Bihar, Technology Bhawan, Visheshwarya Complex, Belli Road, Patna - 800015.
4. The Divisional Forest Officer, Gaya Forest Division, Gaya, Bihar.
5. The Block Development Officer, Khijarsarai, District Gaya, Bihar.
6. Guard File.