



GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE
REGIONAL OFFICE (RANCHI)
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जहाँ है हरियाली ।
वहाँ है खुशहाली ॥

No. FP/BR/TRANS/11549/2012 /50

Dated 13th May 2015

To

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

Sub: Diversion of 3.8134 ha forest land for construction of 400 KV D/C Barh-Gorakhpur Transmission Line in Patna, Samastipur, Saran & Gopalganj Forest Division of Bihar by PGCIL.

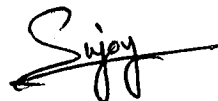
Sir,

I am directed to refer to your letter No.Van.Bhumi-22/2015-173(E)/Pa.Va. dated 13.4.2015 and letter No.FC-234 dated 6.5.2015 of Chief Conservator of Forests-cum-Nodal Officer, Government of Bihar on the above mentioned subject seeking prior approval of the Ministry of Environment, Forests 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 3.8134 ha forest land for construction of 400 KV D/C Barh-Gorakhpur Transmission Line in Patna, Samastipur, Saran & Gopalganj Forest Division of Bihar by PGCIL, subject to the fulfillment of the following conditions.

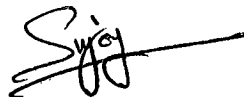
1. Legal status of forest land proposed for diversion shall remain unchanged.
2. The State Govt. shall charge the Net Present Value (NPV) of forest area proposed to be diverted under this proposal from the user agency as per the Orders of the Hon'ble Supreme Court of India dated 28.03.2008, 24.04.2008 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. The State Government shall deposit Net Present Value and all other funds with the Ad-hoc Body of Compensatory Afforestation Fund Management and Planning Authority (CAMPA), in SB Account No.**SB01025201** of Corporation Bank, CGO Complex, Phase-1, Lodhi Road, New Delhi – 110 003 (RTGS/IFSC No.**CORP0000371**) or in SB Account No.**344902010105410** of Union Bank of India, Sunder Nagar, New Delhi – 110 003, (RTGS/IFSC No.**UBIN0534498**) through the RTGS/NEFT mode, as per the instructions communicated vide letter No.12-2/2010-CAMPA dated 13.05.2011 and dated 24.06.2011.
6. State Government shall upload the details of compensatory levies demanded and received from the project proponent in the Ministry website and submit compliance in this regard.
7. Geo-referenced map of the forest land proposed for diversion should be provided prior to grant of final approval.
8. FRA certificate as per Ministry's guidelines dated 28.10.2014 for the district Gopalganj, Sivan, Vaishali and Chhapra should be submitted to this office prior to grant of final approval.
9. 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.
5. Adequate measures should be taken for the safety of wildlife.
6. **Tree felling if any, will be limited to three meter only below each conductor.** Lopping of trees wherever necessary will be done in respect of the rest of the Right of Way for the transmission line. **One outer strip on one side of the transmission line shall be left clear to permit maintenance of the transmission line.**
7. Trees shall be allowed to be felled or lopped to the extent required for preventing electrical hazards by maintaining the minimum 5.5 meters clearance between conductors and the trees. The sag and swing of the conductors are to be kept in view while working out the minimum clearance.



Regular trimming need to be carried out so that the trees do not touch the live wire.

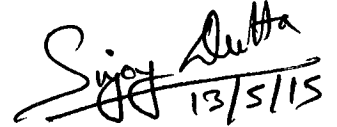
8. In the remaining width of the right of way felling/pollarding/pruning of trees, will be done with the permission of State Forest Department, wherever necessary to maintain the electrical clearance within the diverted area.
9. In case a portion of the transmission lines to be constructed is located in hilly areas, where adequate clearance is already available, trees shall not be cut.
10. As per Ministry's guidelines issued vide letter No.7-25/2012-FC(Pt) dated 5.05.2014, the maximum width of the right of way for 400 KV/DC transmission line on forest land shall be 46 meter.
11. The user agency/State Govt. shall also submit the GPS reading of all towers, before Stage-II clearance. In case of rare event of location change of towers, that may be informed later on for correction.
12. The user agency in consultation with the State Forest Department shall prepare a detailed scheme for creation and maintenance of plantation of dwarf species (preferably medicinal plants) in right of way under transmission line and provide funds to the State Forest Department for execution of the said scheme. The species of indigenous medicinal plants, herbs, shrubs etc. should be given preference.
13. 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.
14. 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.
15. 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.
16. 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.
17. The forest land shall not be used for any purpose other than that specified in the proposal.



18. 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.
19. Any other conditions that the Ministry of Environment & Forests 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.**

Yours faithfully,


13/5/15

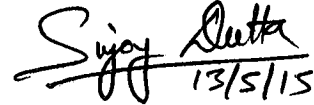
(Sujoy Dutta)

Technical Officer (Forestry)

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Copy to:-

1. The Inspector General of Forests(FC), Ministry of Environment, Forests and Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi-110 003.
2. The Principal Chief Conservator of Forests, Bihar, 4th Floor, Technology Bhawan, Vishweshwariah complex, Bailey road, Patna - 800 015.
3. The CCF & Nodal Officer, Forest Department, Govt. of Bihar, Technology Bhawan, Visheswarya Complex, Bailey Road, Patna - 800015.
4. The Divisional Forest Officer, Patna/ Samastipur/ Saran/ Gopalganj Forest Division, Patna/ Samastipur/ Saran/ Gopalganj, Bihar.
5. The Chief Manager (I/C), Vill+P.O - Dariyapur Kafan, Muzaffarpur-844127, Bihar.
6. Guard File.


13/5/15

Technical Officer (Forestry)

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