



GOVERNMENT OF INDIA  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE  
EAST CENTRAL ZONE REGIONAL OFFICE (RANCHI)

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No. FP/BR/Others/40869/2019/3977

Date: 30.5.2020

To

**The Principal Secretary,**  
Department of Environment, Forests & Climate Change,  
Government of Bihar,  
Sichai Bhawan Secretariat, Patna - 800015

Sub: **In-principle (Stage-I) approval of Central Government under Forest (Conservation) Act 1980 for diversion of 0.405 ha (reduced from 0.72 ha) forest land for development of Papharni Lake, Akash Ganga and Mandar Hill Top under Mandar Hill and Ang Pradesh Circuit under Swadesh Darshan Scheme in Banka district of Bihar - reg.**

Sir,

This refers to letter No.Van Bhumi-33/2020-406(E)/Pa.Va.Ja.Pa. dated 28.4.2020 of the State Government, Bihar 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 0.405 ha forest land (reduced from the proposed 0.72 ha by excluding the area of 0.315 ha "park" area) for the project - Development of **Mandar Hill Top** (in continuation of ropeway installation approved project, File No.FP/BR/Others/11674/2011) under **Mandar Hill and Ang Pradesh Circuit under Swadesh Darshan Scheme** in Banka district of Bihar in favour of Bihar State Tourism Development Corporation - a Government of Bihar undertaking, subject to the following conditions and stipulations.

- (1) Legal status of the forest land shall remain unchanged.
- (2) **Compensatory afforestation:**
  - (a) Compensatory afforestation shall be taken up by the Forest Department over 1 ha. non-forest land (Mauza Kumarbhag, Thana No.471/2019, Khata No.10 and Khesra No.193 under Banka Forest Division) at the cost of the user agency. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided.
  - (b) The non-forest land proposed for CA shall be transferred and mutated in the name of Forest Department and notified as RF/ PF prior to Stage-II approval. A

copy of the original notification declaring the non-forest land under Section 4 or Section 29 of the Indian Forest Act, 1927 will be submitted by the State Government prior to Stage-II approval.

- (c) The cost of compensatory afforestation on the CA land 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.

(3) **Net Present Value (NPV):**

- (a) The State Government shall charge the Net Present Value (NPV) for the 0.405 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 and 5-3/2007-FC dated 05/02/2009 in this regard.
- (b) In view of the DFO's report of incidence of violation of Forest (Conservation) Act 1980, the State Forest Department will realize penal NPV from the User Agency invoking the guidelines vide letter no.11-42/2017-FC dated 29.1.2018.
- (c) 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) 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/>).
- (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) Wherever possible and technically feasible, the State Forest Department shall undertake appropriate afforestation or vegetation enrichment measures near the site(s) related to the area diverted under this approval, in consultation with the User Agency at the project cost.
- (7) The layout plan of the proposal shall not be changed without prior approval of Central Government.



- (8) (a) No labour camp shall be established on the forest land.  
(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.
- (9) The period of diversion under this approval shall be co-terminus with the period of the project life.
- (10) (a) The forest land shall not be used for any purpose other than that specified in the project proposal.  
(b) The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department, or person without prior approval of Central Government.
- (11) Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF&CC Guideline F. No. 11-42/2017-FC dt 29/01/2018.
- (12) 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.
- (13) The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).

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

Yours faithfully,

*Bharat*  
(Bharat Jyoti) 30/5/20

Dy. Director General of Forests (Central)

Copy to:-

1. The DIGF(ROHQ), Ministry of Environment, Forests and Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi - 110 003.
2. The Principal Chief Conservator of Forests (HoFF), / The APCCF-cum-Nodal Officer (FC), Deptt. of Environment, Forests & Climate Change, Government of Bihar, Aranya Bhawan, Shahid Pir Ali Khan Path, Patna - 800 014.
3. The Divisional Forest Officer, Banka Forest Division, Banka, Bihar.
4. The Chief Engineer, Bihar State Tourism Development Corporation Ltd., Beer Chand Patel Path, Patna, Bihar.
5. Guard File.