GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE
REGIONAL OFFICE (RANCHI)
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No. FP/BR/WATER/33325/2018 Dated 16<sup>th</sup> July, 2018

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

Sub: Diversion of 0.360636 ha of forest land for installation of underground Water Pipelines from Vanganga Bus Stop to Pandu Pokhar in the Nalanda district of Bihar.

Sir,


After due consideration of the proposal of the State Government, the Central Government, hereby, conveys “in-principle” approval for diversion of 0.360636 ha of forest land for installation of underground Water Pipelines from Vanganga Bus Stop to Pandu Pokhar in the Nalanda 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 Government from the user agency.

4. The State Government shall plant 50 trees to maintain the green cover at the project cost. Planting site for the purpose shall be identified by the State Forest Department preferably within or in the surrounding area of the project. Indigenous tree species should be preferred for such plantation. 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. The State Govt. shall charge the penal Net Present Value (NPV) for violation, which is equal to 20% of the NPV of forest land per hectare for each year of violation from the date of actual diversion as reported by the inspecting officer with maximum up to five times the NPV plus 12% simple interest till the deposits is made.

6. User Agency should ensure that the compensatory levies (CA cost, NPV, etc.) are deposited through challan generated online on web portal and deposited in appropriate bank online only. Amount deposited through other mode will not be accepted as compliance of the Stage-I clearance.

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 and staff engaged in construction activity do not damage the nearby forest flora and fauna.

10. The User Agency shall provide LPG 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.

11. 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.

12. 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, Forest and Climate Change.

13. 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.

14. Any other conditions 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 should not be effected by the State Government till formal order approving diversion of forest land is issued by the Central Government. To facilitate speedy execution of projects involving linear diversion, the in-principle approval may be deemed as the working permission for tree felling and commencement of work, if the required funds for CA, NPV and all other compensatory levies specified in the in-principle approval are realised from the user agency and accordingly the State Government, by passing an order, may allow the commencement of work of the linear project in forest land for a period of one year (The detail guideline issued vide Ministry letter No. 11-306/2014-FC, dated 20.08.2015 may be referred).

Yours faithfully,

(Vasanta Kiran Babu)
Dy. Conservator of Forests (Central)

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, Government of Bihar, Aranya Bhawan, Shahid Pir Ali Khan Path, Patna - 800 014.
3. The APCCF-cum-Nodal Officer, Forest Department, Government of Bihar, Aranya Bhawan, Shahid Pir Ali Khan Path, Patna - 800 014.
4. The Divisional Forest Officer, Nalanda Forest Division, Bihar.
5. The Executive Engineer, PH Division, Biharsharif, Bihar - 803113.

(Dy. Conservator of Forests (Central)