



GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE
REGIONAL OFFICE (RANCHI)
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No.FP/BR/TRANS/39219/2019/3862

Dated 11th March, 2020

To

The Principal Secretary,
Department of Environment, Forests & Climate Change,
Government of Bihar, Sinchai Bhawan,
Secretariat, Patna.

Sub: Diversion of 2.9231 ha forest land for construction of LILO Kishanganj-Patna 400 KV D/C Transmission Line in favour of Powergrid Mithilanchal Transmission Ltd. in Saharsa district of Bihar.

Sir,

I am directed to refer to letter No.Van Bhumi-6/2020-231(E)/Pa.Va.Ja.Pa. dated 14.2.2020 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 2.9231 ha forest land for construction of LILO Kishanganj-Patna 400 KV D/C Transmission Line in favour of Powergrid Mithilanchal Transmission Ltd. in Saharsa district of Bihar, 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 6.00 ha. degraded forest land (Thari PF, Chakai Range, Thana No.39, under Jamui Forest Division) at the cost of the user agency. As far as possible, a mixture of local native species shall be planted and monoculture of any species should be avoided.
 - b) The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars if required on the CA land shall be deposited in advance with the 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. **NPV:**

- a) The State Government shall charge the Net Present Value (NPV) for the 2.9231 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) 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. No trees will be felled under this diversion, and 200 trees will be trimmed/ lopped as required under the supervision of State Forest Department.
 5. 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/>).
 6. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
 7. Except for portions with inclined crossings with road and canal, the width of Right of Way for the Transmission Line shall be limited to 46 m.
 8. The User Agency shall install circuit breakers at suitable places besides maintaining necessary ground clearance to prevent electrocution of wild animals like elephant.
 9. To minimize the felling of trees for construction of Transmission Line, User Agency shall comply with the following guidelines:
 - a) The normal width clearance below each conductor or conductor bundle in case of 400 KV D/C line will be 3 m only. The trees on such strips may be felled but after stringing work is completed, the natural regeneration will be allowed to come up.
 - b) Outer strip may be left clear to permit maintenance of the Transmission Line.
 - c) In the remaining width of 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 5.5 meter clearance between conductors and trees. The maximum 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 in Right of Way under the Transmission Line, as prepared by the State Forest Department shall be implemented from the funds provided by the User Agency and a scheme for this shall be submitted.
10. The layout plan of the proposal shall not be changed without prior approval of Central Government.
11. 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.
12. The period of diversion under this approval shall be co-terminus with the period of the project life (existence of the road).
13. 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 Govt. of India.
14. 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.
15. 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.
16. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).

After receipt of the compliance report regarding 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 this project involving diversion for the transmission line, the in-principle approval may be deemed as the working permission for commencement of

works, if the required funds for CA, NPV and all other compensatory levies specified in the in-principle approval are realized 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 28.08.2015 may be referred).

Yours faithfully,


11/3/2020
(Sujoy Dutta)

Technical Officer (Forestry)

Copy to:-

1. The Dy. Secretary, 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 (HoFF), Department of Environment, Forests & Climate Change, Government of Bihar, Aranya Bhawan, Shahid Pir Ali Khan Path, Patna - 800 014.
3. The APCCF-cum-Nodal Officer (FC), Department of Environment, Forests & Climate Change, Government of Bihar, Aranya Bhawan, Shahid Pir Ali Khan Path, Patna - 800 014.
4. The Divisional Forest Officer, Saharsa Forest Division, Bihar.
5. The General Manager, Powergrid Mithilanchal Transmission Limited, Anurag Gali, Gandhi Path, Near Surya Hospital, Saharsa - 852201.
6. Guard File.


Technical Officer (Forestry)