



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

पता: द्वितीय तल, झारखण्ड राज्य आवास बोर्ड मुख्यालय, हरमू चौक, राँची, झारखण्ड - 834002
Add: 2nd Floor, Headquarter-Jharkhand State Housing Board, Harmu Chowk, Ranchi, Jharkhand - 834002
Tel: 0651-2410002, 2410007; E-mail: ro.ranchi-mef@gov.in



संख्या: एफ.पी/बी.आर/एप्रोच/140357/2021/318

दिनांक: 28/05/2022

सेवा में,

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

विषय :- श्री सुशील कुमार भगत द्वारा भागलपुर जिलान्तर्गत शहजादपुर मौजा के खाता संख्या -84, खेसरा संख्या -116, 117, 119, थाना संख्या - 145, अंचल - शाहकुण्ड में अकबरनगर-शाहकुण्ड SH-85 पथ के किनारे IOCL का रिटेल आउटलेट स्थापित करने के क्रम में पहुँच पथ निर्माण हेतु वन (संरक्षण एवं संवर्धन) अधिनियम, 1980 के अंतर्गत 0.0108 हे० वन भूमि अपयोजन प्रस्ताव पर सैद्धांतिक (स्टेज-I) स्वीकृति के संबंध में।

महाशय,

I am directed to refer to State Govt. letter No.Van Bhumi-112/2021-916(E)/Pa.Va.Ja.Pa dated 18.11.2021 and letter No. FC/54/2021-71 dated 16.01.2025 of APCCF-cum-Nodal Officer, Bihar on the above mentioned subject seeking prior approval of the Ministry of Environment, Forest and Climate Change under section 2 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.

After due consideration of the proposal of the State Government, the Central Government, hereby, conveys “**in-principle**” approval for diversion of 0.0108 ha forest land for construction of approach road for opening retail outlet of IOCL on the side of Akbarnagar-Shahkund SH-85 Road, Khata No.84, Khesra No.116, 117, 119, Mauza – Shahjadpur, Thana No.145, Anchal – Shahkund by Shri Sushil Kumar Bhagat in Bhagalpur district 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 user agency shall transfer the cost of raising and maintain the compensatory afforestation (100 trees plantation and maintenance for 10 years) at the current wage rate in consultation with State Forest Department in the account of CAMPA of the concerned State through online portal.
2. The State Government shall charge the Net Present Value (NPV) for the 0.0108 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 letter 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 complete compliance of the FRA, 2006, including all the relevant certificates from competent authority/committees, shall be ensured before the issuance of final diversion letter by the state government.
5. Violation of any of these conditions will amount to violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and action would be taken accordingly.
6. The compliance report shall be uploaded on *e-portal* (<http://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 forest land proposed for diversion shall remain unchanged.
2. The State Forest Department shall plant 100 trees to maintain the green cover at the project cost. Planting site for the purpose shall be identified by the State Forest Department preferably in the vicinity of the project site. Indigenous tree species should be preferred for such plantation.
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. The approach road to petrol pump/fuel station should be as per the following norms issued by the Ministry of Road Transport and Highways and communicated vide Ministry's letter No.11-268/2014-FC dated 11.07.2014:-
 - (a) Fuel station should generally be a part of rest area complex having other amenities like place for parking, toilets, restaurants, rest rooms, shops etc. Proper planning should be done by the user agency, in advance, for construction of such complexes along the highways so that destruction of road side forest is minimized.
 - (b) Suitable signs and markings showing the location of the fuel station may be provided without disturbing the road side plantations.
 - (c) Entire periphery of the retail outlet should be lined up with tree plantation at a close spacing of 1.0 to 1.5 meter keeping an offset of 1.5 meter from the boundary, with light crown trees which will maintain greenery without compromising with the functional space requirement.
 - (d) Suitable plantations should be raised by the user agency along the approach road, Separator Island and other vacant areas in addition to the compensatory afforestation required to be raised as per guidelines.

5. Wherever possible and technically feasible, the User Agency shall in consultation with SFD undertake appropriate afforestation / vegetation enrichment measures near the site related to the area diverted under this approval, at the project cost.
6. The User Agency shall ensure that the labourers and staff engaged in construction activity do not damage the nearby forest flora and fauna.
7. The lay out plan of the proposal shall not be changed without prior approval of the Ministry of Environment, Forest & Climate Change.
8. (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 of the fuel outlet.
(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 Ministry of Environment, Forest & Climate Change.
9. The User Agency and the State Government shall ensure compliance to provisions of the Acts, Rules, Regulations, Guidelines, Hon'ble Court Order(s) and National Green Tribunal Order(s) pertaining to this project, if any, for the time in force, as applicable to the project.
10. Any other conditions that the Ministry of Environment, Forest & Climate change may stipulate from time to time in the interest of conservation, protection and development of forest and 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:-

1. आई०जी०एफ० (आर०ओ०एच०क्यू०)/सीईओ (कैम्पा), पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, इन्दिरा पर्यावरण भवन, जोर बाग रोड, नई दिल्ली-110003.
2. 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.
3. वन प्रमण्डल पदाधिकारी, भागलपुर वन प्रमण्डल, भागलपुर, बिहार।
4. श्री सुशील कुमार भगत, पिता - स्व० रामपत्नी भगत, ग्राम+पोस्ट - पंचरुखी, थाना - शाहकुंड, जिला - भागलपुर, बिहार-813108.
5. गार्ड फाईल।