



GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE
REGIONAL OFFICE (RANCHI)
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गहों है हरियाली ।
वहों है सुराहाली ॥

No. FP/JH/Rail/16617/2015 / 1526

Dated 26th September, 2017

To

The Principal Secretary,
Department of Forests, Environment & Climate Change,
Government of Jharkhand,
Nepal House, Ranchi.

Sub: Diversion of 19.85 ha of forest land for construction of Tori-Shivpur New B.G. Single Railway Line.

Sir,

I am directed to refer to letter No. Van Bhumi-19/2016-5060/Va.Pa. dated 3.11.2016 and letter No. Van Bhumi-19/2016-3478/Va.Pa. dated 21.8.2017 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 and on the basis of decision of Regional Empowered Committee held on 14.9.2017, the Central Government, hereby conveys "in-principle" approval for diversion of 19.85 ha of forest land for construction of Tori-Shivpur New B.G. Single Railway Line, 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.

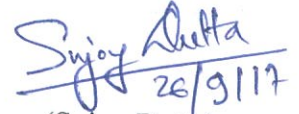
4. Compensatory Afforestation over the degraded forest land twice in extent to the forest land being diverted shall be raised and maintained by the State Forest Department at the cost of the user agency. The user agency shall transfer the cost of plantation and its maintenance for 10 years (revised as on the date to incorporate the existing wage structure) to State Forest Department.
5. Penal Compensatory Afforestation shall be raised over degraded forest land twice in extent of the forest area already worked by the user agency without taking prior approval of the Central Government under Forest (Conservation) Act, 1980, by the State Forest Department at the cost of User Agency.
6. 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.
7. The user agency should adopt vertical extension/ expansion for the development of Railway stations, Offices, Storage House, Staff Quarters etc. to minimize the use of forest land. Accordingly, the user agency should submit an undertaking regarding this before issuance of the final approval, as recommended by the REC.
8. The user agency should give proper justification for the requirement of additional forest land for Tori-Shivpur Railway Project before issuance of the final approval, as recommended by the REC.
9. Number of trees proposed for felling may be rechecked and reconfirmed by the concerned DFO and should submit to this office before issuance of the final approval, as recommended by the REC.
10. Wherever possible and technically feasible, the User Agency, in consultation with the State Forest Department, shall undertake, by involving local community, the afforestation measures within the area diverted under this approval, at the project cost.
11. Felling of trees on the forest land being diverted shall be restricted to the bare minimum and the trees should be felled under strict supervision of the State Forest Department.
12. 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.
13. No labour camp shall be established on the forest land.

14. The User Agency shall provide alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas for collection of firewood for their use.
15. The User Agency shall obtain the Environmental Clearance as per the provisions of Environment (Protection) Act, 1986, if required.
16. Muck disposal, if required, should be taken up as per the scheme approved by the Forest Department.
17. 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.
18. 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.
19. 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.
20. 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.
21. The forest land shall not be used for any purpose other than that specified in the proposal.
22. The user agency and the State Government shall ensure compliance of provisions of all the Acts, Rules, Regulations and Guidelines, for the time being in force, which are applicable to the project.
23. Any other condition 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 shall**

not be effected by the State Government till formal order approving diversion of forest land is issued by the Central Government.

Yours faithfully,


(Sujoy Dutta)

Technical Officer (Forestry)

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, Forest Department, Govt. of Jharkhand, Doranda, Ranchi.
3. The PCCF & Nodal Officer, Forest Department, Govt. of Jharkhand, Doranda, Ranchi.
4. The Divisional Forest Officer, Chatra South & Latehar Forest Division.
5. The Assistant Engineer, East Central Railway, Hazaribagh, Jharkhand.
6. Guard File.

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Technical Officer (Forestry)