



सत्यमेव जयते

भारत सरकार / Government of India
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
Ministry of Environment, Forest & Climate Change
क्षेत्रीय कार्यालय/ Regional Office

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एफ.पी/बी.आर./रोड/40700/2019/757

दिनांक: 24/12/2024

सेवा में,

प्रधान/अति० मुख्य सचिव
पर्यावरण, वन एवं जलवायु परिवर्तन विभाग
बिहार सरकार, सिंचाई भवन
पटना – 800015.

विषय:-In-principle (Stage-I) approval of Central Government under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 10.368 ha forest land for widening and strengthening of NH-31, Rajauli-Bakhtiyarpur Section (Km 47.723 to Km 54.405) passes through Rajauli (Nawada) Wild Life Sanctuary Reserve Forest in favour of NHAI in Nawada distict of Bihar – reg.

Madam/Sir,

I am directed to refer to you the Bihar Govt.'s letter No.Van Bhumi-33/2021-340(E)/Pa.Va.Ja.Pa. dated 03.05.2021 and letter No.FC/46/2019-806 dated 23.10.2024 of the APCCF-cum-Nodal Officer (FC), Bihar on the above mentioned subject seeking prior approval of the Ministry of Environment, Forest and Climate Change under section 2 of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.

After due consideration of the proposal of the State Government and on the basis of decision of Regional Empowered Committee (REC) in its 74th (20.12.2024) meeting, the **“in-principle”** approval of Central Government, is hereby conveyed for diversion of 10.368 ha forest land for widening and strengthening of NH-31, Rajauli-Bakhtiyarpur Section (Km 47.723 to Km 54.405) passes through Rajauli (Nawada) Wild Life Sanctuary Reserve Forest in favour of NHAI in Nawada distict of Bihar, subject to the following conditions and stipulations.

A: Conditions which need to be complied prior to handing over of forest land by the State Forest Department.

- (1) The cost of compensatory afforestation on the CA land (22 ha) 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.

- (2) The State Government shall charge the Net Present Value (NPV) for the 10.368 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.
- (3) 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/>).
- (4) **The KML files of the 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.**
- (5) 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.
- (6) **Chief Wildlife Warden (CWLW) shall incorporate all the conditions of contextual Standing Committee of National Board of Wildlife (SCNBWL) approval and all the suggestions of Site Inspection Report (SIR) of REC's subcommittee in the making of a fresh Animal Passage Plan which shall be implemented by the cost borne by the project.**
- (7) **A Muck-Disposal Plan shall be prepared and executed by User Agency to ensure that the muck/wastage generated is disposed of in appropriate manner. Such plan, duly approved by the concerned DFO, must be submitted to this office before soliciting Working Permission.**
- (8) **A Soil & Moisture Conservation Plan, to be implemented as a part of project, shall be prepared by concerned DFO and approved by the PCCF (Wildlife) & Chief Wildlife Warden, Bihar. The duly approved plan should be submitted in RO, MoEF&CC, Ranchi before issuance of Final approval.**
- (9) Violation of any of these conditions will amount to violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and action would be taken as prescribed in para 1.16 of Chapter 1 of the Consolidated Guidelines of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 as issued by this Ministry's letter dated 29.12.2023.
- (10) The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).

B: Conditions which need to be strictly complied on field after handing over of forest land to the User Agency by the State Forest Department but the compliance in form of undertaking shall be submitted prior to Stage-II approval:

- (1) Legal status of the forest land shall remain unchanged.
- (2) Compensatory afforestation shall be taken up by the Forest Department over 22 ha. degraded forest land (Site – Dibor Part-I PF, Range – Rajauli, Compartment No.653, 654 under Nawada Forest Division) at the cost of the user agency. As far as possible, a mixture of local native species shall be planted and monoculture of any species, especially non-native species should be avoided.
- (3) 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.
- (4) Modern technology will be used to translocate to the extent possible only those trees (having girth less than 60 cm) which are unavoidable and needs to be removed so that minimum numbers of trees are felled.
- (5) 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 of the State Forest Department and the cost of felling of trees shall be deposited by the User Agency with the State Forest Department. Further, in view of the large number of trees affected for the project, such number of trees whose removal is unavoidable, and whose translocation (species, number and girth to be decided by SFD) is practicable, will be translocated to the extent possible at the cost of user agency.
- (6) The State Forest Department/Project Proponent shall raise and maintain strip plantation on both sides of the road as per the IRC norms.
- (7) User Agency shall provide unrestricted access of the road to forest department vehicles.
- (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) 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.
- (10) Wherever possible and technically feasible, the User Agency shall undertake appropriate afforestation or vegetation enrichment measures near the site(s)

related to the area diverted under this approval, in consultation with the State Forest Department at the project cost.

- (11) (a) The User Agency shall ensure that the labourers and staff engaged in construction activities do not damage the nearby forest flora & fauna and work at night shall be avoided.
- (b) The User Agency shall provide alternate fuels preferably LPG to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas.
- (12) The layout plan of the proposal shall not be changed without prior approval of the Ministry of Environment, Forest & Climate Change.
- (13) (a) The forest land shall not be used for any purpose other than that specified in the project proposal.
- (b) The period of diversion under this approval shall be co-terminus with the period of the project life/ requirement.
- (c) The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department, or person without prior approval of the Ministry of Environment, Forest & Climate Change.
- (14) Any other condition that the Ministry of Environment, Forest & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forest & wildlife.

After receipt of the compliance report on the fulfillment of the conditions mentioned above, the proposal shall be considered for final approval under section 2 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. Transfer of forest land shall not be affected till final approval is granted by the Government in this regard.

विश्वासभाजन

(शशि शंकर)

उप वन महानिरीक्षक

प्रतिलिपि:-

- आई०जी०एफ० (आर०ओ०एच०क्यू०)/ सी०ई०ओ० (कैम्पा), पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, इन्दिरा पर्यावरण भवन, जोर बाग रोड, नई दिल्ली-110003.
- प्रधान मुख्य वन संरक्षक (HoFF)/ अपर प्रधान मुख्य वन संरक्षक- सह - नोडल पदाधिकारी (एफ. सी.), पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, बिहार सरकार, अरण्य भवन, शहीद पीर अली खां मार्ग, पटना-800014.
- वन प्रमण्डल पदाधिकारी, नवादा वन प्रमण्डल, बिहार ।
- परियोजना निदेशक, NHAI, परियोजन कार्यान्वयन इकाई पटना , बिहार ।

5. गार्ड फाईल ।

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