



GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE
REGIONAL OFFICE (RANCHI)
BUNGALOW NO.A-2, SHYAMLI COLONY, RANCHI - 834002
TEL: 0651-2410007, 2410002, E-mail: ro.ranchi-mef@gov.in



जहाँ है हरियाली ।
वहाँ है खुशहाली ॥

No.5-BHB230/2014-BHU/68

Dated 15th July, 2015

To

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

Sub: Diversion of 5.0922 ha forest land for construction of 800 KV/ HVDC Gopalganj-Gorakhpur Transmission Line in Gopalganj & Saran Forest Division of Bihar by PGCIL.

Sir,


I am directed to refer to your letter No.Van.Bhumi-15/2014-284(E)/Pa.Va. dated 17.6.2014 and letter No.FC-79 dated 9.07.2015 of Addl. Principal 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 and on the basis of decision of Regional Empowered Committee held on 22.04.2015, the Central Government, hereby, conveys "in-principle" approval for diversion of 5.0922 ha forest land for construction of 800 KV/ HVDC Gopalganj-Gorakhpur Transmission Line in Gopalganj & Saran 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.

15.7.15

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. Felling of trees on the forest land being diverted shall be reduced to the bare minimum and the trees should be felled under strict supervision of the State Forest Department.
8. 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.
9. No labour camp shall be established on the forest land.
10. The User Agency shall provide firewood preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas.
11. It will be the responsibility of the User Agency to ensure that the labourers, staff engaged in construction activity do not damage the nearby forest flora and fauna.
12. Width of Right of Way for the Transmission Line shall be limited to 69 m.
13. The User Agency shall install circuit breakers at suitable places besides maintaining necessary ground clearance to prevent electrocution of wild animals.

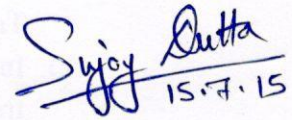

7.15

14. To minimize the felling for construction of Transmission Line, User Agency shall comply with the following guidelines:
- a) Below each conductor or conductor bundle, width clearance of 10 meter would be permitted for stringing purpose. The trees on such strips may be felled but after stringing work is completed, the natural regeneration will be allowed to come up.
 - b) One outer strip may be left clear to permit maintenance of the Transmission Line.
 - c) In the remaining width the Right of Way felling/ pollarding/ pruning of trees will be done with the permission of the local Forest Officer whenever necessary to maintain the electrical clearance. Trees shall be allowed to be felled or lopped to the extent required, for preventing electrical hazards by maintaining the minimum 10.6 meter clearance between conductors and trees. The sag and swing of the conductors are to be kept in view while working out the minimum clearance mentioned as above.
 - d) The Scheme for creation and maintenance of plantation of dwarf species (preferably medicinal plants) in Right of Way under the Transmission Line, as prepared by the State Forest Department (for which funds have to be provided by the User Agency) shall be implemented from the funds provided by the User Agency.
 - e) In case a portion of the Transmission Line to be constructed is located in hilly areas, where adequate clearance is already available, trees shall not be cut
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 of provisions of all the Acts, Rules, Regulations and Guidelines, for the time being in force, which are applicable to the project.
19. Any other condition 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.

[Handwritten signature]
7.15

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,


 15.7.15

(Sujoy Dutta)

Technical Officer (Forestry)

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, Govt. of Bihar, Aranya Bhawan, Shahid Pir Ali Khan Path, Patna - 800 014..
3. The Addl.PCCF & Nodal Officer, Forest Department, Govt. of Bihar, Aranya Bhawan, Shahid Pir Ali Khan Path, Patna - 800 014.
4. The Divisional Forest Officer, Gopalganj/ Saran Forest Division, Bihar.
5. The Chief Manager (I/C), Muzaffarpur, 800 KV HVDC T/L Office, H/O – Tufail Ahmed, Near Chandra Cinema Hall, Banjari, Gopalganj, Bihar.
6. Guard File.


Technical Officer (Forestry)